CITY OF COSTA MESA

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

DEVELOPMENT SERVICES DEPARTMENT

June 23, 2011

Raul Jara
959 Governor Street
Costa Mesa, CA 92627

RE: ZONING APPLICATION ZA-11-06
MINOR CONDITIONAL USE PERMIT TO LEGALIZE OUTDOOR WORK BEHIND EXISTING COMMERCIAL BUILDINGS
2027, 2029, 2033, AND 2035 HARBOR BOULEVARD, COSTA MESA

Dear Mr. Jara:

Staff review of the minor conditional use permit 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 (attached). The decision will become final at 5 p.m. on June 30, 2011, unless appealed by an affected party (including filing of the necessary application and payment of the appropriate fee), or is called up 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, Rebecca Robbins, at (714) 754-5609 or rrobbins@ci.costa-mesa.ca.us.

Sincerely,

WILLA BOUWENS-KILLEEN, AICP
Zoning Administrator

Attachments: Project Description
Findings
Conditions of Approval & Code Requirements
Conceptually Approved Plans

cc: Engineering
Fire Protection Analyst
Building Division

June 23, 2011
ZA-11-06 (2027-2035 Harbor Blvd.)

Ivan Wayne Roseberry
2052 Maple Ave
Costa Mesa, CA 92627

Gary Roseberry
2052 Maple Ave
Costa Mesa, CA 92627

Roberto Jara
319 Wake Forest Rd.
Costa Mesa, CA 92626

Rafael Sandoval
3125 E. Jacaranda
Orange, CA 92867

PROJECT DESCRIPTION

Site Location

The subject business is located on two properties that contain two commercial buildings with a shared drive aisle straddling the property line. Both properties contain non-conforming residential apartments at the rear, facing Charle Street. The site is zoned General Commercial (C2) and is surrounded by residential properties across Charle Street to the west and commercial properties to the north, south, and across Harbor Boulevard to the east.

Background

A code enforcement officer opened a case on the property for two storage containers placed on the property and outdoor work on vehicles being conducted for an auto upholstery shop (Roberto's Auto Trim). This application is a result of that code enforcement case. However, since the application was submitted, the applicant has removed the storage containers and restored the parking spaces where the containers had been placed.

Proposed Use

The applicant is proposing to legalize the outdoor work for the upholstery shop between the two commercial buildings. The outdoor work is proposed for larger vehicles that cannot be accommodated inside the existing garages approved for upholstering work. No parking spaces will be lost as a result of the outdoor work and clearance for the drive isle and vehicle back-up will be maintained.

The Zoning Code requires that all uses be conducted under roof unless authorized by a minor conditional use permit.

Analysis

Aesthetics

The outdoor work is proposed to be towards the rear of the commercial buildings, in front of the garages, in an area not readily visible from Harbor Boulevard; therefore staff does not anticipate any negative visual impacts. The applicant is reminded that with the exception of the larger vehicles being reupholstered, no other items may be stored outside. All materials must be kept, and all other work must occur, within the existing garages.

Site Improvements Required

In exchange for allowing the outdoor work and in compliance with Costa Mesa Municipal Code, Title 20 Property Maintenance, several site improvements are required for both properties. These site improvements include installing trash enclosures, repairing and re-slurrying all drive aisle and parking areas throughout both properties (including the rear area containing the residential apartments), repainting of the buildings, and addition of landscape planters to the front of the commercial buildings along Harbor Boulevard.

The applicant will be required to submit drawings to the Planning Division no later than 15 days from this approval and complete the work no later than 75 days from this approval.

Conclusion

As conditioned, the proposed outdoor work should not impact surrounding properties because there will be no reduction in parking spaces; noise will be minimized due to the nature of upholstering larger vehicles (work is conducted inside the recreational vehicles and enclosed trailers); several upgrades to the property will be required as part of the application that will minimize visual impacts and improve the properties; and the use is consistent with other commercial uses within the immediate vicinity.

General Plan Conformity

The proposed use is consistent with General Plan Land Use Objective LU-1B in that, as conditioned, the outdoor upholstering of vehicles too large to fit into the existing garages would contribute to the viability of the businesses at the subject property as well as the community's economic base.

FINDINGS

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

1. As conditioned, the proposed use is compatible and harmonious with uses both on-site as well as those on surrounding properties.

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

3. As conditioned, the use is consistent with General Plan Land Use Objective LU-1B in that the outdoor upholstery work would contribute to the viability of the subject business and the community's economic base.

4. The zoning application is for a project-specific case and does not establish a precedent for future development.

B. The minor conditional use permit to allow outdoor work between the commercial buildings consisting of upholstering vehicles too large to fit in the existing garages complies with Costa Mesa Municipal Code Section 13-29(g)(2) in that the proposed use is substantially compatible with developments in the same general area. Granting the minor conditional use permit will not be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity. Specifically, the location of the outdoor work behind the buildings and conditions requiring upgrades to both properties (installing trash enclosures, repairing and re-slurrying all drive aisle and parking areas throughout both properties, repainting of the buildings, and adding landscape planters to the front of the commercial buildings along Harbor Boulevard), will minimize visual impacts to the surrounding properties. Since the outdoor work will not occur in required parking, no parking impacts are anticipated. Granting the minor conditional use permit will not allow a use, density or intensity, which is not in accordance with the General Plan designation for the property.

C. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from Section 15301, Existing Facilities, of CEQA.

D. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

CONDITIONS OF APPROVAL

Plng. 1. The applicant shall install trash enclosures, repair and/or resurface all drive aisle's and parking areas throughout both properties (including the rear containing the residential apartments), restripe all parking spaces, repaint the buildings, and add landscape planters to the front of the commercial buildings along Harbor Boulevard, under the direction of the Planning Division. Plans shall be submitted to the Planning Division no later than 15 days from this approval and the work shall be completed no later than 75 days from this approval.

2. Outdoor work shall be limited to the locations shown on the site plan, behind the commercial buildings and as close as possible to the garages. In addition, the outdoor work shall only be conducted on vehicles too large to fit in the garages with all work either inside the garages or inside the recreational vehicles and/or trailers. All materials must be kept, and all other work must occur, within the existing garages.

3. The conditions of approval and ordinance or code provisions of planning application ZA-11-06 shall be blueprinted on the face of the site plan as part of the plan check submittal package.

4. A copy of the conditions of approval shall be kept on the premises and presented to any authorized City official upon request. New business/property owners shall be notified of the conditions of approval upon transfer of business or ownership of land.

5. The applicant shall contact the Planning Division for Planning inspection of the site after all site improvements outlined in the report have been made. 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. On-site landscaping on both properties shall be maintained in a healthy condition free of dying, dead, diseased, decayed, discarded and/or overgrown vegetation. The existing on-site landscaping shall be replaced with new plant materials wherever necessary; trees shall not be destroyed or removed without prior City approval.

2. The zoning application herein approved shall be valid until revoked. The Development Services Director or his designee may refer the planning application to the Planning Commission for modification or revocation at any time if, in her opinion, any of the following circumstances exist: 1) the use is being operated in violation of the conditions of approval; 2) the use is being operated in violation of applicable laws or ordinances or 3) one or more of the findings upon which the approval was based are no longer applicable.

3. All other work not specified in this application shall be conducted under roof. Outdoor work, display, and/or storage, except as approved by this minor conditional use permit, is prohibited.

4. Two (2) sets of landscape plans, for review by the Planning Division, shall be submitted within 30 days of the approval of this application.

5. Installation of all utility meters shall be performed in a manner so as to obscure the installation from view from any place on or off the property. The installation shall be in a manner acceptable to the public utility and shall be in the form of a vault, wall cabinet, or wall box under the direction of the Planning Division.

6. Show method of screening for all ground-mounted equipment (backflow prevention devices, Fire Department connections, electrical transformers, etc.). Ground-mounted equipment, including transformers, shall not be located in any landscaped street setback, except when required by applicable uniform codes, and shall be screened from view, under the direction of Planning staff.

7. Any building mechanical equipment such as air-conditioning equipment, duct work, and fire sprinkler risers shall be screened from view in a manner approved by the Planning Division. All rooftop mechanical equipment shall be screened by architectural parapets, not separate "equipment screens".

8. All 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 Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

9. Parking stalls shall be double-striped in accordance with City standards.

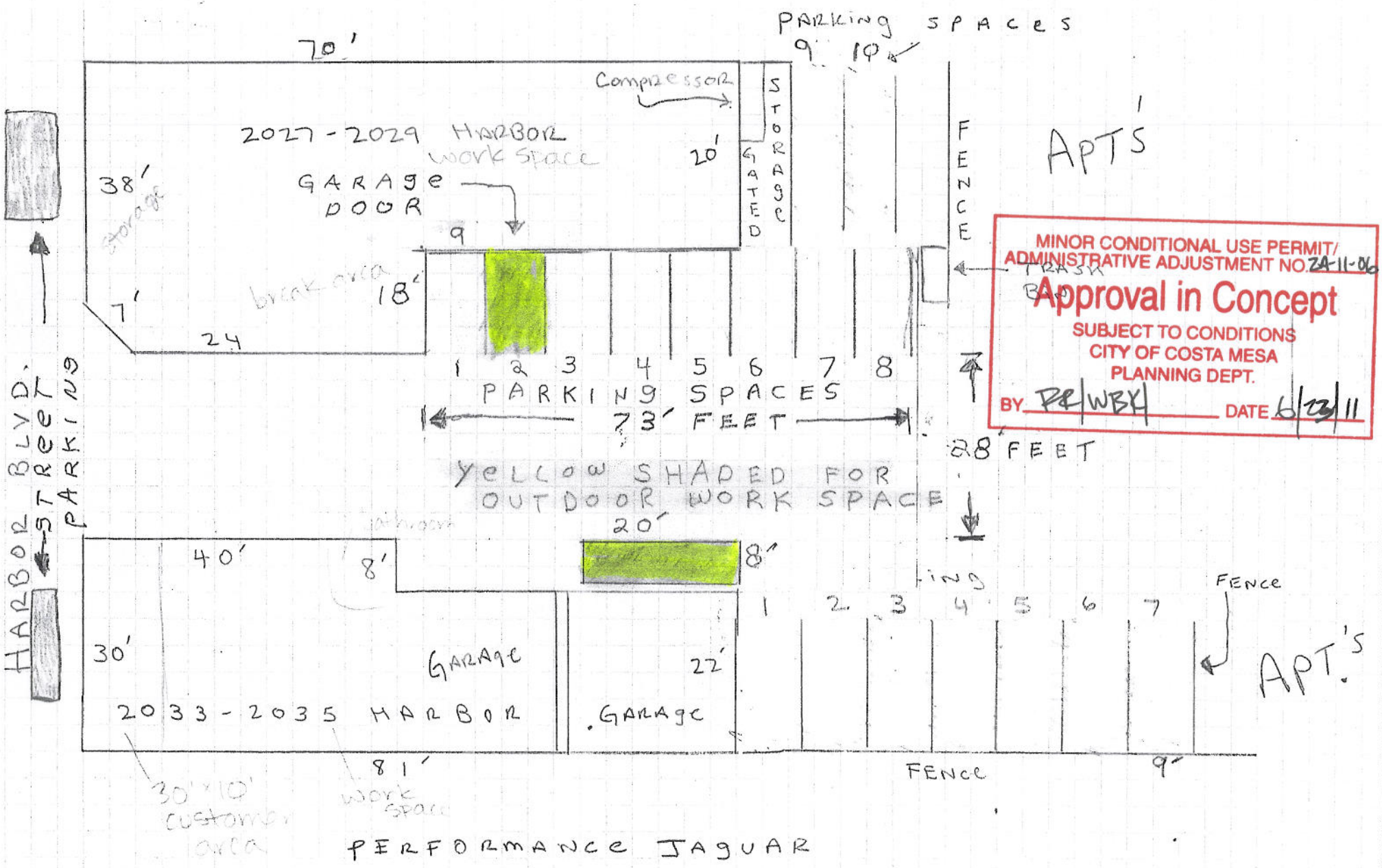
10. Trash enclosures or other acceptable means of trash disposal shall be provided and shall be screened from view from off-site under the direction of the Planning Division. Design of trash enclosures shall conform with City standards. Standard drawings are available from the Planning Division.

Bus. Lic. 11. 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.

Bldg. 12. Comply with the requirements of the 2010 California Building Code, 2010 California Electrical Code, 2010 California Mechanical Code, 2010 California Plumbing Code, and 2010 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) and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa.

GOLDEN DRAGON CENTER



MINOR CONDITIONAL USE PERMIT/
ADMINISTRATIVE ADJUSTMENT NO. ZA-11-06
Approval in Concept
SUBJECT TO CONDITIONS
CITY OF COSTA MESA
PLANNING DEPT.
BY PR|WBY| DATE 6/23/11