



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: FEBRUARY 8, 2016

ITEM NUMBER: PH-1

SUBJECT: REVIEW OF THE ZONING ADMINISTRATOR'S APPROVAL OF ZONING APPLICATION ZA-15-38 FOR A RELIGIOUS AND CULTURAL CENTER WITH A DEVIATION FROM SHARED PARKING REQUIREMENTS AT 3184 AIRWAY AVENUE, SUITE J

DATE: JANUARY 28, 2016

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

DESCRIPTION

Zoning Application ZA-15-38, which was approved by the Zoning Administrator on December 10, 2015, is a minor conditional use permit for a deviation from shared parking requirements due to off-set hours of operation for a religious education and cultural assembly use:

- Monday through Sunday 4:00 a.m. – 6:00 a.m. and 7:00 p.m. – 9:30 p.m.
- Saturday 10:00 a.m. – 2:00 p.m.
- Sunday 10:00 a.m. – 2:00 p.m. (10 times per year).

A total of 55 parking spaces are required for the 1,914 square foot assembly area. The proposal involves off-set operational hours in order to utilize the parking area when the other businesses are closed.

The request was approved by the Zoning Administrator on December 10, 2015, and called up for review by the Planning Commission on December 11, 2015.

AUTHORIZED AGENT

The authorized agent is Salim Rahemtulla, representing Randy Shafer, the property owner.

RECOMMENDATION

Staff recommends that the Planning Commission uphold the Zoning Administrator's approval of ZA-15-38 by adoption of Planning Commission resolution, subject to conditions.

BACKGROUND

Project Site/Environs

The property is located on the east side of Airway Avenue, north of McCormick Avenue. The site is zoned MP (Industrial Park) and has a General Plan land use designation of Industrial Park. Physical on-site improvements include 32 buildings with 493 parking spaces and three points of ingress/egress on Airway Avenue.

Project Description

The applicant requests approval of a minor conditional use permit (MCUP) to allow the establishment of a religious education and cultural assembly center with a deviation from the shared parking requirements due to offset hours of operation.

Previous Entitlement

In 2010, Minor Conditional Use Permit ZA-10-22 was approved for a church with offset hours of operation at 3184 Airway Avenue, Suite A (Berean Community Church). The church is conditioned to operate as follows:

Sunday: 9:00 a.m. to 1:00 p.m. (every week) and 7:00 p.m. to 10:00 p.m. (4 times per year).
Friday: 7:00 p.m. to 9:00 p.m.
Saturday: 9:00 a.m. to 11:00 a.m. (one time per month).

In their justification letter dated April 1, 2010, the applicant stated they would need a maximum of 109 parking spaces.

ANALYSIS

Justifications for Approval

The Zoning Administrator approved the request based on the following:

- Noise impacts are not anticipated by the use. Noise impacts are not anticipated to surrounding uses due to the quiet nature of a religious education and cultural assembly center and a condition of approval that all activities will occur indoors.
- Parking and circulation will not interfere with surrounding properties. The parking ratio for a cultural assembly center with no fixed seating is 1 space for every 35 square feet of seating area within the main assembly area; consequently, 55 parking spaces would be required for the proposed space 1,914 square feet assembly area. The applicant is requesting approval of a minor conditional use permit to deviate from shared parking requirements due to offset hours of operation. The following schedule is proposed:

Monday through Sunday: 4:00 a.m. to 6:00 a.m. and 7:00 p.m. to 9:30 p.m.
Saturday: 10:00 a.m. to 2:00 p.m.

Sunday: 10:00 a.m. to 2:00 p.m. (10 times per year).

The project is conditioned to operate at these times only, which should not interfere with normal business hours of 8:00 a.m. to 5:00 p.m. when parking demand will be at its peak. However, there is concern that parking demands of the proposed religious/cultural center could conflict with the parking approved under ZA-10-22 for Berean Community Church at 3184 Airway, Suite A.

In their justification letter dated October 13, 2015 the applicant stated that they would require a maximum of 150 parking spaces. In the worst case scenario, the existing church operates every Sunday (with a parking demand of 109 spaces) while the proposed religious/cultural center proposes to operate during the same hours (with the 150 space parking demand) -- resulting in an overall parking demand of 259 spaces. However, the religious/cultural center Sunday meetings would occur only 10 times per year. Additionally, the overall development (3184 through 3188 Airway Avenue) contains approximately 493 parking spaces and there are no other parking deviations approved for this development; consequently adequate parking exists to serve both uses at the same time.

Should parking shortages or other parking-related problems and/or conflicts develop, the center operator will be required to institute appropriate operational measures necessary to minimize or eliminate the problem including, but not limited to, modifying operating hours.

On January 21, 2016, the applicant submitted a parking study prepared by LSA supporting the above assumption that sufficient parking exists to meet the parking demand for the uses (Attachment 9).

ENVIRONMENTAL DETERMINATION

If the Zoning Administrator's approval of the request is upheld, it would be categorically exempt from the provisions of the California Environmental Quality Act under Section 15301 (Class 1) for Existing Facilities.

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 affected properties (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.

Additionally, notice was provided to all individuals who provided written correspondence in conjunction with the previous amendment under ZA-14-40 (Attachment 9).

LEGAL REVIEW

The City Attorney has reviewed the draft resolutions and they have been approved as to form by the City Attorney’s Office.

ALTERNATIVES

The Planning Commission has the following alternatives:

- Uphold the Zoning Administrator’s approval of the project, subject to conditions. The Planning Commission may suggest specific conditions to include in an approval of the project. If any of the additional requested changes are substantial, the item should be continued to a future meeting to allow a redesign or additional 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.
- Reverse the Zoning Administrator’s decision and deny the project. 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

The Zoning Administrator approved the request based on the determination that the proposed use, as conditioned, is compatible with the surrounding residential properties and is, therefore, consistent with the City’s Zoning Code and General Plan.



 MEL LEE, AICP
 Senior Planner



 WILLA BOUWENS-KILLEEN, AICP
 Zoning Administrator

- Attachments:
1. Location Map, Zoning Map, and Radius Map
 2. Site Photos
 3. Applicant’s Project Description
 4. Draft Resolutions
 5. Correspondence from Public
 6. Plans
 7. Zoning Administrator Approval Letter for ZA-15-38
 8. Review Request
 9. Parking Study

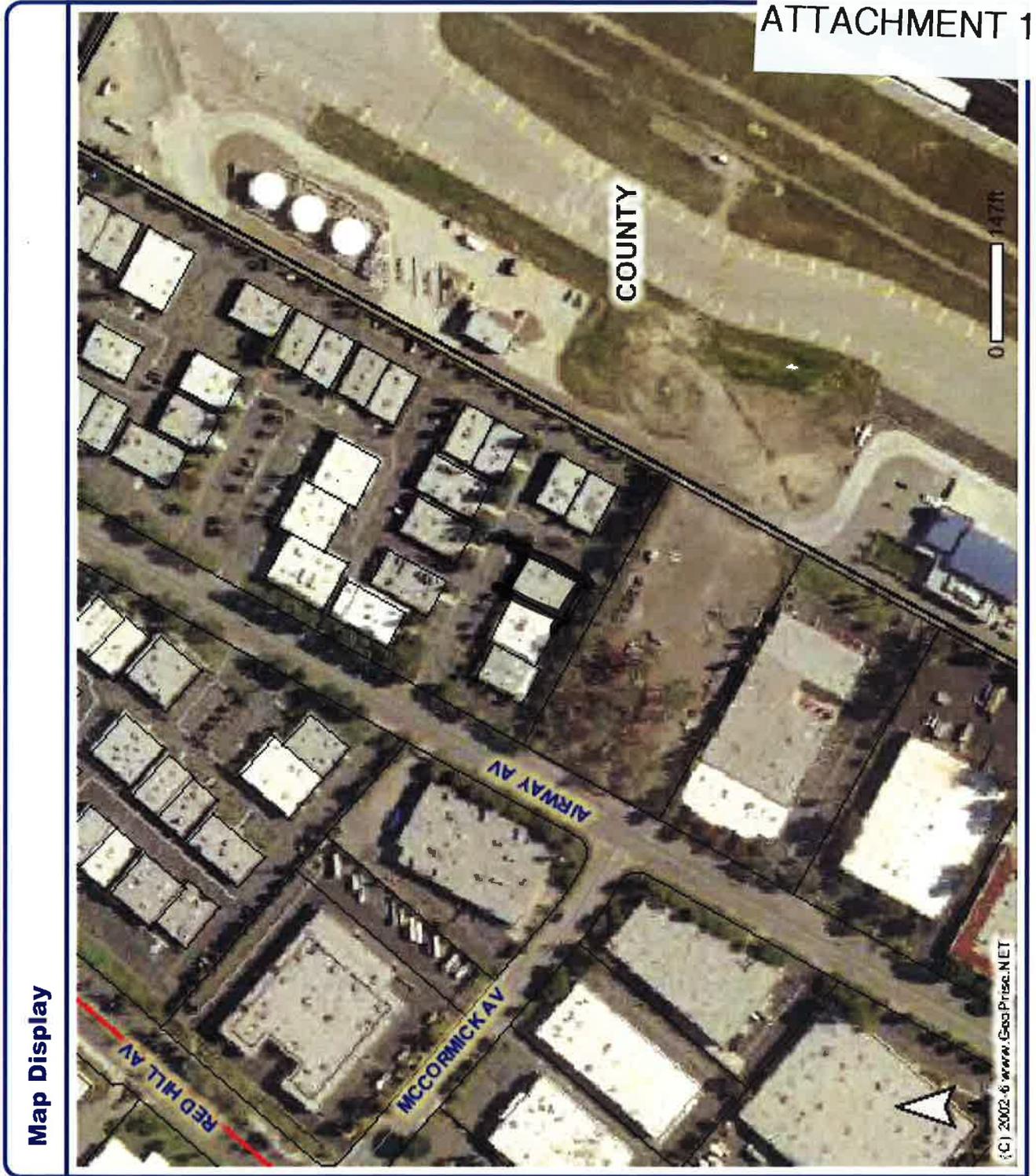
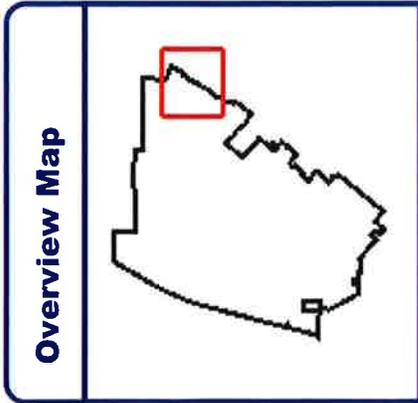
Distribution: Director of Economic & Development Services/Deputy CEO
Senior Deputy City Attorney
Public Services Director
City Engineer
Transportation Services Manager
Fire Protection Analyst
File (2)

Salim Rahemtulla
82 Meadowbrook
Aliso Viejo, CA 92656

Randy Shafer
1874 Samar Drive
Costa Mesa, CA 92626

City of Costa Mesa

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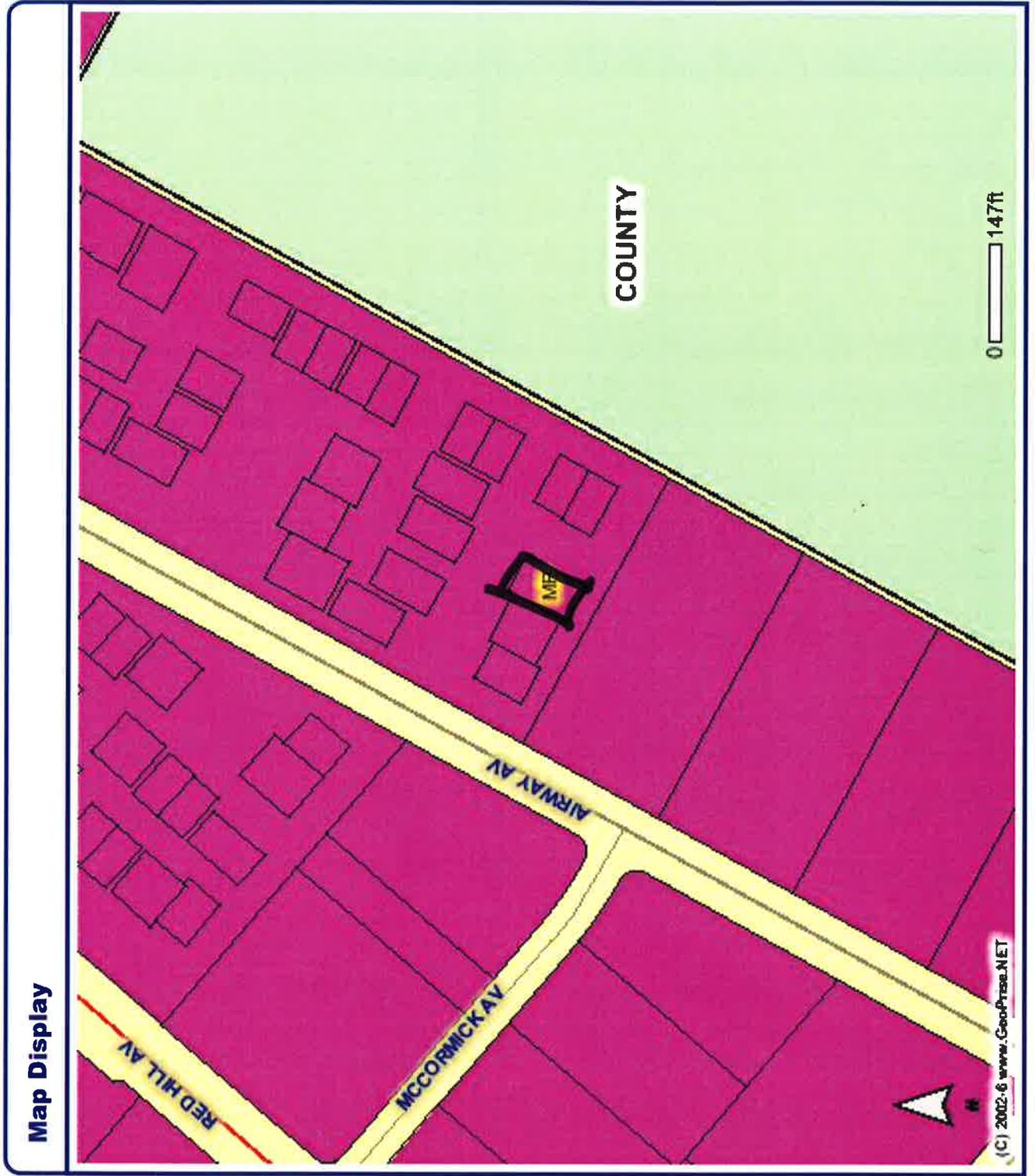
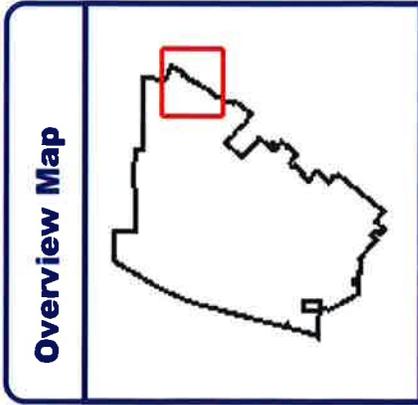


Legend

Address Points	Freeway	Street Names	Street Centerlines
Collector Roads	Major Freeway	Parcel Lines	City Boundary
Waterways	Channel		

City of Costa Mesa

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Legend

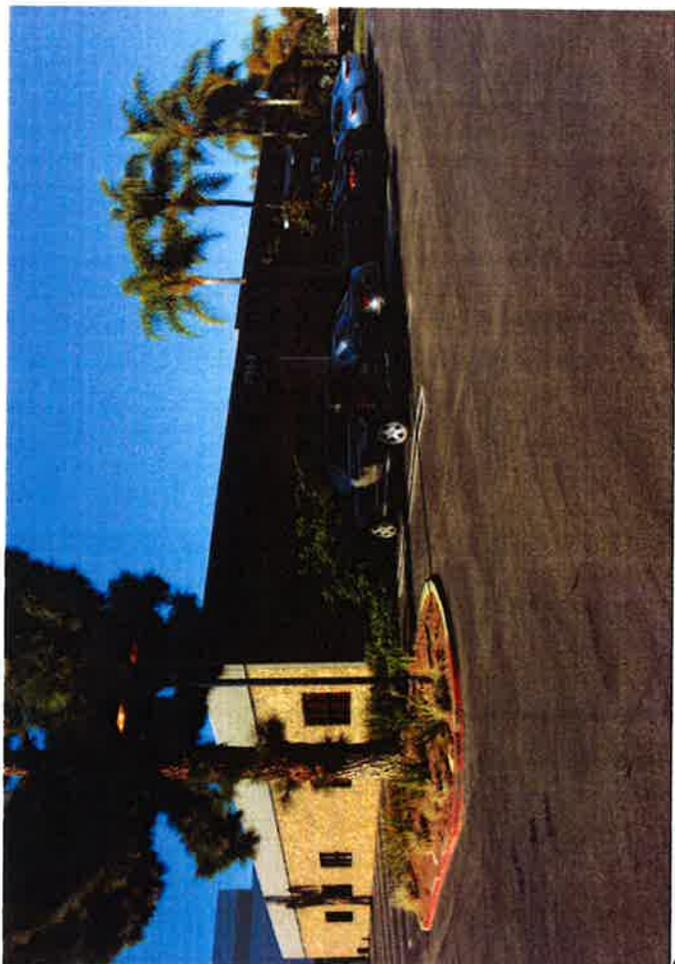
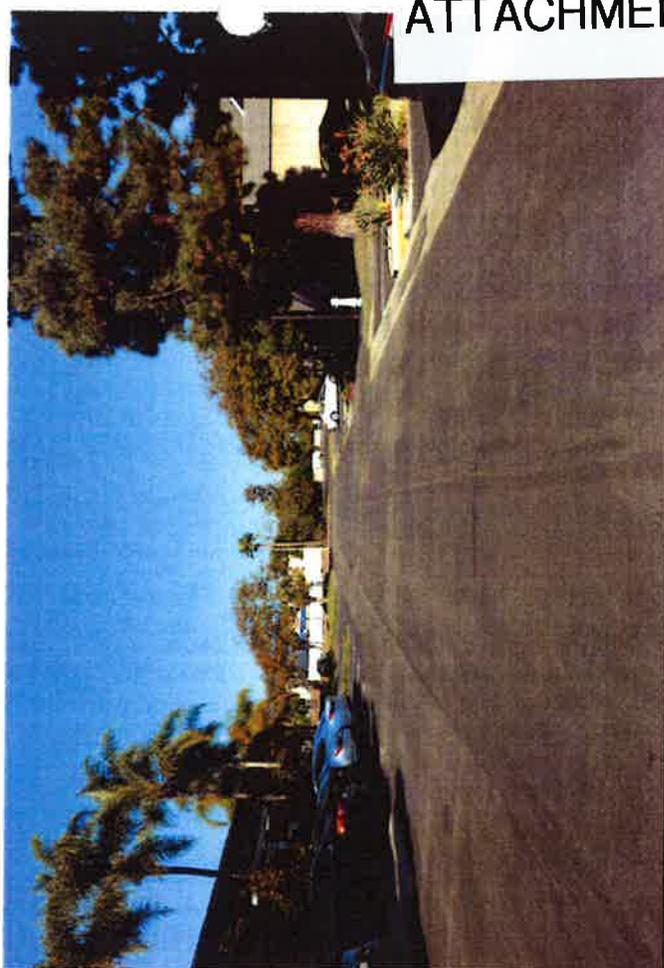
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Freeway Roads	Street Centerlines
Collector Freeway	Parcel Lines
Major Newpoint BLVD	City Boundary
Primary SECONDARY	Water Ways
Hydrology Channel-	



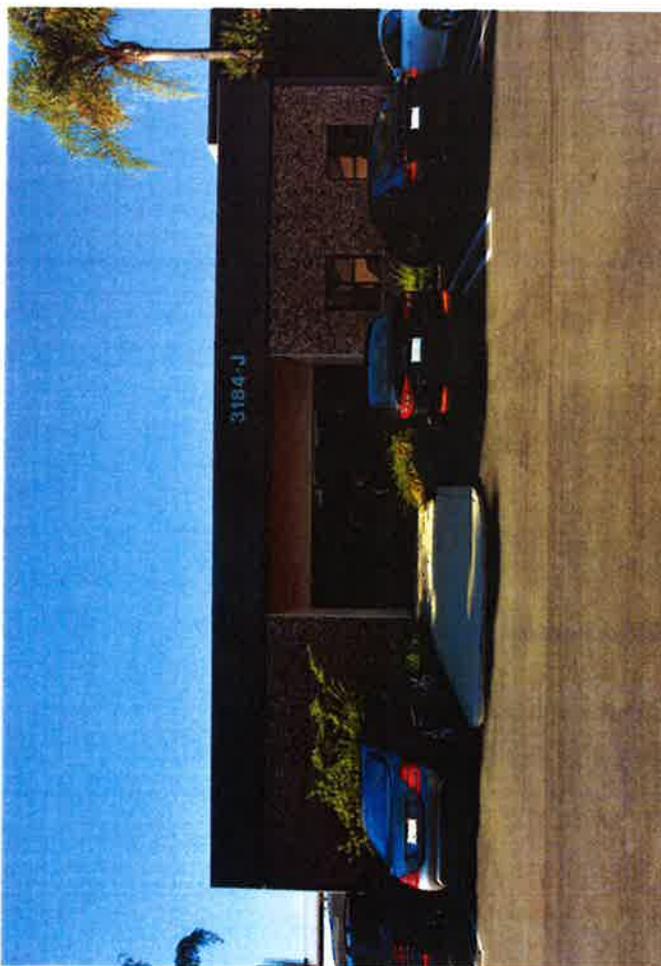
Map Preparer:
 SUSAN W. CASE, INC.
 917 GLENNEYRE ST #7
 LAGUNA BEACH CA 92651
 949 494 6105
susancaseinc@yahoo.com

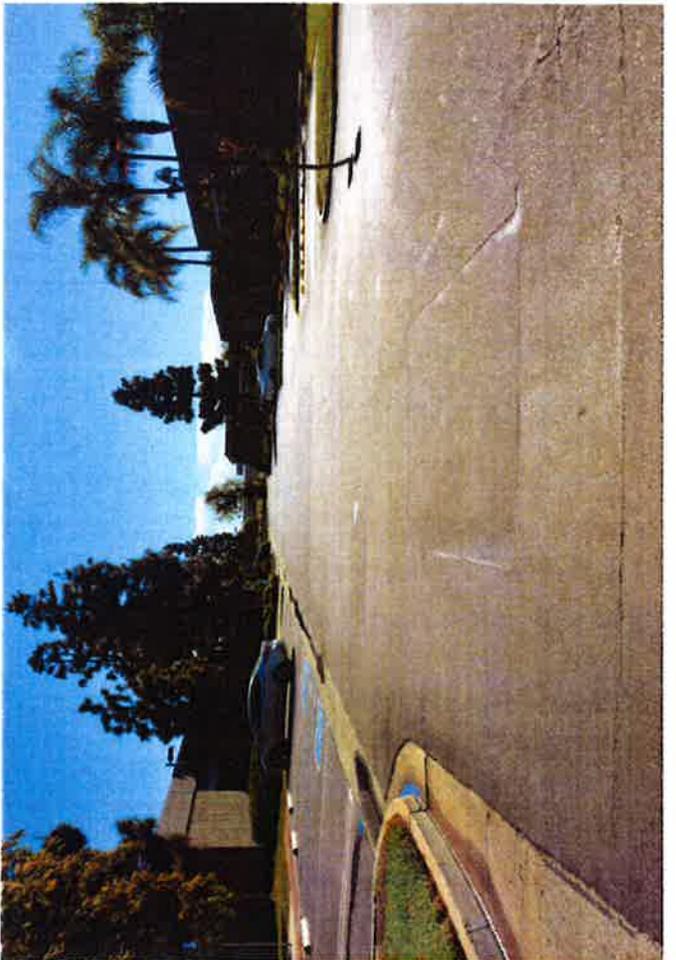
FILE # 152365
 3184-J AIRWAY AVE
 COSTA MESA CA
 500' OWNERS
 OCTOBER 5 2015
 427 193 02,


 NORTH



9







His Highness Prince Aga Khan Shia Imami Ismaili
Council for the Western United States

October 13, 2015

Ms. Willa Bouwens-Killeen, AICP
Zoning Administrator, City of Costa Mesa
77 Fair Drive, Post Office Box 1200
Costa Mesa, California 92628-1200

Re: 3184-J Airway Avenue - Planning Application for Conditional Use Permit

Dear Ms. Bouwens-Killeen:

This letter accompanies the attached Planning Application for a Conditional Use Permit for the subject property. The His Highness Prince Aga Khan Shia Imami Ismaili Council for the Western United States is in the process of relocating its Orange County religious assembly premises from 17965 Sky Park Circle, Suites C and D, Irvine, CA, a 3,200 square foot space in the Irvine Business Complex, to better address our space requirements.

We have been at our current property for the purposes described in this letter since 1988. At this time, we are under a Standard Offer for Purchase of Real Estate at 3184-J Airway Avenue, a 6,000 square-foot industrial property, and this application is pursuant to a mutually agreed-upon offer with the seller.

It is important to note that our proposed use, which includes religious, educational, and cultural assembly, is substantially compatible with uses permitted in the general area. Our proposed use would not be materially detrimental to other properties in the same area. Our assemblies take place outside of regular business hours and are not usual to other religious assemblies.

We have approximately 140-210 members of all ages. All facilities will be constructed within the existing 6,000 square feet building area with no exterior alterations. Monday through Thursday evening attendance is approximately 50 people. Friday evening attendance is approximately 150 people. Once a month, we host an evening for special services with attendance at approximately 200 people. The number of parking spaces required respectively ranges from 15 to 20 spaces, 40-50 spaces, and 70-80 spaces.

In reference to parking, there are 154 parking spaces in the direct vicinity of the ten 3184 Airway buildings. All of these parking spaces are within walking distance of the entrance of the 3184-J Airway Avenue building. Based on the number of parking spots available and the time of day that we will be using the property, we believe that our use will not adversely affect any of neighbors' uses.

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Hours of operation are as follows:

- 7:00 pm – 9:30 pm, Monday through Sunday
- Saturday educational classes are held from 10am to 2pm during the school year
- Sundays, ten times per year services held from 10am to 2pm
- 4:00 am – 6:00 am, Monday through Sunday
- Services for quiet contemplation and meditation. Approximately 10 to 15 people attend these meditation services.

With the above described uses and lack of impact to other occupants of buildings within the business park, we request approval for our proposed use particularly given that our use will be outside of the typical business hours of current occupants of the business park.

Attached, please find additional information about the Ismaili Community and our religious assembly space, which is known as a *Jamatkhana*. If you have any questions, please contact Mr. Salim Rahemtulla at (949) 456-5583.

Sincerely,



Muneerah Merchant,
President
His Highness Prince Aga Khan Shia Imami Ismaili
Council for the Western United States

Encl. 1

THE ISMAILI COMMUNITY

Ismailis in the United States

The Ismailis are a community of ethnically and culturally diverse peoples living in over 25 countries around the world. Ismailis are part of the social, educational and economic fabric of cities across the U.S., where through both individual as well as community-sponsored efforts, Ismailis have made wide-ranging contributions to the civic life of the communities in which they reside. The Ismaili community organizes an array of programs in fields such as education, healthcare, economic development, culture, youth development, and sports, in an effort to secure continuing improvements in the quality of life of members of the Community and to assist its members to make an effective contribution to society. Recent initiatives have included the development of innovative programs to strengthen parental involvement in early childhood education, nutrition and cardiovascular fitness programs, participation in trade fairs, and leadership training for volunteers.

Ismailis in the Western United States

The Ismaili community in the Western United States is small but well settled. Our members reside in major metro-centers throughout California including the San Francisco Bay Area, Greater Los Angeles, and San Diego as well as in major cities across the West Coast such as Phoenix, Las Vegas, and Seattle. Ismailis in the Western U.S. work in high tech at companies such as Facebook, Microsoft, Amazon, and Linked In, and have founded Silicon Valley startups. Ismaili professionals are also attorneys, educators, non-profit and foundation executives, and physicians, while Ismaili entrepreneurs own businesses in a variety of industries including hospitality, franchised restaurants, and real estate. Ismaili students currently attend the University of California, Berkley, Stanford University, UCSF, UCLA, USC, the University of Washington, and UNLV, among others.

Volunteering and community service are a key Ismaili ethic and is actively encouraged. Ismailis living in the Western U.S. are regular participants in the Best Buddies bike challenge, the Santa Monica Homeless Count, and the L.A. Works Martin Luther King Junior Day of Service, among others. The Ismaili Community also organizes annual walks and golf tournaments for charity in Los Angeles, the San Francisco Bay Area, and Seattle. Ismailis are also active in interfaith activities having partnered with organizations such as NewGround and University Synagogue's Big Sunday.

Websites: www.theismaili.org | www.akdn.org



Pictures above: left: Ismaili volunteers at the Best Buddies Hearst Castle Challenge between Carmel and San Simeon, California; right: Ismaili volunteers with Los Angeles Mayor, Eric Garcetti.

The Jamatkhana

The Ismaili Jamatkhana is a house of worship and congregation for Ismailis, and a gathering place for educational and cultural activities. It is a place for contemplation, peace, and congregation.

The Governors of Texas and Illinois presided over the opening of purpose built Jamatkhana in Sugarland, Texas (Houston suburb) and Glenview, Illinois (Chicago suburb) respectively.



Jamatkhana Pictures: Left: Houston, Texas, Center: Plano, Texas, Right: Lobby of the Jamatkhana in Glenview, Illinois;
Below: Classroom in Glenview Jamatkhana



Websites: www.theismaili.org | www.akdn.org

His Highness the Aga Khan

His Highness Prince Karim Aga Khan is the 49th hereditary Imam (spiritual leader) of the Ismaili Muslims and a direct descendant of the Prophet Muhammad. The Aga Khan has explained that as the spiritual leader of the Ismaili community, he has a responsibility to help improve the quality of life not only of his followers but also of the societies among whom they live.

In keeping with this mandate, the Aga Khan is the founder and Chairman of the Aga Khan Development Network (www.akdn.org), which has active partnerships with the World Bank, the United States Agency for International Development, and many international governments and non-governmental aid agencies.

His Highness the Aga Khan has met with almost every single United States President since John F. Kennedy and more recently signed Agreements of Cooperation between the Ismaili Imamate and the State of Texas, State of California, and the State of Illinois. The agreements establish a basis for long term collaborative programs between the states and the institutions in the fields of education, health sciences, natural disaster preparedness and recovery, culture and environment.

The Aga Khan graduated from Harvard University in 1959 and has received numerous honorary degrees, decorations, and awards in recognition of the various dimensions of his work. The Aga Khan has been convocation speaker at Brown University and was awarded the University of California San Francisco (UCSF) Medal.



Pictures above: Left: His Highness the Aga Khan receiving David Rockefeller Bridging world award. Center: His Highness the Aga Khan receiving Andrew Carnegie Medal for Philanthropy. Right: His Highness the Aga Khan at the White House Conference on Culture and Diplomacy.

Websites: www.theismaili.org | www.akdn.org

The Aga Khan Development Network (AKDN)

The AKDN is an international network of nine development agencies with mandates that include the environment, health, education, architecture, culture, microfinance, rural development, disaster reduction, promotion of private-sector enterprise and revitalization of historic cities.

The Network encompasses more than 300 schools, two universities, two foundations, hundreds of medical clinics and hospitals, hotels, banks, insurance companies, and airlines in over 25 countries around the world. Based upon the underlying principles of empowerment, partnership, and capacity building, the AKDN is dedicated to improving the living conditions and opportunities for some of the poorest in the world without regard to faith, origin or gender.

Websites: www.theismaili.org | www.akdn.org

Websites: www.theismaili.org | www.akdn.org

RESOLUTION NO. PC-16-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA UPHOLDING THE ZONING ADMINISTRATOR'S DECISION AND APPROVING ZONING APPLICATION ZA-15-38 FOR A MINOR CONDITIONAL USE PERMIT FOR A DEVIATION FROM SHARED PARKING REQUIREMENTS DUE TO OFF-SET HOURS OF OPERATION FOR A RELIGIOUS EDUCATION AND CULTURAL ASSEMBLY USE AT 3184 AIRWAY AVENUE, SUITE J

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

WHEREAS, an application was filed Salim Rahemtulla, authorized agent for Randy Shafer, the property owner, requesting approval of the following:

Zoning Application ZA-15-38, which was approved by the Zoning Administrator on December 10, 2015, is a minor conditional use permit for a deviation from shared parking requirements due to off-set hours of operation for a religious education and cultural assembly use:

- Monday through Sunday 4:00 a.m. – 6:00 a.m. and 7:00 p.m. – 9:30 p.m.
- Saturday 10:00 a.m. – 2:00 p.m.
- Sunday 10:00 a.m. – 2:00 p.m. (10 times per year).

The request was approved by the Zoning Administrator on December 10, 2015, and called up for review by the Planning Commission on December 11, 2015.

WHEREAS, a duly noticed public hearing held by the Planning Commission on February 8, 2016 with all persons having the opportunity to speak for and against the proposal; and

WHEREAS, 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

WHEREAS, the CEQA categorical exemption for this project reflects the independent judgment of the City of Costa Mesa.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit A, and subject to the conditions of contained within Exhibit B, the Planning Commission hereby **APPROVES** Zoning Application ZA-15-38.

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 Zoning Application ZA-15-38 and upon the 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 and/or mitigation measures.

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 8th day of February, 2016

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

EXHIBIT A

FINDINGS (APPROVAL)

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

1. The proposed use is compatible and harmonious with developments in the same general area and would not be materially detrimental to other properties within the area. The proposed use will have offset hours of operation that will minimize any parking impacts on surrounding uses. The use is quiet in nature and will not have any noise impacts on surrounding uses.

2. Granting the minor conditional use permit will not be detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood. All activities will take place underroof. The center will be in operation only during the early morning, evening, and weekends, when most other businesses in the center are closed.

3. Granting the minor conditional use permit will not allow a use, density or intensity that is not in accordance with the General Plan designation and any applicable specific plan for the property. The proposed use does not substantially increase the density or intensity at the property since no building area will be added; the use will operate outside normal business hours; and is quiet in nature.

The information presented complies with Costa Mesa Municipal Code Section 13-29(e) in that:

1. There will be a compatible and harmonious relationship between the proposed building and the site development, and use(s), and the building and site developments, and uses that exist or have been approved for the general neighborhood. Parking impacts will be avoided by conditioning the religious education and cultural center to operate during the early morning, evening, and weekends only.

2. Safety and compatibility of the design of buildings, parking area, landscaping, luminaries, and other site features which may include functional aspects of the site development such as automobile and pedestrian circulation have been considered. The proposed hours of operation are during the early morning, evening, and weekends only and adequate parking exists for both this use as well as the existing church at 3184 Airway Avenue, Suite A; therefore, no traffic or parking impacts are anticipated.

3. The project complies with performance standards described elsewhere in this Zoning Code, and is conditioned to operate as described in this staff report.

4. The use is consistent with the General Plan in that a religious and cultural education center is considered a compatible use in the Industrial Park land use designation.

5. This zoning application is for a project-specific case and is not to be construed to be setting a precedent for future development.

- B. 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 under Section 15301, Existing Facilities, of the CEQA Guidelines.

- C. 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. The use shall be limited to the type of operation described in this staff report: a religious education and cultural assembly center with the following hours of operation:
Monday-Sunday: 4:00 a.m. to 6:00 a.m. and 7:00 p.m. to 9:30 p.m.
Saturday: 10:00 a.m. to 2:00 p.m.
Sunday: 10:00 a.m. to 2:00 p.m. (10 times per year)
Any change in the operational characteristics including, but not limited to, type of service provided or hours of operation will require approval of an amendment to the minor conditional use permit, subject to Zoning Administrator approval.
2. All uses shall be conducted within the tenant space (underroof).
3. If parking shortages or other parking-related problems arise, the center operator shall institute appropriate operational measures necessary to minimize or eliminate the problem, including, but not limited to, modifying the hours of operation.
4. The conditions of approval and ordinance or code provisions of zoning application ZA-15-09 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 prior to the release of /utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.

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 zoning application is valid for one year from the effective date of this approval and will expire at the end of that period unless applicant establishes the use by one of the following actions: 1) obtains building permits for the authorized construction and initiates construction; and/or 2) obtains a business license and/or legally establishes the business. If the applicant is unable to establish the use/obtain building permits 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 zoning application.
2. Permits shall be obtained for all signs according to the provisions of the Costa Mesa Sign Ordinance.
- Bldg. 3. Comply with the requirements of the 2013 California Building Code, 2013 California Electrical Code, 2013 California Mechanical Code, and 2013 California Energy Code (or the applicable adopted, California Building Code, California Electrical Code, California Mechanical Code,

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. Requirements for accessibility to sites, facilities, buildings, and elements by individuals with disability shall comply with Chapter 11B of the 2013 California Building Code.

4. Requirements for accessibility to sites, facilities, buildings, and elements by individuals with disability shall comply with chapter 11B of the 2013 California Building Code.
 1. Accessibility shall be to and through the front door and to the commercial space from the public sidewalk.
 2. Accessible restrooms/bathrooms in the commercial space.
 3. Accessible parking.
 4. Accessible entry door, ramps, landings, sidewalks, hallways, strike edge clearances, and elevation changes.

Additional access requirements may be required as per 2013 California Building Code.

5. 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.
6. If required, a business license shall be obtained prior to the initiation the business.
7. The applicant shall submit a \$2,172 Traffic Impact Fee to the Transportation Division prior to the effective date of the Minor Conditional Use Permit. The traffic impact fee is based upon the average daily trip generation rate of 9.11 net trip ends for the proposed use. The fee is required to fulfill mitigation of off-site traffic impacts pursuant to the prevailing schedule of charges adopted by the City Council. The traffic impact fee is calculated and includes credits for existing uses. NOTE: The Traffic Impact Fee will be recalculated at the time of issuance of the Minor Conditional Use Permit based upon any changes in the prevailing schedule of charges adopted by the City Council and in effect at that time.

SPECIAL DISTRICT REQUIREMENTS

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

- | | |
|-------|---|
| Sani. | 1. It is recommended that the applicant contact the Costa Mesa Sanitary District at (949) 645-8400 for current district requirements. |
| CDFA | 2. Comply with the requirements of the California 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. |
| AQMD | 3. Applicant shall contact the Air Quality Management District (800) 288-7664 for potential additional conditions of development or for additional permits required by AQMD. |

RESOLUTION NO. PC-16-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA REVERSING THE ZONING ADMINISTRATOR'S DECISION AND DENYING ZONING APPLICATION ZA-15-38 FOR A MINOR CONDITIONAL USE PERMIT FOR A DEVIATION FROM SHARED PARKING REQUIREMENTS DUE TO OFF-SET HOURS OF OPERATION FOR A RELIGIOUS EDUCATION AND CULTURAL ASSEMBLY USE AT 3184 AIRWAY AVENUE, SUITE J

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

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The request was approved by the Zoning Administrator on December 10, 2015, and called up for review by the Planning Commission on December 11, 2015.

WHEREAS, a duly noticed public hearing held by the Planning Commission on February 8, 2016 with all persons having the opportunity to speak for and against the proposal; and

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit A, the Planning Commission hereby reverses the Zoning Administrator's decision and **DENIES** Planning Application ZA-15-38 with respect to the property described above.

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 8th day of February, 2016

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

EXHIBIT A

FINDINGS (DENIAL)

- A. The information presented does not comply with Costa Mesa Municipal Code Section 13-29(g)(2) in that:

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

Finding: Granting the minor 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.

Finding: Granting the minor conditional use permit will allow a use, density, or intensity which is not in accordance with the General plan designation.

- B. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City's environmental procedures. 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.
- C. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

COLGAN, JULIE

From: mark Lim <emailmarklim@gmail.com>
Sent: Tuesday, December 08, 2015 8:37 AM
To: PLANNING COMMISSION
Subject: Fwd: Ref: Public Notice of CUP Application ZA-15-38

Ref: Public Notice of CUP Application ZA-15-38

3184 Airway Ave. Bldg J. Costa Mesa, CA 92626

Applicant : Salim Rahemtulla.

Dear Sir or Madam:

We are writing to indicate that we will have conflicting hours of operation with the proposed use by the religious education and cultural assembly in 3184 Airway Ave Bldg J. This building is in very close proximity and we foresee conflicting parking issues.

There will be parking issues during the proposed hours of operation. Our church has evening services on Wednesday – Friday evenings from 7:00pm – 9:30pm. Week night services consist of roughly 100 members. We also have weekly Sunday services from 9:00am to 1pm. Sunday services can hold roughly 400 attenders. Through the year, we also have Saturday events as well. We would overlap in the majority of their proposed hours of operation.

Furthermore, we do see that the OCC Company located in Building C has frequent evening events that take up a lot of parking.

Best Regards,

Mark Lim | Associate Pastor

Berean Community Church

3184 Airway Ave Bldg B

Costa Mesa, CA 92626

949-231-8323

December 8, 2015

Via Email Only: planningcommission@costamesaca.gov

City of Costa Mesa, Planning Division
City Hall
77 Fair Drive
Costa Mesa, CA

OBJECTION TO MINOR CONDITIONAL USE PERMIT

Re: 3184 Airway Ave., Suite J, Costa Mesa, CA (“Subject Premises”)
Application No.: ZA-15-38
Applicant: Salim Rahemtulla

To whom it may concern:

I represent Berean Community Church (“Berean”) regarding the above-referenced matter. Berean is located at 3184 Airway Ave, Suite A and B, Costa Mesa, CA, in the same business park as the applicant. The description of the notice states: “*A minor conditional use permit for a deviation from shared parking requirements due to off-set hours of operation for a religious education and cultural assembly use...*” Additionally, the notice states that the project is categorically exempt under Section 15301 of the State CEQA Guidelines, which in turn states: “The operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination.” In commenting on this provision, the State of California opined, “The key consideration is whether the project involves negligible or no expansion of an existing use.” Furthermore, the current use is not within the list of “existing facilities” enumerated under Section 15301.

As I understand it, the Subject Premises is going from a standard office use of the facility to a religious use. My client believes that the Applicant will significantly and adversely impact the current parking situation with respect to my client and also the other tenants of the business park. The use contemplated does not fit the definition under Section 15301. At a minimum, a parking study should be conducted to analyze the impacts to neighboring businesses such as Berean. If there are significant impacts, which my client believes there will be, then we request that the hearing officer impose certain mitigation measures to minimize any impacts to my client.

Thank you for your anticipated cooperation in matter. I can be reached at the number listed below.

Sincerely,



Philip Y. Kim



Via Certified and First Class Mail

November 30, 2015

REC'D DEC 02

Ms. Willa Bouwens-Killeen, AICP
Zoning Administrator
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92628-1200

**RE: MINOR CONDITIONAL USE PERMIT-APPLICATION ZA-15-38
3184J AIRWAY AVENUE
KOLL IRVINE COMMUNITY ASSOCIATION
COSTA MESA, CALIFORNIA**

Dear Ms. Bouwens-Killeen:

The Koll Irvine Community Association Board of Directors has requested that I contact you regarding the application for Minor Conditional Use Permit #ZA-15-38 for 3184J Airway Avenue in the Koll Irvine Community Association in Costa Mesa.

Based upon prior experience, the Board of Directors is very concerned for existing businesses within the business park related to the anticipated impact upon parking with this type of use. The Board is respectfully requesting the Planning Commission to conduct a study of the possible impact on traffic and parking of the neighboring businesses in the Koll Irvine Community Association prior to approving any such use now or in the future.

We appreciate your immediate attention to this matter. Should you have any questions, please feel free to contact me at 714-433-7300 Ext 213 or by Email at dhasan@pacificwest.cc

Sincerely,

**Pacific West
Asset Management Corporation**

A handwritten signature in black ink, appearing to read "D. Hasan", written over a horizontal line.

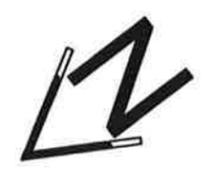
David Hasan
Property Manager

Enclosures

31



KOHL/IRVINE CENTER



BLOCKS

3190

3194
&

3198

BLOCKS

3191

3195

3197
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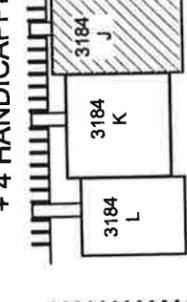
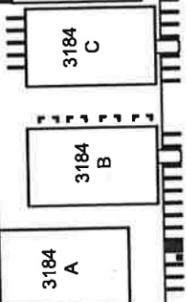
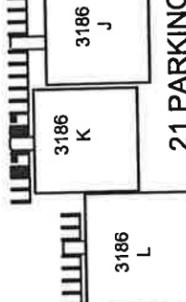
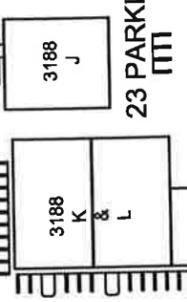
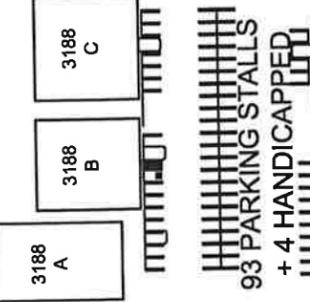
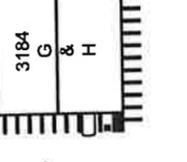
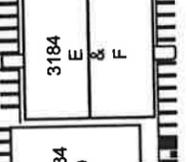
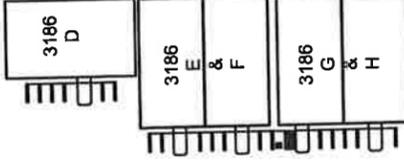
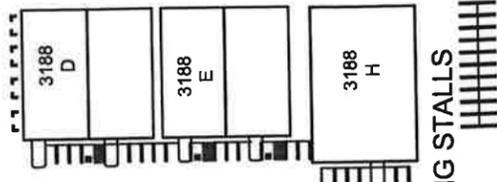
3199

AIRPORT LOOP DRIVE

AIRWAY AVENUE

RED HILL AVENUE

112 PARKING STALLS



23 PARKING STALLS

149 PARKING STALLS
+ 6 HANDICAPPED

21 PARKING STALLS

80 PARKING STALLS
+ 4 HANDICAPPED

93 PARKING STALLS
+ 4 HANDICAPPED

BLOCKS

3185

3187
&

3189

3184-J AIRWAY AVENUE
COSTA MESA, CA
AND VICINITY MAP

TOTAL 478 PARKING STALLS

SCALE: 60' - 1"



CITY OF COSTA MESA

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

ATTACHMENT 7

DEVELOPMENT SERVICES DEPARTMENT

December 10, 2015

Salim Rahemtulla
82 Meadowbrook
Aliso Viejo, CA 92656

**RE: ZONING APPLICATION ZA-15-38
MINOR CONDITIONAL USE PERMIT FOR A RELIGIOUS AND CULTURAL
CENTER WITH A DEVIATION FROM SHARED PARKING REQUIREMENTS
3184 AIRWAY AVENUE, SUITE J, COSTA MESA**

Dear Mr. Rahemtulla:

City staff's review of your zoning application for the above-referenced project has been completed. The application, as described in the attached project description, has been approved, based on the findings and subject to the conditions of approval and code requirements (attached). The decision will become final at 5:00 p.m. on December 17, 2015, unless appealed by an affected party, including filing of the necessary application and payment of the appropriate fee, or called up for review by a member of the Planning Commission or City Council.

If you have any questions regarding this letter, please feel free to contact the project planner, Chelsea Crager, at (714) 754-5609, or at chelsea.crager@costamesaca.gov.

Sincerely,

WILLA BOUWENS-KILLEEN, AICP
Zoning Administrator

Attachments: Project Description and Analysis
Findings
Conditions of Approval, Code Requirements, and Special District Requirements
Business Description
Approved Conceptual Plans

cc: Engineering Randy Shafer
Fire Protection Analyst 1874 Samar Drive
Building Safety Division Costa Mesa, CA 92626

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PROJECT DESCRIPTION

The property is located on the east side of Airway Avenue, north of McCormick Avenue. The site is zoned MP (Industrial Park) and has a General Plan land use designation of Industrial Park. Physical on-site improvements include 32 buildings with 435 parking spaces and three points of ingress/egress on Airway Avenue.

The use will occupy a 6,000 square foot space, located in one of the existing buildings. The proposed floor plan consists of an ante room and prayer hall, seven offices, storage, a lunch room, and two restrooms.

The applicant requests approval of a minor conditional use permit (MCUP) to allow the establishment of a religious education and cultural assembly center with a deviation from the shared parking requirements due to offset hours of operation.

Previous Entitlement

In 2010, Minor Conditional Use Permit ZA-10-22 was approved for a church with offset hours of operation at 3184 Airway Avenue, Suite A. The church is conditioned to operate as follows:

Sunday: 9:00 a.m. to 1:00 p.m. (every week) and 7:00 p.m. to 10:00 p.m. (4 times per year)
Friday: 7:00 p.m. to 9:00 p.m.
Saturday: 9:00 a.m. to 11:00 a.m. (one time per month)

In their justification letter dated April 1, 2010, the applicant stated they would need a maximum of 109 parking spaces.

ANALYSIS

Noise

Noise impacts are not anticipated to surrounding uses due to the quiet nature of a religious education and cultural assembly center and a condition of approval that all activities will occur indoors.

Parking and Circulation

The parking ratio for a cultural assembly center with no fixed seating is 1 space for every 35 square feet of seating area within the main assembly area; consequently, 55 parking spaces would be required for the proposed space 1,914 square feet assembly area. The applicant is requesting approval of a minor conditional use permit to deviate from shared parking requirements due to offset hours of operation. The following schedule is proposed:

Monday through Sunday: 4:00 a.m. to 6:00 a.m. and 7:00 p.m. to 9:30 p.m.
Saturday: 10:00 a.m. to 2:00 p.m.
Sunday: 10:00 a.m. to 2:00 p.m. (10 times per year)

The project is conditioned to operate at these times only, which should not interfere with normal business hours of 8:00 a.m. to 5:00 p.m. when parking demand will be at its peak. However, there is concern that parking demands of the proposed religious/cultural center could conflict with the parking approved under ZA-10-22 for the church at 3184 Airway Suite A.

In their justification letter dated October 13, 2015 the applicant stated that they would require a maximum of 150 parking spaces. In the worst case scenario, the church operates every Sunday (with a parking demand of 109 spaces) while the proposed religious/cultural center proposes to operate during the same hours (with the 150 space parking demand) -- resulting in an overall parking demand of 259 spaces. However, the religious/cultural center Sunday meetings would occur only 10 times per year. Additionally, the overall development (3184 through 3188 Airway Avenue) contains approximately 435 parking spaces and there are no other parking deviations approved for this development; consequently adequate parking exists to serve both uses at the same time.

Should parking shortages or other parking-related problems and/or conflicts develop, the center operator will be required to institute appropriate operational measures necessary to minimize or eliminate the problem including, but not limited to, modifying operating hours.

General Plan Consistency

The Industrial Park General Plan land use designation is intended to apply to large districts that contain a variety of industrial and compatible office and support commercial uses. The offset hours of operation and quiet nature of the proposed use will not generate noise or parking impacts, allowing the use to be compatible with surrounding uses.

The proposed use, as conditioned, is consistent with the Zoning Code and the City's General Plan because, with the included conditions of approval and due to the nature of the use, the religious education and cultural center should not adversely impact the surrounding uses.

FINDINGS

- A. The information presented complies with Costa Mesa Municipal Code Section 13-29(g)(2) in that:
1. The proposed use is compatible and harmonious with developments in the same

general area and would not be materially detrimental to other properties within the area. The proposed use will have offset hours of operation that will minimize any parking impacts on surrounding uses. The use is quiet in nature and will not have any noise impacts on surrounding uses.

2. Granting the minor conditional use permit will not be detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood. All activities will take place underroof. The center will be in operation only during the early morning, evening, and weekends, when most other businesses in the center are closed.

3. Granting the minor conditional use permit will not allow a use, density or intensity that is not in accordance with the General Plan designation and any applicable specific plan for the property. The proposed use does not substantially increase the density or intensity at the property since no building area will be added; the use will operate outside normal business hours; and is quiet in nature.

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

1: There will be a compatible and harmonious relationship between the proposed building and the site development, and use(s), and the building and site developments, and uses that exist or have been approved for the general neighborhood. Parking impacts will be avoided by conditioning the religious education and cultural center to operate during the early morning, evening, and weekends only.

2. Safety and compatibility of the design of buildings, parking area, landscaping, luminaries, and other site features which may include functional aspects of the site development such as automobile and pedestrian circulation have been considered. The proposed hours of operation are during the early morning, evening, and weekends only and adequate parking exists for both this use as well as the existing church at 3184 Airway Avenue, Suite A; therefore no traffic or parking impacts are anticipated.

3. The project complies with performance standards described elsewhere in this Zoning Code, and is conditioned to operate as described in this staff report.

4. The use is consistent with the General Plan in that a religious and cultural education center is considered a compatible use in the Industrial Park land use designation.

5. This zoning application is for a project-specific case and is not to be construed to be setting a precedent for future development.

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 under Section 15301, Existing Facilities, of the CEQA Guidelines.

- D. 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.

CONDITIONS OF APPROVAL

- PInG. 1. The use shall be limited to the type of operation described in this staff report: a religious education and cultural assembly center with the following hours of operation:
Monday-Sunday: 4:00 a.m. to 6:00 a.m. and 7:00 p.m. to 9:30 p.m.
Saturday: 10:00 a.m. to 2:00 p.m.
Sunday: 10:00 a.m. to 2:00 p.m. (10 times per year)
Any change in the operational characteristics including, but not limited to, type of service provided or hours of operation will require approval of an amendment to the minor conditional use permit, subject to Zoning Administrator approval.
2. All uses shall be conducted within the tenant space (underroof).
3. If parking shortages or other parking-related problems arise, the center operator shall institute appropriate operational measures necessary to minimize or eliminate the problem, including, but not limited to, modifying the hours of operation.
4. The applicant shall contact the Planning Division to arrange a Planning inspection of the site. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.

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.

- PInG. 1. Approval of the zoning application is valid for one year from the effective date of this approval and will expire at the end of that period unless applicant establishes the use by one of the following actions: 1) obtains building permits for the authorized construction and initiates construction; and/or 2) obtains a business license and/or legally establishes the business. If the applicant is unable to establish the use/obtain building permits 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 zoning application.
2. Permits shall be obtained for all signs according to the provisions of the

- Costa Mesa Sign Ordinance.
- Bldg. 3. Comply with the requirements of the following adopted codes: 2013 California Building Code, 2013 California Electrical code, 2013 California Mechanical code, 2013 California Plumbing code and 2013 California Energy Code (or the applicable adopted, California Building code California Electrical code, California Mechanical code California Plumbing Code 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. Requirements for accessibility to sites, facilities, buildings and elements by individuals with disability shall comply with chapter 11B of the 2013 California Building Code.
4. Requirements for accessibility to sites, facilities, buildings, and elements by individuals with disability shall comply with chapter 11B of the 2013 California Building Code.
1. Accessibility shall be to and through the front door and to the commercial space from the public sidewalk.
 2. Accessible restrooms/bathrooms in the commercial space.
 3. Accessible parking.
 4. Accessible entry door, ramps, landings, sidewalks, hallways, strike edge clearances, and elevation changes.
 5. Additional access requirements may be required as per 2013 California Building Code.
- Bus. 5. 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.
- Lic. 6. If required, a business license shall be obtained prior to the initiation the business.
- Trans. 7. The applicant shall submit a \$2,172 Traffic Impact Fee to the Transportation Division prior to the effective date of the Minor Conditional Use Permit. The traffic impact fee is based upon the average daily trip generation rate of 9.11 net trip ends for the proposed use. The fee is required to fulfill mitigation of off-site traffic impacts pursuant to the prevailing schedule of charges adopted by the City Council. The traffic impact fee is calculated and includes credits for existing uses. NOTE: The Traffic Impact Fee will be recalculated at the time of issuance of the Minor Conditional Use Permit based upon any changes in the prevailing schedule of charges adopted by the City Council and in effect at that time.

SPECIAL DISTRICT REQUIREMENTS

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

- Sani. 1. It is recommended that the applicant contact the Costa Mesa Sanitary

- District at (949) 645-8400 for current district requirements.
- CDFA 2. Comply with the requirements of the California 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.
- AQMD 3. Applicant shall contact the Air Quality Management District (800) 288-7664 for potential additional conditions of development or for additional permits required by AQMD.



City of Costa Mesa

- Appeal of Planning Commission Decision - \$1,220.00
- Appeal of Zoning Administrator/Staff Decision - \$690.00

APPLICATION FOR APPEAL OR REVIEW

Applicant Name* STEPHAN H. ANDRANIAN
 Address 77 Fair Drive, P.O. Box 1200, Costa Mesa, CA 92628-1200
 Phone 231-8728 Representing City of Costa Mesa Planning Commission

REQUEST FOR: APPEAL REVIEW**

Decision of which appeal or review is requested: (give application number, if applicable, and the date of the decision, if known.)

ZA-15-38, dated December 10, 2015

Decision by: Zoning Administrator

Reasons for requesting appeal or review:

Zoning Administrator's decision is to grant a minor conditional use permit for a deviation from shared parking requirements. Parking required for the subject premises is 55 spaces (per code), but the subject premises only includes 16 dedicated spaces.

Review is requested to gauge impacts of the requested use on surrounding businesses.

Date: 12/11/2015

Signature: 

*If you are serving as the agent for another person, please identify the person you represent and provide proof of authorization.
 **Review may be requested only by Planning Commission, Planning Commission Member, City Council, or City Council Member

For office use only - do not write below this line

SCHEDULED FOR THE CITY COUNCIL/PLANNING COMMISSION MEETING OF:

If appeal or review is for a person or body other than City Council/Planning Commission, date of hearing of appeal or review:



LSA ASSOCIATES, INC.
20 EXECUTIVE PARK, SUITE 200
IRVINE, CALIFORNIA 92614

949.553.0666 TEL
949.553.8076 FAX

BERKELEY
CARLSBAD

FRESNO
PALM SPRINGS
PT. RICHMOND

RIVERSIDE
ROCKLIN
SAN LUIS OBISPO

January 21, 2016

Salim Rahemtulla
His Highness the Aga Khan Ismaili Council for the Western United States
17965 Sky Park Circle, Suites C and D
Irvine, CA 92614

Subject: Parking Analysis for Proposed Religious Facilities at 3184 Airway Avenue, Suite J, in the City of Costa Mesa

Dear Mr. Rahemtulla:

LSA Associates, Inc. (LSA) has reviewed parking conditions within the Airway Avenue business park in relation to the proposed place of assembly and worship at 3184 Airway Avenue, Suite J, in the City of Costa Mesa (City). Currently, the church hosts assembly and worship at a smaller facility at 17965 Sky Park Circle in the City of Irvine, where they have been holding services since 1988. The proposed use will occupy a 6,000-square-foot (sf) space within a 32-building business park with three driveways off of Airway Avenue. In total, the business park at 3184–3190 Airway Avenue contains 493 marked parking spaces. Figure 1 (all figures attached) shows the project location and the parking spaces within the business park. The proposed use will divide the 6,000 sf space into an anteroom and prayer hall, seven offices, storage space, a lunch room, and two restrooms. Assembly will take place within an approximately 1,914 sf area. The purpose of this study is to identify whether sufficient parking is available within the business park during the proposed hours of operation to accommodate the new parking demand.

Hours of Operation

The hours of operation are not speculative. The current facility has been holding worship services to meet the needs of the congregation, and these service times will continue at the new facility. The list below presents the hours of operation.

- 4:00 a.m. to 6:00 a.m. daily
- 7:00 p.m. to 9:30 p.m. daily
- 10:00 a.m. to 2:00 p.m. Saturday
- 10:00 a.m. to 2:00 p.m. Sunday (up to 10 times per year)

None of these hours of operation conflict with regular weekday business hours (i.e., 8:00 a.m. to 5:00 p.m.) within the business park. However, another church (i.e., Berean Community Church) is located at 3184 Airway Avenue, Suite A, and operates under a Conditional Use Permit (CUP) for the hours of 7:00 p.m. to 9:00 p.m. Friday; 9:00 a.m. to 11:00 a.m. Saturday (once per month); 9:00 a.m. to 1:00 p.m. Sunday; and 7:00 p.m. to 10:00 p.m. Sunday (up to four times per year).

Given these pre-existing hours of operation, the potential for parking conflicts is limited to:

- 7:00 p.m. to 9:00 p.m. on Friday
- 10:00 a.m. to 1:00 p.m. on Sunday (up to 10 times per year)
- 7:00 p.m. to 9:30 p.m. on Sunday (up to four times per year)

While there is potential for parking conflicts on Sunday, these would be limited to times when either the existing or proposed church hold seldom-occurring special events. In a typical week, the potential for parking conflicts is limited to Friday evenings. The existing Berean Community Church holds college Bible study and youth Bible study starting at 7:00 p.m. every Friday. Friday evening worship services at the proposed church are expected to have the highest attendance of any of the church's services.

Existing Parking Supply and Demand

LSA confirmed the availability of parking during the proposed hours of operation and paid specific attention to the three time periods when parking conflicts are possible. LSA coordinated with an independent third-party data collection firm, National Data and Surveying Services, Inc., to collect parking data at the Airway Avenue business park. Table A shows the existing parking utilization and availability during the proposed service times. The values shown in Table A reflect the maximum parking demand during the surveyed time period. More detailed information about how parking demand varies during the surveyed time period is available in the attached parking accumulation data.

Table A: Existing Parking Demand at 3184–3190 Airway Avenue

	Total Spaces	Occupied	Vacant
Weekday 4:00 AM to 6:00 AM	493	70	423
Weekday 7:00 PM to 9:30 PM	493	87	406
Friday 7:00 PM to 9:30 PM	493	76	417
Saturday 4:00 AM to 6:00 AM	493	36	457
Saturday 10:00 AM to 2:00 PM	493	50	443
Saturday 7:00 PM to 9:30 PM	493	36	457
Sunday 4:00 AM to 6:00 AM	493	31	462
Sunday 10:00 AM to 2:00 PM	493	172	321
Sunday 7:00 PM to 9:30 PM	493	42	451

As Table A shows, the Airway Avenue business park experiences nominal parking demand during most of the proposed church operating hours. However, the existing Berean Community Church does utilize parking during its authorized hours of operation. While the existing church CUP permits services on Sunday evening from 7:00 p.m. to 10:00 p.m. up to four times per year, one of those events was not scheduled during the surveyed period and the Sunday evening data in Table A reflects typical parking conditions that would occur the majority of the year. The maximum parking associated with the existing Berean Community Church is 109 parking spaces according to their CUP. Although the existing Berean Community Church CUP does not specify hours of operation

during weekday evenings, the church holds adult Bible study at 7:00 p.m. on Wednesdays and Thursdays. The data in Table A reflects the parking conditions when this occurs.

Required Parking

Costa Mesa Municipal Code (CMMC) Section 13-89 establishes parking standards for nonresidential uses. Churches and other places of assembly require one parking space for each three fixed seats or one parking space for every 35 sf of seating area. The 1,914 sf assembly area would require 55 parking spaces per the CMMC.

As Table A shows, at least 55 parking spaces are vacant during all of the proposed hours of operation.

Future Parking Demand

Some operational details about the facility were provided in a letter dated October 13, 2015. The letter states that of the 140 to 210 members, evening services are typically attended by approximately 50 people, Friday evening services are attended by approximately 150 people, and special events can draw up to 200 people. While average vehicle occupancy (AVO) for the home-work trip may be close to 1.0, vehicle occupancy for other trips, such as to special events, is typically closer to 2.0. From previous projects examining travel behavior to religious services, LSA has found an AVO of approximately 1.7.

As shown in Table B, applying an AVO of 1.7 to the operational data yields a potential parking demand for 29 spaces during evening services, except for Friday evening, when the expected parking demand is 88 spaces. During special events (held between 10:00 a.m. and 2:00 p.m. Sunday up to 10 times per year), parking demand could be as high as 118 spaces.

Table B: Future Parking Demand at 3184 Airway Avenue

	Existing Vacant Spaces	New Parking Demand	Remaining
Weekday 4:00 AM to 6:00 AM	423	55	368
Weekday 7:00 PM to 9:30 PM	406	29	377
Friday 7:00 PM to 9:30 PM	417	88	329
Saturday 4:00 AM to 6:00 AM	457	55	402
Saturday 10:00 AM to 2:00 PM	443	55	388
Saturday 7:00 PM to 9:30 PM	457	55	402
Sunday 4:00 AM to 6:00 AM	462	55	407
Sunday 10:00 AM to 2:00 PM	321	118	203
Sunday 7:00 PM to 9:30 PM	451	55	396

Parking Distance from Suite J

The proposed place of assembly and worship will occupy 3184 Airway Avenue, Suite J. While Table B shows that sufficient parking remains within the business park to accommodate the proposed use and hours of operation, parking spaces nearest Suites A and J will be the most

desirable. The competition for close parking spaces may give the appearance of a parking shortfall even when plentiful parking exists a short walk away. Ten parking spaces are located immediately adjacent to Suite A. Seventeen parking spaces are located immediately adjacent to Suite J. Most drivers will have to find a parking space a short distance away and walk to the building entrances. Figure 1, attached, shows the parking spaces and their approximate distance from Suites A and J. Table C restates the vacancy data from Table B and categorizes existing vacant parking spaces based on their distance from Suite J.

Table C: Available Parking Spaces by Distance to Suite J

	New Parking Demand	Existing Vacant Spaces				Total
		0 to 250 Feet	250 Feet to 500 Feet	500 Feet to 750 Feet	750 Feet to 1,000 Feet	
Weekday 4:00 AM to 6:00 AM	55	95	129	109	90	423
Weekday 7:00 PM to 9:30 PM	29	79	137	112	78	406
Friday 7:00 PM to 9:30 PM	88	77	134	115	91	417
Saturday 4:00 AM to 6:00 AM	55	105	140	118	94	457
Saturday 10:00 AM to 2:00 PM	55	98	137	117	91	443
Saturday 7:00 PM to 9:30 PM	55	107	139	118	93	457
Sunday 4:00 AM to 6:00 AM	55	110	139	118	95	462
Sunday 10:00 AM to 2:00 PM	118	13	113	109	86	321
Sunday 7:00 PM to 9:30 PM	55	107	136	116	92	451

As Table C shows, the closest parking spaces remain available for the proposed assembly and worship services on weekday mornings, weekday evenings, Saturday mornings, Saturday midday, Saturday evenings, Sunday mornings, and Sunday evenings. While sufficient parking spaces are available throughout 3184–3190 Airway Avenue, the closest parking spaces would not be available on Friday evenings and Sunday midday due to parking demand generated by the existing church. Up to four times per year, the closest parking spaces may not be available on Sunday evenings due to special events at Berean Community Church. However, during these time periods, sufficient parking would be available within 500 feet, which would require less than 5 minutes to walk and is generally considered to be an acceptable walking distance.

Figure 2 illustrates the percentage of currently vacant spaces by distance between 10:00 a.m. and 2:00 p.m. on Sunday (i.e., when parking demand is highest). This is compared to the percentage of vacant spaces by distance with the proposed project. As Figure 2 shows, sufficient parking is available within 500 feet. All of the parking areas noted are within a 5-minute walking distance, and the closest half of them would be occupied during services for both churches. This is the worst-case scenario, and it is expected to occur up to 10 times per year. On a weekly basis, only the Friday evening hours of operation overlap for the two churches. On Fridays, the spaces within 250 feet are expected to be filled, and the spaces between 250 and 500 feet would be 85 percent vacant.

Conclusion

The proposed place of assembly and worship at 3184 Airway Avenue, Suite J, will divide the 6,000 sf space into an anteroom and prayer hall, seven offices, storage space, a lunch room, and two restrooms. Assembly will take place within an approximately 1,914 sf area.

- The hours of operation are proposed to be:
 - 4:00 a.m. to 6:00 a.m. daily,
 - 7:00 p.m. to 9:30 p.m. daily,
 - 10:00 a.m. to 2:00 p.m. Saturday, and
 - 10:00 a.m. to 2:00 p.m. Sunday (up to 10 times per year).
- None of these hours of operation conflict with regular weekday business hours (i.e., 8:00 a.m. to 5:00 p.m.) within the business park.
- However, another church (i.e., Berean Community Church) is located at 3184 Airway Avenue, Suite A, and operates during the hours of:
 - 7:00 p.m. to 9:00 p.m. Friday,
 - 9:00 a.m. to 11:00 a.m. Saturday (once per month),
 - 9:00 a.m. to 1:00 p.m. Sunday, and
 - 7:00 p.m. to 10:00 p.m. Sunday (up to four times per year).
- The operation of the existing church presents potential for parking conflicts from:
 - 7:00 p.m. to 9:00 p.m. Friday,
 - 10:00 a.m. to 1:00 p.m. Sunday (up to 10 times per year), and
 - 7:00 p.m. to 9:30 p.m. Sunday (up to four times per year).

The existing parking utilization was collected during each of the proposed time periods for operation of the new church. All surveyed parking spaces were within a 5-minute walking distance of the proposed church. The parking surveys revealed that sufficient parking remains within 250 feet to meet the new parking demand on weekday mornings, weekday evenings, Saturday mornings, Saturday midday, Saturday evenings, Sunday mornings, and Sunday evenings. Up to 10 times per year at Sunday midday and up to 4 times per year on Sunday evenings, new parking demand may require the use of the parking spaces within 250 to 500 feet. On a weekly basis, only the Friday evening hours of operation overlap for the two churches. On Fridays, the spaces within 250 feet are expected to be filled and the spaces between 250 and 500 feet would be 85 percent vacant.

Sincerely,

LSA ASSOCIATES, INC.



Ken Wilhelm
Principal

Attachments: Figure 1: Project Location
Figure 2: Existing and Future Sunday Midday Parking
Parking Accumulation Data

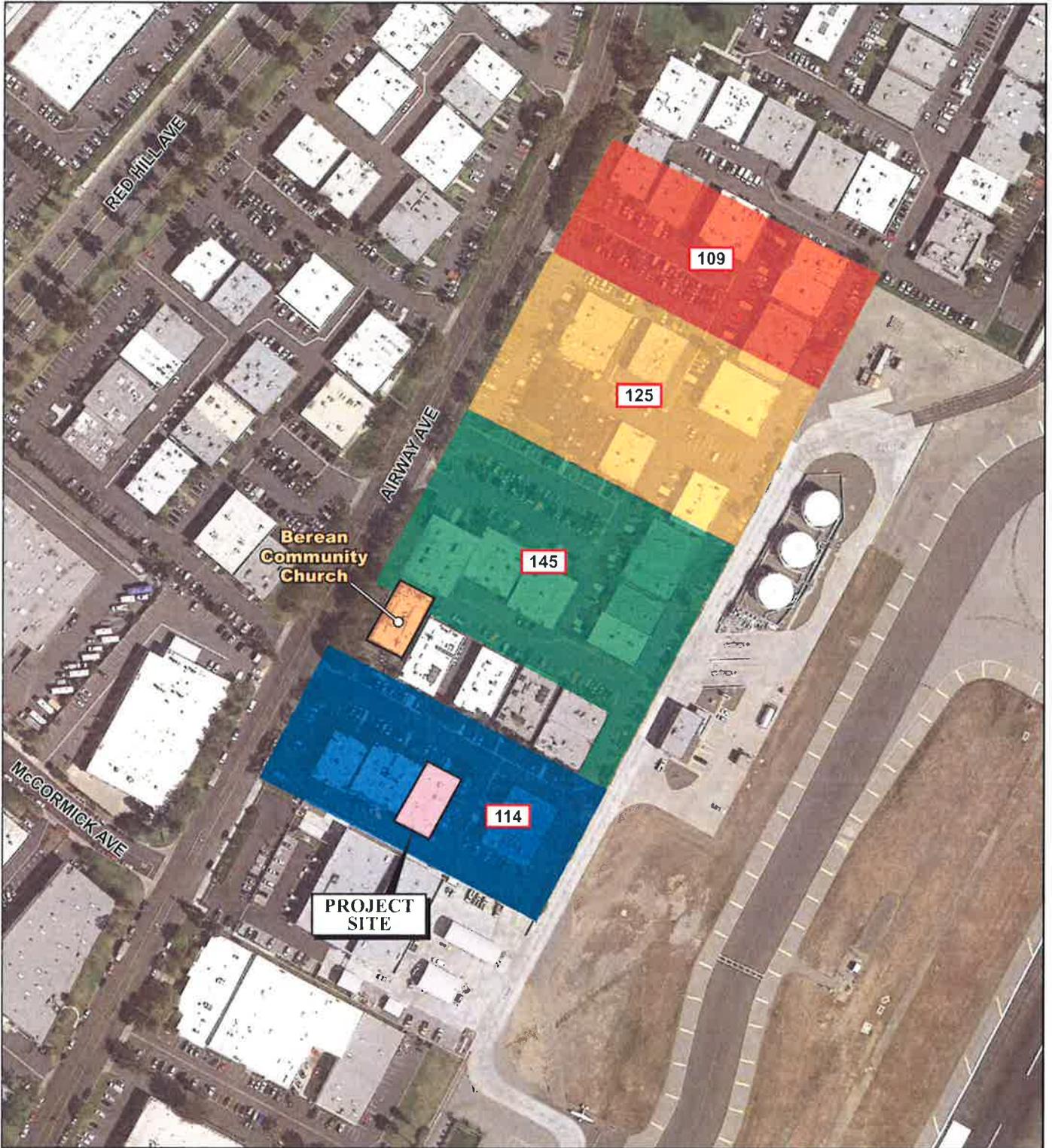
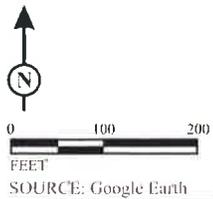


FIGURE I

LSA



LEGEND

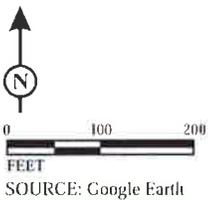
- Parking Space 0 - 250 Feet Away
- Parking Space 250 - 500 Feet Away
- Parking Space 500 - 750 Feet Away
- Parking Space 750 - 1,000 Feet Away
- XXX - Number of Marked Spaces (Total 493 Spaces)

3184 Airway Suite J
Project Location



FIGURE 2

LSA



LEGEND

- Parking Space 0 - 250 Feet Away
- Parking Space 250 - 500 Feet Away
- Parking Space 500 - 750 Feet Away
- Parking Space 750 - 1,000 Feet Away
- XXX - Number of Marked Spaces (Total 493 Spaces)

- Existing Percent Full
- Future Percent Full

3184 Airway Suite J
Existing and Future
Sunday Midday Parking

TIME	ASB 1	ASB 2	ASB 3	ASB 4	ASB 5	ASB 6	ASB 7	ASB 8	ASB 9	ASB 10	ASB 11	ASB 12	ASB 13	ASB 14	ASB 15	ASB 16	ASB 17	ASB 18	ASB 19	ASB 20	GRAND TOTAL		
Spacers	Reg	HC	Reg	HC	Reg	HC	Reg	HC	Reg	HC	Reg	HC	Reg	Unmarked	GRAND TOTAL								
4:00	8	2	14	2	20	4	13	3	5	7	4	21	21	9	3	6	10	10	6	3	3	244	
4:00	3	0	0	0	3	2	2	0	0	0	1	1	2	1	0	0	0	2	1	0	0	26	
5:00	3	0	0	0	3	2	0	0	0	0	1	1	2	1	0	0	0	2	1	0	0	26	
6:00	3	0	0	0	3	2	0	0	0	0	1	1	2	1	0	0	0	2	1	0	0	27	
7:00	2	0	0	0	2	4	2	0	0	1	1	2	1	0	0	0	0	2	1	0	0	27	
10:00	0	0	0	0	0	4	3	0	0	1	1	2	1	0	0	0	0	2	1	0	0	26	
11:00	0	0	0	0	0	4	2	0	0	1	1	2	1	0	0	0	0	2	1	0	0	25	
12:00	0	0	0	0	0	4	2	0	0	1	1	2	1	0	0	0	0	2	1	0	0	25	
13:00	0	0	1	0	0	3	3	0	1	1	1	2	1	0	0	0	0	2	1	0	0	30	
14:00	0	0	1	0	0	3	4	1	2	1	1	2	1	0	0	0	0	2	1	0	0	29	
18:30	0	0	0	0	0	4	4	0	0	0	1	1	2	1	0	0	0	2	1	0	0	27	
19:30	0	0	0	0	0	4	4	0	0	0	1	1	2	1	0	0	0	2	1	0	0	26	
20:30	0	0	0	0	0	4	2	0	0	0	1	1	2	1	0	0	0	2	1	0	0	24	
21:30	0	0	0	0	0	5	2	0	0	0	1	1	2	1	0	0	0	2	1	0	0	24	

TIME	ASB 21	ASB 22	ASB 23	ASB 24	ASB 25	ASB 26	ASB 27	ASB 28	ASB 29	ASB 30	ASB 31	ASB 32	ASB 33	ASB 34	ASB 35	ASB 36	ASB 37	GRAND TOTAL	
Spacers	Reg	HC	Reg	Unmarked															
4:00	15	20	1	15	2	22	6	13	1	4	14	14	17	8	6	11	16	0	247
5:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:00	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
18:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
19:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
20:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
21:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

TIME	A18-1		A18-2		A18-3		A18-4		A18-5		A18-6		A18-7		A18-8		A18-9		A18-10		A18-11		A18-12		A18-13		A18-14		A18-15		A18-16		A18-17		A18-18		A18-19		A18-20		A18-21		GRAND TOTAL
	Reg	HC	Reg	HC	Reg	HC	Reg	HC	Reg	HC	Reg	HC	Reg	HC	Reg	HC	Reg	HC	Reg	HC	Reg	HC	Reg	HC																			
Spacers	8	2	14	2	20	44	13	3	5	2	7	1	4	21	9	3	6	3	3	9	3	6	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	281	
4:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	24		
5:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	24		
6:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	23		
7:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	23		
10:00	5	1	9	1	6	5	2	4	2	4	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	48			
11:00	8	1	14	1	9	7	3	4	3	4	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	69			
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14:00	3	0	8	0	5	7	2	4	0	0	2	2	0	1	2	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	45			
18:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	26			
19:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	19			
20:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	24			
21:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	23			

TIME	A18-22		A18-23		A18-24		A18-25		A18-26		A18-27		A18-28		A18-29		A18-30		A18-31		A18-32		A18-33		A18-34		A18-35		A18-36		A18-37		A18-38		GRAND TOTAL				
	Reg	HC	Reg	Victor	Reg	HC	Reg	Unmarked	Reg	HC																													
Spacers	20	1	15	2	22	22	6	10	2	14	1	1	1	1	1	1	4	5	14	1	14	17	14	17	17	8	8	6	1	11	16	1	1	1	1	212			
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5:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4	
6:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5	
7:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	7	
10:00	2	0	0	0	1	1	1	2	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	58	
11:00	5	0	3	0	2	1	5	2	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	95	
12:00	4	0	3	0	2	1	5	2	0	0	0	0	0	0	0	0	0	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	99	
13:00	4	0	1	0	1	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	76	
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18:30	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	15	
19:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	8
20:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5
21:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4

