



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: NOVEMBER 23, 2015

ITEM NUMBER: PH-3

SUBJECT: PLANNING APPLICATION PA-15-37; CONDITIONAL USE PERMIT TO ALLOW MOTOR VEHICLE REPAIR AT 1375 LOGAN AVENUE, SUITE J

DATE: NOVEMBER 13, 2015

FROM: PLANNING DIVISION / DEVELOPMENT SERVICES DEPARTMENT

PRESENTATION BY: RYAN LOOMIS, ASSOCIATE PLANNER

FOR FURTHER INFORMATION CONTACT: RYAN LOOMIS (714) 754-5608
ryan.loomis@costamesaca.gov

DESCRIPTION

Conditional Use Permit to allow a motor vehicle repair shop in the MG zone, within 200 feet of residentially zoned property.

APPLICANT

Justin Shears is the authorized agent for the property owner, Young Family Trust.

RECOMMENDATION

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

BACKGROUND

Project Site/Environs

The project is located between College Avenue and McClintock Way, on the south side of Logan Avenue. The property is zoned MG (General Industrial) and has a General Plan designation of Light Industrial. Land uses immediately adjacent to the project site consist of the following:

Direction	Zone	Use
North (across Logan Ave)	MG (General Industrial)	Industrial Uses
South	R3 (Multiple Family Residential District)	Seapointe Villas Apartments
East	MG (General Industrial)	Industrial Uses
West	MG (General Industrial)	Industrial Uses

The lot contains a 25,300 square foot, multi-tenant industrial building. The majority of the businesses within the building are general industrial uses such as manufacturing and warehousing, photography studio, plumber, and three existing auto repair uses. There is an existing automotive repair shop (Corvette Shop/ Moroso Corvettes) in Unit A, which was established in the mid 1980's. A conditional use permit was approved on March 14, 2005 allowing an auto repair business (Orange County Transmissions) within a 1,760 square-foot suite (Unit F), and a third auto repair shop is located within a 2,800 square-foot suite (Unit L) with a business license issued on September 13, 2011. In February 2001, a minor conditional use permit (ZA-00-29) was approved to allow five storage containers along the rear of the property. In addition, a minor conditional use permit (ZA-07-28) was approved to legalize outdoor storage behind Unit L; however this minor conditional use permit has been revoked as the business relocated.

Code Enforcement History

According to the City of Costa Mesa Code Enforcement Division, there are no open code cases. The most recent code violation was in February 2012 for sleeping quarters upstairs at the rear of Unit I. This code violation has been closed. Overall, there have been no code violations regarding noise or visual complaints over the last 5 years.

ANALYSIS

Project Description

The proposed project is for motor vehicle repair (Shear Performance, Inc.), which services high value, classic cars. The business is currently located within a 1,000 square-foot facility in Costa Mesa, and is looking to expand into the more spacious 2,464 square-foot facility (Unit J). Shear Performance Inc. is considered a high quality, low volume classic automotive repair shop that specializes in repair, tuning, and customizing. The shop is climate controlled, providing the vehicles protection from the elements. The shop area will contain equipment consistent with general automotive repair, including vehicle lifts, air compressors,

tool boxes, carts, workbenches, and other mechanic equipment. No auto body or paint work is proposed at the facility. Due to the nature of the vehicles the business caters to, most work will be done using hand tools, which will allow for less noise to occur than an average repair facility. The hours of operation for the business are proposed for 8:00 a.m. to 5:00 p.m., Monday through Friday, however Title 13, Chapter V., Article 5. Industrial Districts, Sec 12-54(3) would allow activities to be confined from 7a.m. to 7 p.m. All work will be conducted indoors as required by Code.

A conditional use permit is required for this type of business within the MG zone when the property is located within 200 feet of a residentially zoned property. The abutting property to the south of the project site is R3 zone (Multiple Family Residential District) and includes the Seapointe Villas Apartments.

Existing Automotive Businesses

The proposed auto repair use will be located within the existing 25,300 square-foot building on a 1.52 acre site. The building is already occupied by three other automotive repair business (Unit A, F, and L). Per Title 13, Chapter V., Article 5. Industrial Districts, Sec 12-54(1), all operations shall be conducted within an enclosed building.

Code-required parking for industrial uses is 3 parking spaces per 1,000 square feet. Based on the building size of 25,300 square feet, the property has adequate parking (76 spaces required; 87 spaces provided). In 2001, minor conditional use permit (ZA-00-29) was approved to allow five storage containers along the rear portion of the property within existing parking stalls. The storage containers occupy 6 parking stalls; however, even with the storage containers occupying 6 stalls, the property still has 5 parking spaces in excess of that required by code (76 spaces required; 81 spaces available).

With the addition of the proposed business, automotive repair uses will still make up less than 50% of the total businesses on the property. A 15-foot high wall was constructed along the rear property line, which provides both a visual and sound barrier for the residents of Seapointe Villas Apartments. There have been no code violations regarding noise or visual complaints over the last 5 years.

Justification for Approval

Pursuant to Title 13, Section 13-29(g), Findings, of the Costa Mesa Municipal Code, the Planning Commission shall find that the evidence presented in the administrative record substantially meets specified findings. Staff recommends approval of the proposed project, based on an assessment of facts and findings which are also reflected in the draft resolution as noted below:

- *Granting the CUP for the auto repair use will be compatible with developments within the same general area.*

The proposed auto repair use is compatible with the industrial and residential uses immediately surrounding the subject property. Industrial type uses surround the

property on three sides (north, east, and west), and include various uses such as auto repair, manufacturing and warehousing, photography studio, and plumbing contractor. A large sound wall measuring approximately 15 feet in height, is located along the southerly property line, providing a visual and noise buffer between the subject property and the residential uses to the south.

- The automobile repair uses will occur within a climate control shop and an existing 15-foot high wall exists behind the building to ensure proper noise attenuation and compatibility with surrounding uses.

Shear Performance proposed hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday (Code allows 7AM to 7PM). Due to the business specializing in high quality classic automobile repair, the use will be considered low volume. All work will be conducted indoors within the climate-controlled shop, as required by Code. The shop area will contain equipment consistent with general automotive repair, including vehicle lifts, air compressors, tool boxes, carts, workbenches, and other mechanic equipment. Due to the nature of the vehicles the business caters to, most work will be done using hand tools, which will allow for less noise to occur than an average repair facility. In addition, a 15-foot high wall is built along the rear property line (southern property line), providing a visual and sound barrier for the neighboring residentially zoned property (Seapointe Villas Apartments).

- Granting the CUP for the auto repair use will not negatively impact parking on the subject property (76 parking spaces required, 81 parking spaces existing).

Code-required parking for industrial uses is 3 parking spaces per 1,000 square feet. Based on the building size of 25,300 square feet, the property requires 76 parking spaces. The property currently has 87 spaces. A minor conditional use permit (ZA-00-29) was approved in 2001, allowing five storage containers along the rear portion of the property within existing parking stalls; consequently 81 spaces - or 5 extra spaces - are available.

GENERAL PLAN CONFORMANCE

As conditioned, the proposed project is in conformance with the 2000 General Plan. The General Commercial land use designation is intended to permit a wide range of industrial uses. As conditioned, the proposed project is compatible with surrounding uses. Specifically, the project complies with Land Use Objective LU-1A.1 in that it provides for commercial goods and services, and employment opportunities in consideration of the needs of the business and residential segments of the community.

ENVIRONMENTAL DETERMINATION

The project is exempt from the provisions of the California Environmental Quality Act under Section 15303 (Class 3), Conversion of Small Structures. This exemption applies to a store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 2,500 square feet in floor area.

PUBLIC NOTICE

Pursuant to Title 13, Section 13-29(d), of the Costa Mesa Municipal Code, three types of public notification have been completed no less than 10 days prior to the date of the public hearing:

1. Mailed Notice. A public notice was mailed to all property owners within a 500-foot radius of the project site. The required notice radius is measured from the external boundaries of the property. (See attached Notification Radius Map)
2. On-site posting. A public notice was posted on each street frontage of the project site.
3. Newspaper publication. A public notice was published once in the Daily Pilot newspaper.

ALTERNATIVES

The Planning Commission has the following alternatives:

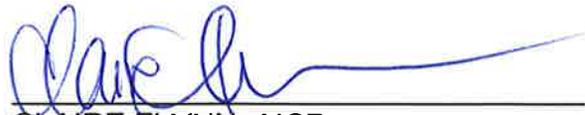
1. Approve the proposal with modifications. The Planning Commission may suggest specific changes that are necessary to alleviate concerns. If any of the additional requested changes are substantial, the item should be continued to a future meeting to allow for additional information or analysis. In the event of significant modifications to the proposal, should the Planning Commission choose to do so, staff will return with a revised resolution incorporating new findings and/or conditions.
2. Deny the proposal. If the Planning Commission believes that there are insufficient facts to support the findings for approval, Planning Commission must deny the application and provide facts in support of denial to be included in the attached draft resolution for denial. If the project were denied, the applicant could not submit substantially the same type of application for six months.

CONCLUSION

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



RYAN LOOMIS
Associate Planner



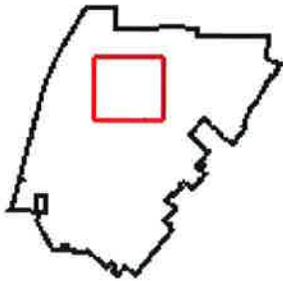
CLAIRE FLYNN, AICP
Assistant Director of Development
Services

- Attachments:
1. Location Map and Radius Map
 2. Site Photos
 3. Applicant's Project Description
 4. Draft Resolutions
 5. Plans

Distribution: Director of Economic & Development Services/Deputy CEO
Assistant Development Services Director
Senior Deputy City Attorney
Public Services Director
City Engineer
Transportation Services Manager
Fire Protection Analyst
File (2)

Justin Shears
1684 Whittier Avenue, Space 46
Costa Mesa, CA 92627

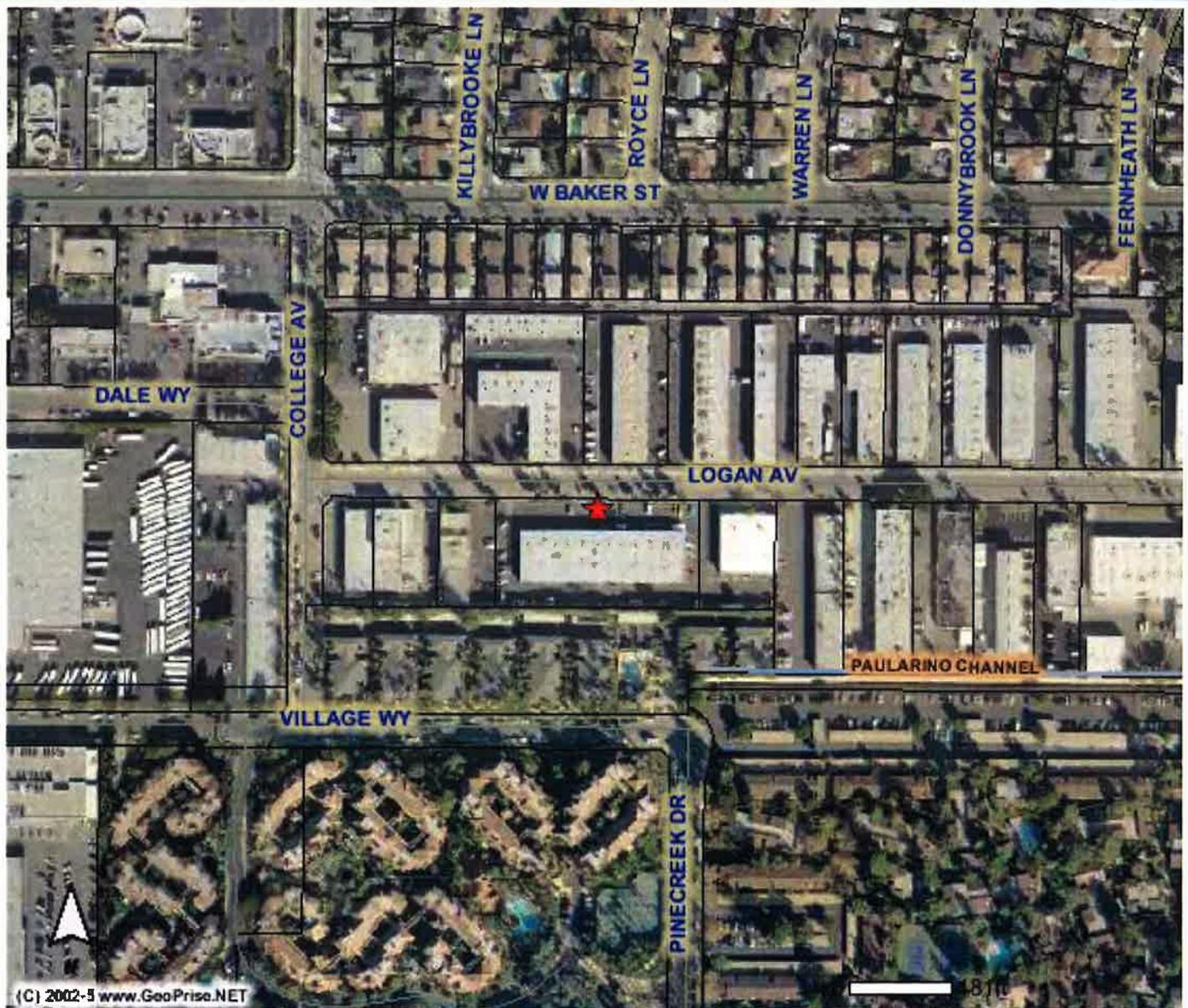
Overview Map



Legend

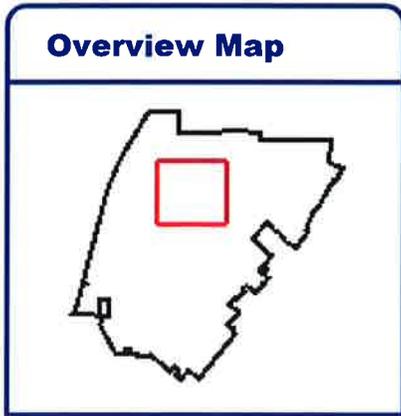
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|----------------|--------------------------|--------------------|------------------------------|
| Address Points | Roads | Major Newport BLVD | SECONDARY Hydrology Channels |
| Freeway | Collector Freeway (cont) | Primary (cont) | |

Map Display



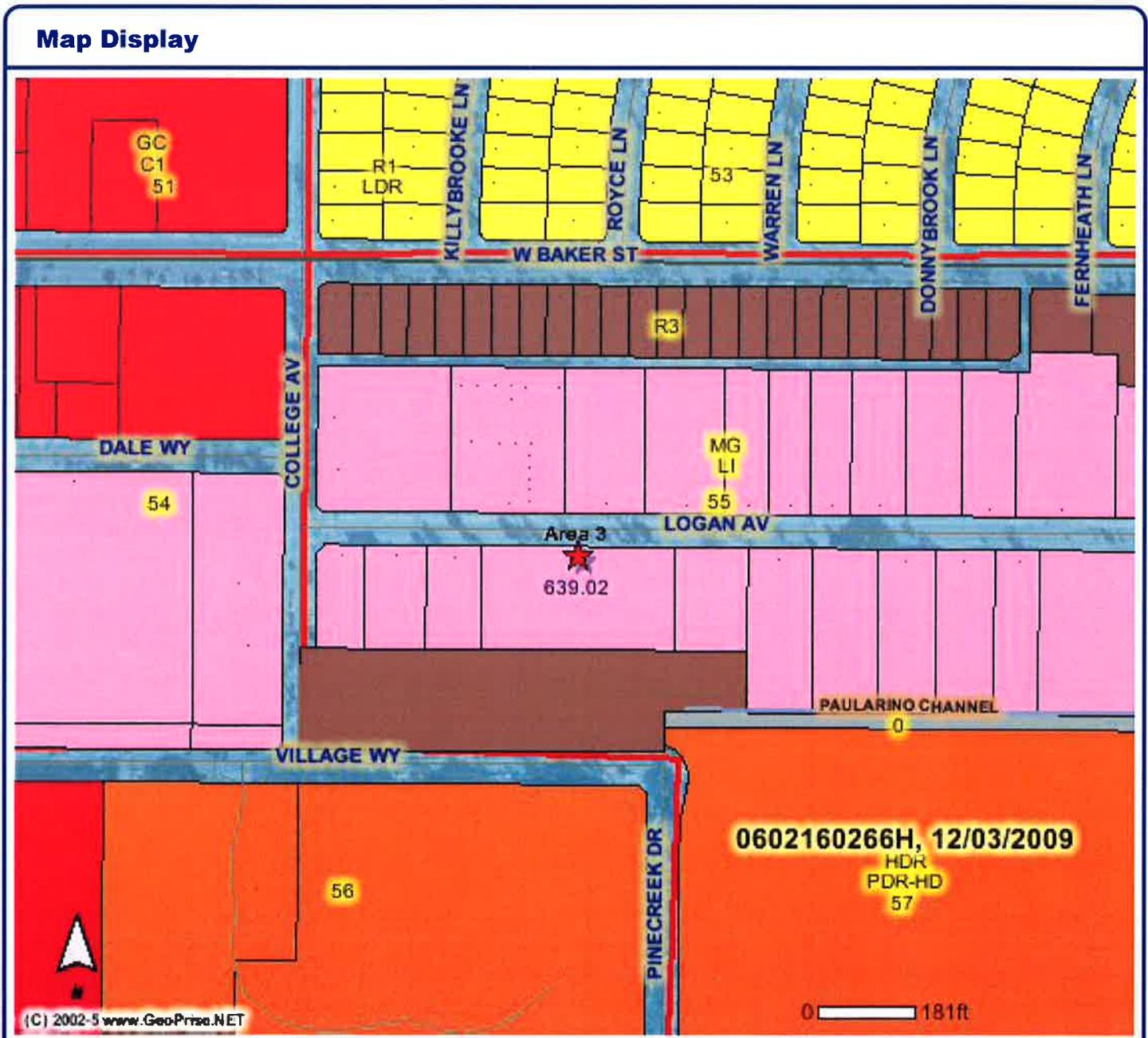
City of Costa Mesa

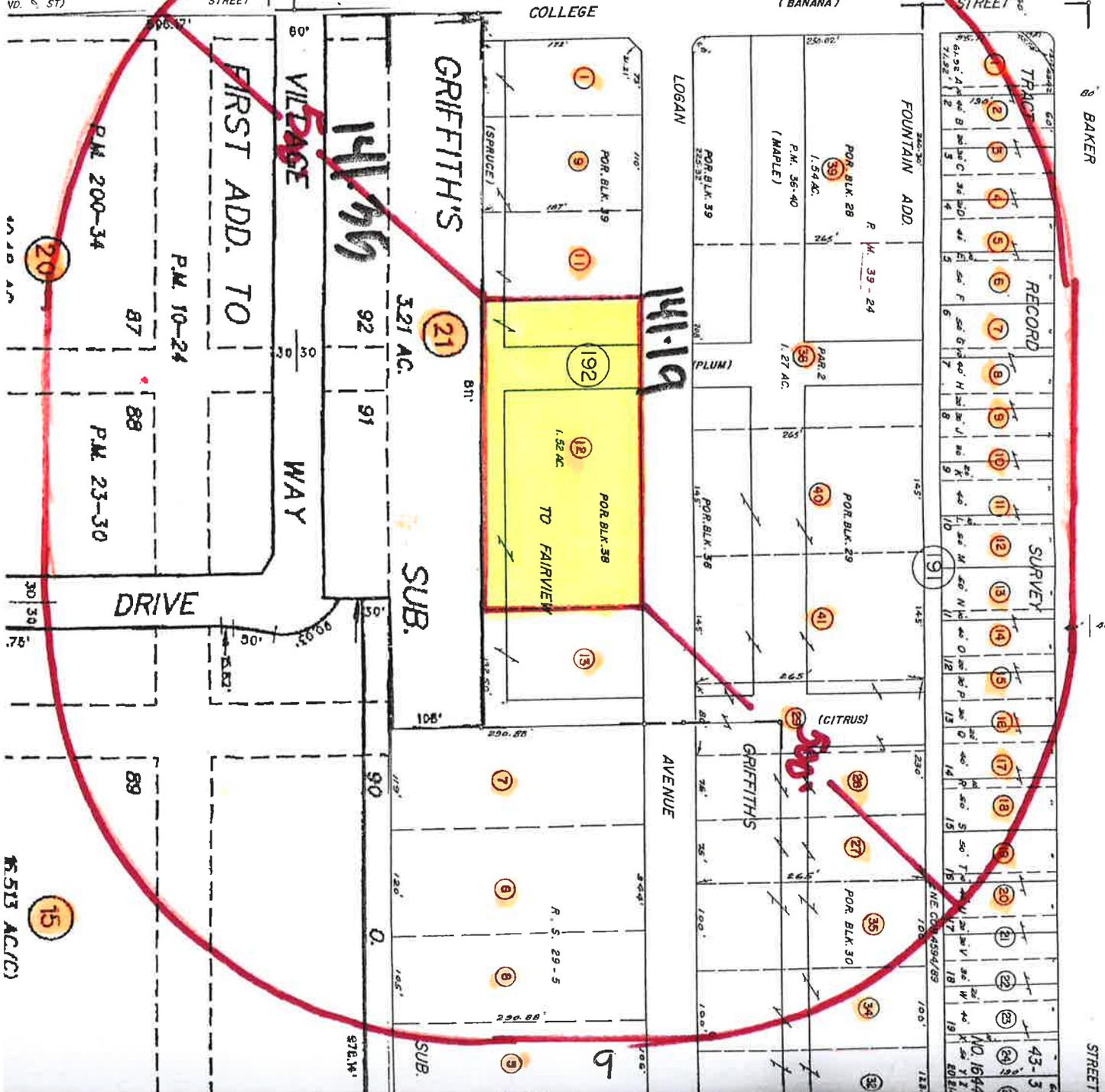
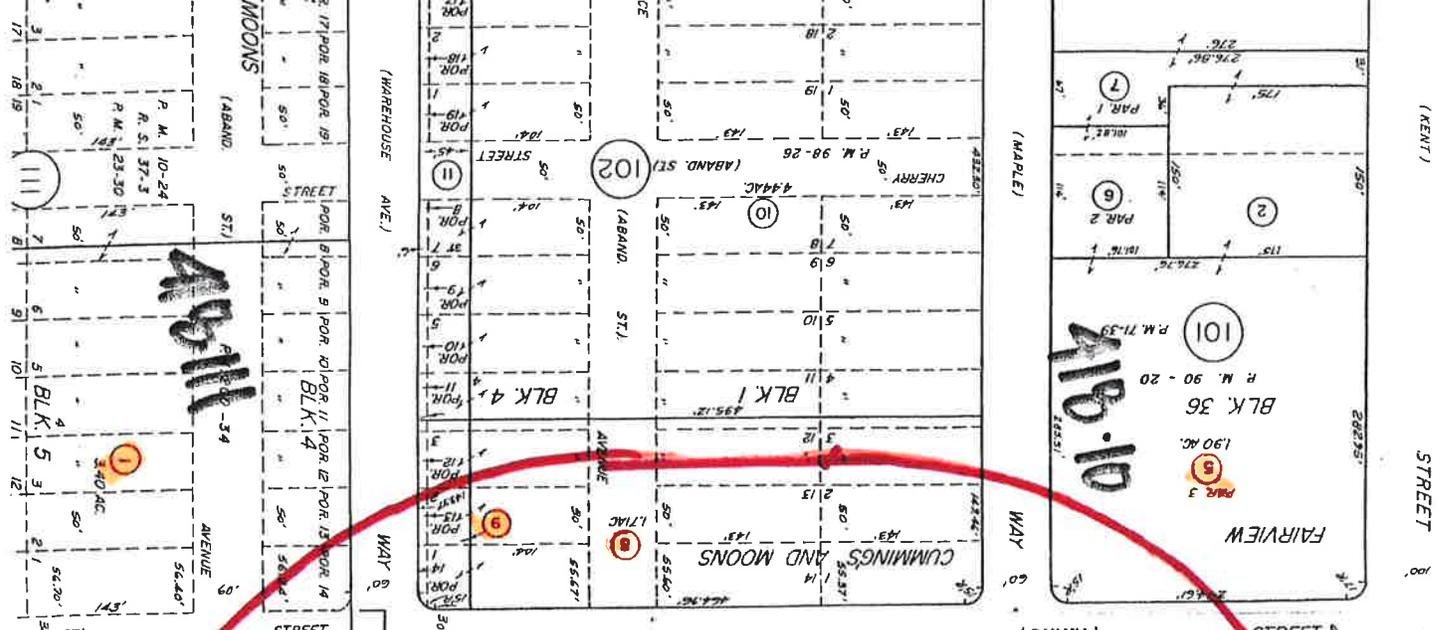
ZONING/GENERAL PLAN MAP: 1375 LOGAN AVE - [Created: 11/10/2015 11:53:20 AM] [Scale: 348] [Page: 8.5 x 11 / Portrait]



Legend

Address Points	Newport BLVD	Parcel Lines	C1-S
Freeway	Primary	City Boundary	C2
Roads	SECONDARY	Water Ways	CL
Collector Freeway	Hydrology Channels	Zoning	I&R
Major Freeway (cont)	Street Names	AP	I&R-S
	Street Centerlines	C1 (cont)	MG
			P
			PDC (cont)





- (KENT) STREET
- BAKER
- KILLY-BROOKE
- ROYCE
- 16
- WARREN
- STREET





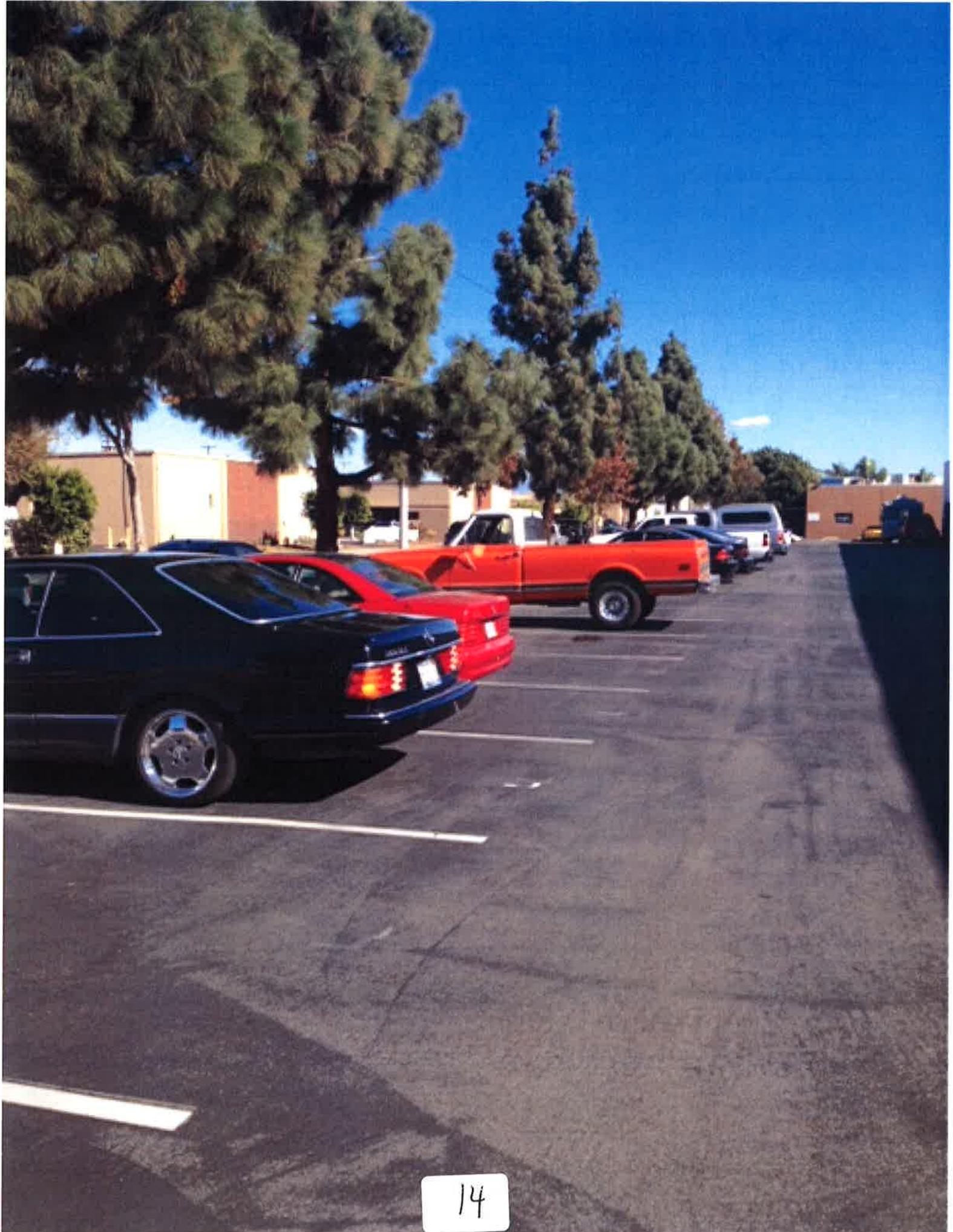
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12



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14



Conditional Use Permit Proposal for 1375 Logan Ave. Unit J

Shear Performance is looking to obtain a Conditional Use Permit for 1375 Logan Ave. Unit J in Costa Mesa CA. Logan Ave. is zoned for general industrial and there are currently a variety of craftsmen and tradesmen conducting day to day operations on this street, many of whom offer similar services to which Shear Performance is looking to provide.

In the building at 1375 Logan Ave. there are twelve individual units total, three of which are already performing automotive service and repair very much the same as we would like to offer. I have spoken personally with all three of those tenants and none of them have had any noise or complaints of any other sort from the surrounding community. Shear Performance is looking to continue that behavior and show our neighbors, both professional and residential the respect they deserve.

1375 Logan Ave. has a 30' sound wall erected between the building and the neighboring residents to reduce or eliminate any sounds that may disturb the residents as well as providing a visual benefit. To further reduce the chance of any noise pollution we will perform our day to day operations from completely within the building with the doors closed to the outside. All vehicles being serviced whether actively or awaiting service will remain inside the building at all times. To our benefit, and surprise, the unit is entirely air conditioned and heated so the outside elements will have less impact on the individuals performing the services and allow us to have the unit to remain sealed throughout the business day. We also plan to apply sound deadening insulation to the ceiling and large bay door for energy efficiency and as an added benefit to even further reduce any sounds escaping. The air compressor will be housed inside the shop and we are building an enclosure to deaden any sound it may make while running which is very infrequently as the lifts are electric and hand tools are primarily used.

In closing, Shear Performance intends to make as small of an impact, negatively speaking, as possible. Our business will be a great fit in this community and we hope to only benefit our customers, friends and neighbors. Thank you for taking time to read this and you have our utmost respect.

Justin Shears

1375 LOGAN AVENUE, UNIT J

PROJECT: EXPANSION OF SHEAR PERFORMANCE IN COSTA MESA

Shear Performance Inc. is expanding our business in the city of Costa Mesa into the classic car service industry. At the same time, we are trying to strengthen the economy by creating jobs for talented craftsmen and technicians that have the same love for classic automobiles and hot rods as we do.

For the past 2 years, we have been supplying quality performance parts for our clients cars that it has allowed us to expand from our 1000 sq. ft. shop here in Costa Mesa and into a more spacious 2500 sq. ft. facility where we are able to continue and broaden our business into the field of installation and repair. We will be a high quality, low volume classic automotive shop that specializes in repair, tuning and customizing. We work on high value vehicles, therefore, all vehicles are housed in the shop where the climate is regulated, the vehicles are protected from the elements and they do not "clutter" the parking area.

The shop area **will** contain equipment consistent with general automotive repair i.e. vehicle lifts, air compressor, tool boxes, carts, workbenches etc. We will not be doing any body or paint work and have no plans to in the future. Due to the nature of the vehicles we cater to, most work will be done using hand tools so noise pollution will be considerably less than an average repair facility.

We are a small business looking for an opportunity to grow and thrive in the Costa Mesa area for years to come. Thank you for your consideration and we hope you grant us the opportunity to do so.

RESOLUTION NO. PC-15-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-15-37 FOR A CONDITIONAL USE PERMIT TO ALLOW MOTOR VEHICLE REPAIR SERVICES WITHIN 200 FEET OF RESIDENTIALLY ZONED PROPERTY LOCATED AT 1375 LOGAN AVENUE, SUITE J

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

WHEREAS, an application was filed by Justin Shears, as the authorized agents on behalf of the property owner, Young Family Trust, with respect to the real property located at 1375 Logan Avenue, Suite J;

WHEREAS, the proposed project involves a conditional use permit for motor vehicle repair services within 200 feet of residentially zoned property.

WHEREAS, the project was reviewed in accordance with the requirements of the California Environmental Quality Act (CEQA), The State CEQA Guidelines, and the City of Costa Mesa Environmental Guidelines; and the project was determined to be exempt from further CEQA analysis under Section 15303 for Conversion of Small Structures;

WHEREAS, a duly noticed public hearing held by the Planning Commission on November 23, 2015 with all persons having the opportunity to speak for and against the proposal;

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit A, and subject to the conditions of approval contained within Exhibit B, the Planning Commission hereby **APPROVES** Planning Application PA-15-37 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-15-37 and upon applicant's compliance with each and all of the conditions in Exhibit B, and 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.

BE IT FURTHER RESOLVED that if any section, division, sentence, clause, phrase or portion of this resolution, or the documents in the record in support of this resolution, are for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.

PASSED AND ADOPTED THIS 23RD DAY OF NOVEMBER, 2015.

Robert L. Dickson, Jr., Chair
Costa Mesa Planning Commission

EXHIBIT A

FINDINGS (APPROVAL)

- A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(e) because:

Finding: A compatible and harmonious relationship exists between the proposed use and existing buildings, site development, and uses that exist or have been approved for the general neighborhoods.

Facts in Support of Findings: The proposed development and use is compatible and harmonious with uses both on site as well as those on surrounding properties. The project is conditioned to minimize noise impacts to surrounding uses, including no motor vehicle repair to be conducted outdoors. There are no anticipated traffic or parking impacts to surrounding properties during normal business operation.

Finding: Safety and compatibility of the design of the parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.

Facts in Support of Findings: All staff and regular customer parking shall be on the subject property. There shall be no outdoor motor vehicle repair conducted at the site, and outdoor lighting is to be directed away from the nearby residential use.

Finding: Compliance with any performance standards as prescribed elsewhere in Zoning Code.

Facts in Support of Findings: The proposed use is compliant with performance standards as prescribed in the Zoning Code. The proposed motor vehicle repair will be conditioned to operate as described in the submitted business description and is compliant with Zoning Code.

Finding: The use is consistent with the General Plan.

Facts in Support of Findings: The project, as conditioned, is consistent with the General Plan. The project is consistent with the General Plan land use designation of Light Industrial. This designation is intended to permit a wide range of industrial uses to serve local and regional needs and should be insulated from sensitive uses through buffers or onsite mitigation measures. The proposed project is insulated from sensitive land uses, and is abutting industrial uses on three sides. A 15-foot high wall is built along the rear property line (southern property line), which provides a visual and sound barrier for the neighboring residentially zoned property (Seapointe Villas Apartments).

Finding: The planning application is for a project-specific case and is not to be construed to be setting a precedent for future development.

Facts in Support of Findings: The planning application is for a project-specific case and does not establish a precedent for future development. Approval will apply to this project-specific location. Conditions have been included that are specific to the proposed project.

- B. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(2) in that:

Finding: The proposed use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.

Facts in Support of Finding: The proposed auto repair use is compatible with the industrial and residential uses immediately surrounding the subject property. Industrial type uses surround the property on three sides (north, east, and west), and include various uses such as auto repair, manufacturing and warehousing, photography studio, and a plumbing contractor. A large sound wall measuring approximately 15 feet in height, is located along the southerly property line, providing a noise and visual buffer between the subject property and the residential uses to the south (Seapointe Villas Apartments).

Finding: Granting the 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.

Facts in Support of Finding: The proposed auto repair use is conditioned to operate as described in the submitted business description. Due to the nature of the vehicles the business caters to, most work will be done using hand tools, which will allow for less noise to occur than an average repair facility. In addition, a 15-foot high wall is built along the rear property line (southern property line), which provides a visual and sound barrier for the neighboring residentially zoned property (Seapointe Villas Apartments).

Finding: Granting the 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.

Facts in Support of Finding: The Light Industrial land use designation is intended to permit a wide range of industrial uses. The majority of the businesses within the building are general industrial uses such as manufacturing and warehousing, photography studio, plumber, and three existing auto-related uses. The proposed auto repair use will be located within a building that already contains three existing auto repair uses on the subject property (Units A, F, and L). These uses are buffered from sensitive land uses in that it is surrounded on

three sides by industrial zoned properties, and on the remaining side by a 15-foot high wall along the southerly property line.

- C. The project is exempt from the provisions of the California Environmental Quality Act under Section 15303 (Class 3) for Conversion of Small Structures. This exemption applies to a store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 2,500 square feet in floor area. . Because the tenant improvement at the project site is less than 2,500 square feet, and not include expansion to the existing facility, the project qualifies for this exemption.
- D. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT B

CONDITIONS OF APPROVAL

- Plng.
1. The use shall be limited to the type of operation described in this staff report: a motor vehicle repair business with hours of operation permitted between 7:00 a.m. to 7:00 p.m., Monday through Friday. Any significant change in the operational characteristics will require approval of an amendment to the conditional use permit, subject to Planning Commission approval. The Development Services Director shall make a determination that certain changes could be approved at a staff level.
 2. The applicant shall defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers and employees from any claim, action, or proceeding (collectively referred to as "proceeding") brought against the City, its elected and appointed officials, agents, officers or employees arising out of, or which are in any way related to, the applicant's project, or any approvals granted by City related to the applicant's project. The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, the City and/or the parties initiating or bringing such proceeding. This indemnity provision shall include the applicant's obligation to indemnify the City for all the City's costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth in this section. City shall have the right to choose its own legal counsel to represent the City's interests, and applicant shall indemnify City for all such costs incurred by City.
 3. 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 Economic Development & Development Services Director/Deputy CEO or his designee, any of the findings upon which the approval was based are no longer applicable.
 4. The conditions of approval, code requirements, and special district requirements of PA-15-37 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
 5. The applicant shall contact the Planning Division to arrange a Planning inspection of the site upon completion of all site improvements and prior to final approval of any building permits for interior building improvements. This inspection is to confirm that the conditions of approval and Code requirements have been satisfied.
 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. If parking shortages or other parking-related problems arise, the business operator shall institute appropriate operational measures necessary to minimize or eliminate the problem, including, but not limited to, removal of shipping containers to create additional parking.
8. Parking for patrons and employees of the business shall occur onsite. Employee parking on public streets or adjacent properties shall be considered a violation of the terms of approval of the conditional use permit.
9. All exterior lighting shall be shielded and/or directed away from residential areas.
10. The use shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. No auto repair shall be conducted outside the building. The applicant and/or operator shall institute whatever security and operational measures are necessary to comply with this requirement.
11. On-site signs shall comply with the provisions of the Costa Mesa Sign Ordinance.

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. | <ol style="list-style-type: none">1. If construction is proposed, noise-generating construction activities shall be limited to 7 a.m. to 7 p.m. Monday through Friday and 9 a.m. to 6 p.m. Saturday. Noise-generating construction activities shall be <u>prohibited</u> on Sunday and the following Federal holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.2. All operations shall be conducted within an enclosed building.3. All areas or structures in which such operations are conducted shall be located or treated as to prevent annoyance or a detriment to any other existing on-site uses and surrounding properties.4. All activities shall be confined to 7:00 a.m. to 7:00 p.m. when located within 200 feet of residentially zoned property measured from lot line to lot line.5. No damaged or inoperable vehicles shall be stored for purposes other than repair. |
| Bldg. | <ol style="list-style-type: none">6. If construction is proposed, comply with the requirements of the adopted 2013 California Building Code, 2013 California Electrical Code, 2013 California Mechanical Code, 2013 California Plumbing Code, 2013 California Green Building Standards Code and 2013 California Energy Code (or the applicable adopted, California Building Code, California |

Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards and California Energy Code, at the time of plan submittal or permit issuance), and California Code of Regulations, also known as the California Building Standards Code, as amended by the City of Costa Mesa.

7. Requirements for accessibility to sites, facilities, buildings and elements by individuals with disability shall comply with chapter 11B of the 2013 California Building Code.
 - a. Accessibility shall be to and through the front door and to the commercial space from the public sidewalk.
 - b. Accessible restrooms/bathrooms in the commercial space.
 - c. Accessible parking.
 - d. Accessible entry door, ramps, landings, sidewalks, hallways, strike edge clearances and elevation changes.
 - e. Additional access requirements maybe required as per 2013 California Building Code.

- Bus.
Lic.
8. If construction is proposed, all contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections, final occupancy and utility releases will not be granted until all such licenses have been obtained.
 9. A completed "Application for Business License" is required for all persons conducting business within the City.

SPECIAL DISTRICT REQUIREMENTS

The requirements of the following special districts are hereby forwarded to the applicant:

- AQMD 1. Applicant shall contact the Air Quality Management District (AQMD) at (800) 288-7664 for potential additional conditions of development or for additional permits required by AQMD.
- CDFA 2. Comply with the requirements of the California Department of Food and Agriculture (CDFA) to determine if red imported fire ants exist on the property prior to any soil movement or excavation. Call CDFA at (714) 708-1910 for information.

RESOLUTION NO. PC-15-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DENYING PLANNING APPLICATION PA-15-37 FOR A CONDITIONAL USE PERMIT TO ALLOW MOTOR VEHICLE REPAIR SERVICES WITHIN 200 FEET OF RESIDENTIALLY ZONED PROPERTY LOCATED AT 1375 LOGAN AVENUE, SUITE J

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

WHEREAS, an application was filed by Justin Shears, as the authorized agents on behalf of the property owner, Young Family Trust, with respect to the real property located at 1375 Logan Avenue, Suite J;

WHEREAS, the proposed project involves a conditional use permit for motor vehicle repair services within 200 feet of residentially zoned property;

WHEREAS, a duly noticed public hearing held by the Planning Commission on November 23, 2015 with all persons having the opportunity to speak for and against the proposal.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit A, the Planning Commission hereby **DENIES** Planning Application PA-15-37 with respect to the property described above.

PASSED AND ADOPTED THIS 23RD DAY OF NOVEMBER, 2015.

Robert L. Dickson, Jr., Chair
Costa Mesa Planning Commission

EXHIBIT A

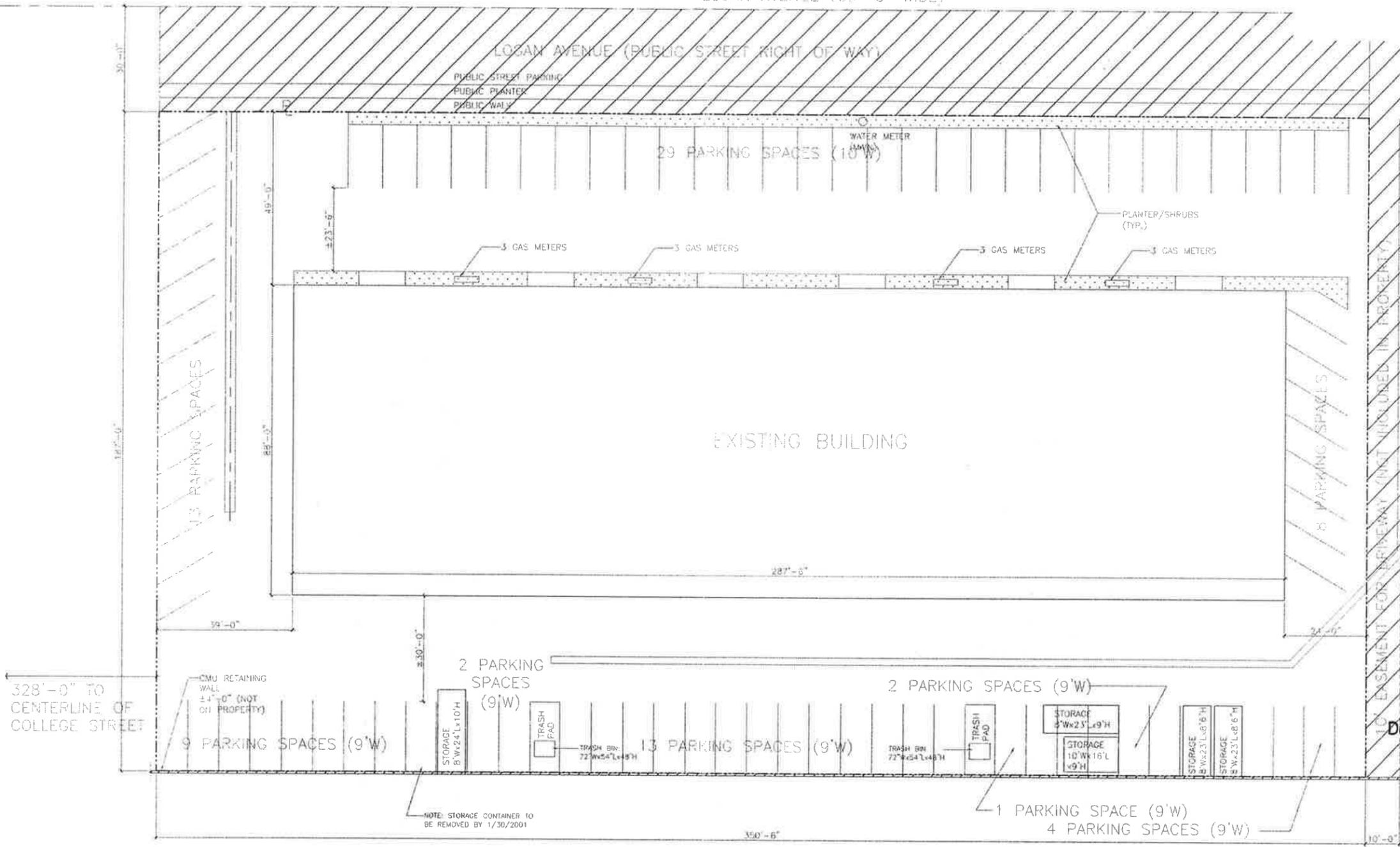
FINDINGS (DENIAL)

- 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 project does not comply with the performance standards as prescribed in the Zoning Code.
 - 3. The proposed project is not consistent with the General Plan or Zoning Code.

- B. The proposed project does not comply with Costa Mesa Municipal Code Section Code Section 13-29(g)(1) because:
 - 1. The proposed use is not substantially compatible with developments in the same general area and would be materially detrimental to other properties within the area.
 - 2. Granting the conditional use permit will be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood
 - 3. Granting the conditional use permit will allow a use, density, or intensity which is not in accordance with the General Plan designation and any applicable specific plan for the property.

- C. The Costa Mesa Planning Commission has denied Planning Application PA-15-09. 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.

- D. The project is exempt from Chapter IX, Article 11, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.



Received
City of Costa Mesa
Development Services Department

SEP 24 2015



SITE PLAN

LQT SIZE: 1.50 ACRES
(EXCLUDES PUBLIC STREET RIGHT OF WAY AREA, AND EAST EASEMENT AREA)

BUILDING SIZE: ±25300 S.F.

LAND USE: 36.6% BUILDING; 61.4% PARKING, DRIVEWAYS, OPEN SPACE.

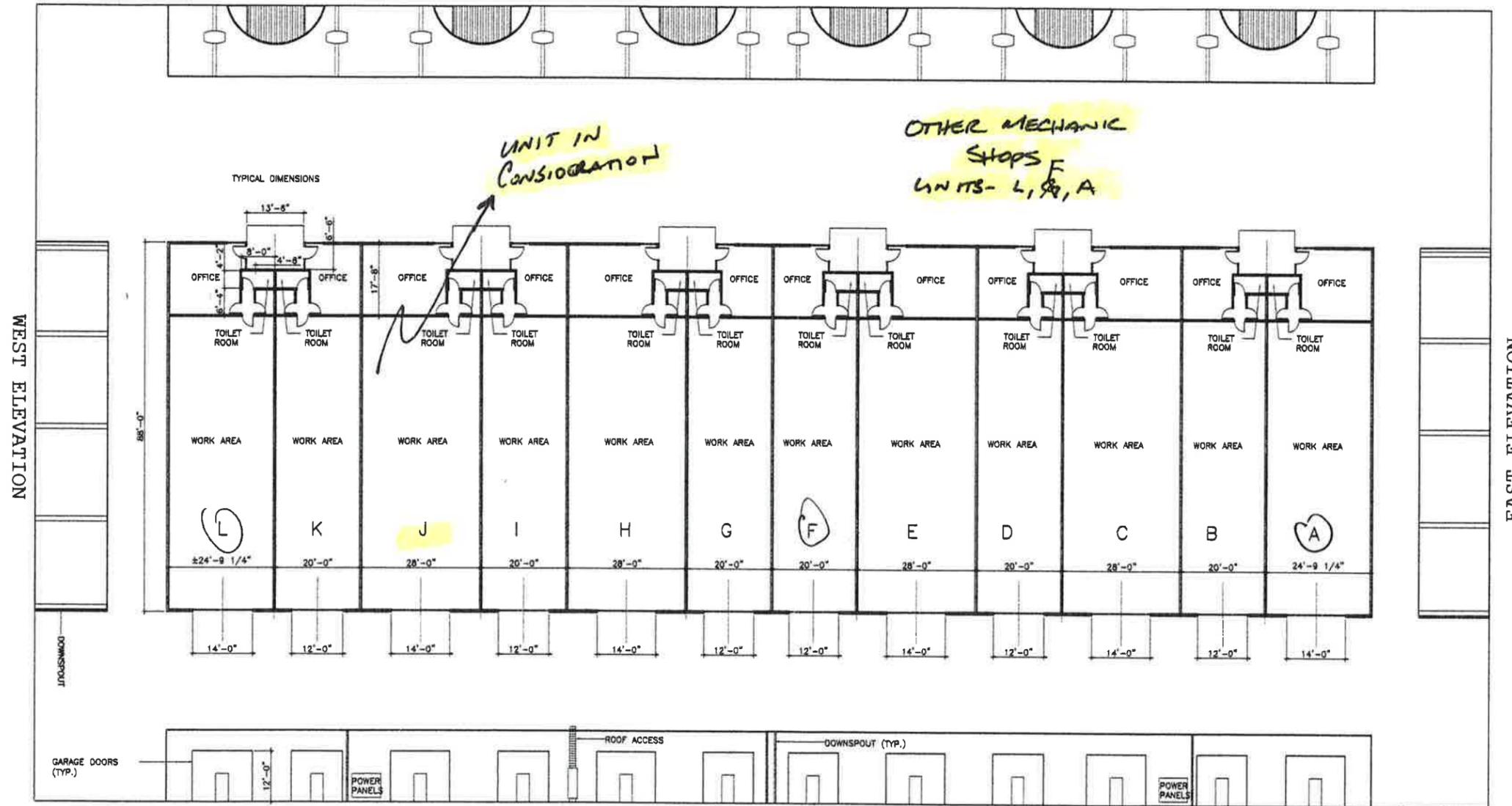
PARKING: 29 SPACES (NORTH); 8 SPACES (EAST); 13 SPACES (WEST); 37 SPACES (SOUTH)/31 SPACES AVAILABLE.

Total parking spaces:
29+8+13+37=87 SPACES

Total available parking spaces:
29+8+13+8+3+13+1+2+4=81 SPACES

PROJECT ADDRESS 1375 LOGAN AVENUE COSTA MESA, CA 92626
OWNER JOE LEUNG YOUNG TR (CONTACT: HONG QUAN/STEVEN YOUNG)
TELEPHONE NUMBER (714) 777-3053
PROJECT MINOR CUP PROJECT / ACTIVITY # ZA-00-29 PAGE 1 OF 2 DATE: 12/14/04

NORTH ELEVATION



SOUTH ELEVATION



FLOOR PLAN / ELEVATIONS

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