City of Costa Mesa
Inter Office Memorandum

TO: CITY COUNCIL AND PLANNING COMMISSION

CC: TOM HATCH, JAY TREVINO, AND PEGGY SCHNEBLE

FROM: WILLA BOUWENS-KILLEEN, ZONING ADMINISTRATOR

DATE: NOVEMBER 10, 2016

SUBJECT: ZONING ADMINISTRATOR DECISION(S)

This is to advise you of the following decision(s) made by the Zoning Administrator within the last week. Project descriptions have been kept brief for this notice. Please feel free to contact me by e-mail at willa.bouwens-killeen@costamesaca.gov if you have any questions or would like further details.

PA-14-32 A **729 Farad Street**

Amendment of Conditional Use Permit PA-14-32 to allow live entertainment at an existing 9,869 square-foot vintage automotive museum with a 280 square-foot ground level café area and a 2,805 square-foot mezzanine café. The live entertainment will consist of acoustic performers, piano players, jazz and blue grass ensembles, full bands, and various types of amplified music to accompany installations. In addition, the live entertainment may include PowerPoint presentations, videos, and projections of slide shows and films using a modular screen system projected on existing walls. The live entertainment will occur indoors only on a modular stage system located on the northwest corner of the building. No other changes for PA-14-32 as originally approved are proposed.

Approved, subject to conditions of approval.

Comments received: 11 in opposition.

ZA-16-17 **3033 Bristol Street**

Planned Signing Program for a new 8-foot, 9-inch tall, non-illuminated, freestanding monument sign along Paularino Avenue, as well as additional sign parameters, for the 3033 Plaza Center.

Approved, subject to conditions of approval.

Comments received: 1 in opposition.

ZA-16-36 **2900 Bristol Street, Suite D-105**

Minor Conditional Use Permit to deviate from shared parking requirements for an endodontics office (SC Endodontics) due to unusual operating characteristics. Hours of operation are 9 AM to 7 PM (patient hours 10 AM to 6 PM), with a maximum occupancy of 4 persons (including staff and patients) per hour.

Approved, subject to conditions of approval.

Comments received: None.

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200 • (714) 754-5245

City of Costa Mesa

TELEPHONE RECORD

Date: 11/10/2016

Name: Richard et. Al.

Address: 729 Farad Street

Call Received by: Ryan Loomis, Associate Planner

COMMENTS: **(Use Back or Attach Additional Sheets as Necessary)**

Richard called on 11/4/16 about 729 Farad Street. Complained that large events are already occurring on the property. Mentioned the property is not being used as a car museum anymore.

Anonymous caller called on 11/7/16 complained about cars parking up and down Farad Street blocking entrances.

Robert called on 11/7/16 and had complaints about 729 Farad Street project stating owner is already holding events. Cars are parked up and down Farad blocking driveways.

LOOMIS, RYAN

To: COLGAN, JULIE
Cc: BOUWENS-KILLEEN, WILLA
Subject: RE: PA-14-32-A

To: Costa Mesa Zoning Administrator

From : Leigh Knudson
719 Ohms Way
Costa Mesa, Ca 92627

Subject: Zoning Application PA-14-32-A

First a bit of background about myself. I have worked and owned property in the westside MG zone for over 30 years. Prior to that I worked in that area for over 10 years, so I have watched the area development & ensuing problems. My parents owned and occupied industrial property adjacent to Zubie's and the Golden Cage (?). They had constant maintenance and clean-up problems due to the clientele of both venues. Broken bottles, debris, a broken sky light when a bottle went through, and general nuisance situations such as cars left all night in the business's parking lot. The problems were so significant and lasting that Zubie put a clause in his property sale agreement that the new owner could not operate a bar/restaurant/night club on the property. Alcohol & party atmospheres do not mix well with industrial properties.

Having attended planning commission meetings regarding the Peterson operated restaurant, nearby, I've heard his claims, commitments and excuses. I truly have to say he is NOT a man of his word. We still have truck loading issues on Pomona Ave. and parking problems related to the restaurant and they will only get worse with the addition of the Farad facility. Mr. Peterson and his wife, in separate vehicles, treat the red curb zone as their personal parking spots, which block safe exit for vehicles entering Pomona from Farad. Often when the Petersons are not in the red zone, delivery trucks are. Where is the loading zone for the 729 Farad facility? From these facts we derive the opinion that Clay Peterson's promises have little value. We have recently learned that he is using the Farad facility for large noisy events without acquiring the Costa Mesa City approval which he is now getting around to asking for.
The 729 Farad facility is an unrestricted open building easily capable of several hundred patrons. The auto museum is gone so there is plenty of room for 300-400 people, yet has 35 parking spaces that allow off street parking parking for about 70 guests. He will state most of his customers come by UBER but that is to mollify the city planners and is not real. The balance of the parking will be on city streets adjacent to the venue. Drive up and down Ohms & Farad during the week and show me vacant parking spots. The nearby auto body shops have no off street parking for their employees so the streets are filled . We don't have any extra parking and Mr. Peterson wants to add as many as 100-150 more cars to the situation. Even during weekends, the on street parking could maybe handle 40-50 cars. 729 Farad has inadequate parking for the events requested.

I find it interesting that the various restaurants, in the area, condone this type of financial largess from the City of Costa Mesa. They are required to have off street parking commensurate with their patron capacity, but the Peterson venues get to skate on the parking requirements, meaning far lower facilities costs and vastly higher profits.

As a nearby property owner I find myself strongly against adding alcohol and and lots of people to a quiet industrial neighborhood. My objections are based on past experiences with party facilities in industrial zones, lack of parking and Mr. Peterson's tendency to morph minor approvals in to full scale changes without city oversight.

LOOMIS, RYAN

From: Mary Goehring <mgoehring16@att.net>
Sent: Wednesday, November 09, 2016 3:24 PM
To: LOOMIS, RYAN
Subject: 729 Ohms Way

Ryan,

We are a group of concerned tenants and property owners on the streets surrounding 729 Farad Ave.

That location was supposed to be a 9,600 sq.ft. car museum and an approximate 2,500 sq.ft. café with a bar for people to visit and have a sandwich and drinks. The new people occupying the building want to turn it into a 10,000 plus sq.ft. music venue and restaurant. There is no museum. The parties they have already had with live music and disc jockeys have been very loud. We know "it's an industrial area and who cares?".....We care!

Costa Mesa has parking rules and for this type of venue, it should require at least 10 parking spaces per thousand sq.ft.. They have valet parking and have filled all the street parking on Ohms Way and Farad and the 35 space parking lot. There is no parking during the day on any of the streets, so opening at 12 noon could become a real parking nightmare.

It is a use of industrial property that calls for 3 car spaces per thousand sq.ft. that does not work. You would require 10 spaces in any commercial complex for this kind of use, but they are trying to run this in under the radar because industrial space is about $1.00 per sq.ft. and commercial space where this kind of venue should be is above $2.00 per sq.ft.

We feel this is a bad idea and are concerned that even if this tenant makes things work, the CUP stays with the building and future tenants could make it extremely difficult for the neighboring buildings to do business and could ultimately damage property values and rents..

Please consider the impact your decision will make. This is not a museum. It will be a food, drink and highly amplified music venue. We have all been here for many years and have seen the changes made by City decisions. Please consider our situation.

We have sent you this letter to give you an understanding of our concerns and reserve the right to litigate this matter, if necessary.

Thank you for your attention to this matter.

Vernon Fansler, Owner
E-Z Lettering
723-724-1621-1625-1635 A B C D & E Ohms Way

Erik Brown, Owner
Ford's Automotive
705 Ohms Way

Richard Goehring
722 Ohms Way

Robert Tasedan, Owner
Auto Strasse Corp.
729 Ohms Way

Phyllis Goehring
735 Farad

Harry Tartadian
740-B Ohms Way

Grant Hellinger, Owner
Sea & Ski Marine
740-A Ohms Way

11/8/2016
In response regarding notice of a zoning administrator decision date.
Application No PA-14-32 A

Parking is a concern unless the requirements under the original Conditional Use Permit (PA-14-32) are upheld: no charge valet parking to encourage onsite parking, 48 onsite parking places (currently there are planters blocking a majority of the parking spots), one way traffic flow with a minimum 12 foot wide drive aisle with cars entering on Farad and exiting on Ohms Way, and "Special events" limited to 100 attendees.

Several other items confuse me, this is not an automobile museum, this is not a membership organization, the original application states that events would rarely go past 9PM and involve members (50 in number), and no live music.

The live music request gives a false sense of soft peaceful music but does include a request for "full bands and various types of amplified music" but does not include exterior sound limits or CUP requirements to control or limit noise.

The original CUP was compatible as it was confined to a small self-contained private membership club. The amendment under consideration does not specify noise or attendance limits and has the potential to put the burden on the surrounding property owners and businesses.

The operators current location, "The Boathouse" valet parks cars on the street not in the "30" parking spaces onsite and employees do not park in the designated off site parking location as specified in their CUP. Trucks regularly unload in the middle of Pomona Street which is prohibited in their CUP. With this current disregard for the approved requirements for "The Boathouse" to operate in Costa Mesa under the specified requirements of conditional use permit PA-15-46 we can only expect the same disregard and behavior under this second location.

As a directly adjacent property owner, Costa Mesa tax payer, & business owner I refuse to bear the burden of this proposed amendment.

Regards,
Charles Rollins
711 W 17th St
Units F1 and J6
949-722-1084

Received
City of Costa Mesa
Development Services Department

NOV 09 2016

ARIOS, JUSTIN

From: ARIOS, JUSTIN
Sent: Monday, November 07, 2016 9:12 AM
To: ARIOS, JUSTIN
Subject: Application #ZA-16-17

From: Susan Thompson [mailto:susanthompson@earthlink.net]
Sent: Monday, November 07, 2016 8:34 AM
To: PLANNING COMMISSION <PLANNINGCOMMISSION@ci.costa-mesa.ca.us>
Subject: Application #ZA-16-17

To Whom it May Concern,

I am opposed to the monument sign on Paularino Ave. I live off of Paularino and regularly experience the traffic generated by the strip mall asking for the sign. The parking lot for this center is ALWAYS full, so much so, that they have to have a valet service to keep the surrounding areas from being impacted. Even with that, our street still experiences spill over parking from the patrons. Additional advertising for the center or, for the entrance off of Paularino Ave. is NOT wanted or needed. Our residential neighborhood has been impacted enough with all of the wants of this center, a sign on Paularino would be another commercial encroachment on the residential neighborhood that has been here for OVER 50 years. Please help us to preserve the "residential" aspect of our area by denying the additional commercial signage.

Than you,

SusanThompson

Trinity Drive
Costa Mesa

CITY OF COSTA MESA

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

DEVELOPMENT SERVICES DEPARTMENT

November 10, 2016

Clayton Peterson
729 Farad Street
Costa Mesa, CA 92627

RE: PLANNING APPLICATION PA-14-32A
AMENDMENT TO CONDITIONAL USE PERMIT PA-14-32 TO ALLOW LIVE ENTERTAINMENT FOR A VINTAGE AUTOMOTIVE MUSEUM WITH A TWO-LEVEL CAFÉ (COSTA MESA WESTSIDE MUSEUM).
729 FARAD STREET, COSTA MESA

Dear Mr. Peterson:

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 November 17, 2016, 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, Ryan Loomis, at (714) 754-5608, or via email at ryan.loomis@costamesaca.gov

Sincerely,

WILLA BOUWENS-KILLEEN, AICP
Zoning Administrator

Attachments:
1. Project Description/ Applicant Emails
2. Approved Conceptual Plans
3. PA-14-32 Conditions of Approval

cc: Engineering
Fire Protection Analyst
Building Safety Division

Clayton Peterson
729 Farad Street
Costa Mesa, CA 92627

Richard Cushman
PO Box 530951
Livonia, MI 48153

BACKGROUND

Project Site/Environs

The site is located near the end of the Farad Street cul-de-sac and consists of one parcel with two street frontages (Farad Street and Ohms Way). The property is developed with a 12,674-square foot industrial building along the Farad Street frontage and the portion of the property facing Ohms Way is used primarily as surface parking. The building was constructed in 1967 and contains a 2,805 square foot mezzanine. The building was previously used as an office and warehouse (Books on Tape) and more recently has been used for indoor storage of vintage vehicles.

The site is zoned as General Industrial District (MG zone) with a General Plan land use designation of Light Industry and located within the Mesa West Bluffs Urban Plan area; however, the requested change to provide live entertainment does not require master plan approval and does not activate any of the provisions in the urban plan.

Prior Land Use Approvals

The property has an existing Conditional Use Permit PA-14-32, approved on January 26, 2015, that allows the following:

Use	Area (sf)	Days	Hours
Automotive Museum / Office (vehicle storage/ display – no sales)	9,589 sf	Monday - Saturday	12:00 noon – 11:00 p.m.
Cafe (lunch and dinner only)	3,085 sf	Monday - Saturday	12:00 noon – 11:00 p.m.
Membership Meetings with On-site Valet Parking (40-50 max. attendees)		Weekends	"
Special Events with On-site Valet Parking (100 max. attendees)		Monday - Saturday	"

The conditional use permit (CUP) was originally approved for Beverly Hills Motorsport Museum. Since that time, the business has been purchased by Westside Museum; however, the use will be required to operate in compliance with the description and conditions of approval of PA-14-32. Any future change in operation of the use requires an amendment to the CUP; the request for live entertainment is the first amendment to the CUP. This request is being processed as a minor conditional use permit because Code allows Zoning Administrator review of proposed amendments to CUPs and because the property is not located within 200 feet of a residential zone.

PROJECT DESCRIPTION

Planning Application PA-14-32A is an amendment to the existing conditional use permit to allow live entertainment. The proposed live entertainment will consist of acoustic performers, pianists, jazz and blue grass ensembles, and various types of amplified music to accompany museum installations. In addition, the live entertainment may include Powerpoint presentations, videos, and projections of slide shows and films using a modular screen system or projected on the existing walls. The live entertainment will occur indoors only on a modular stage system located on the northwest corner of the building.

ANALYSIS

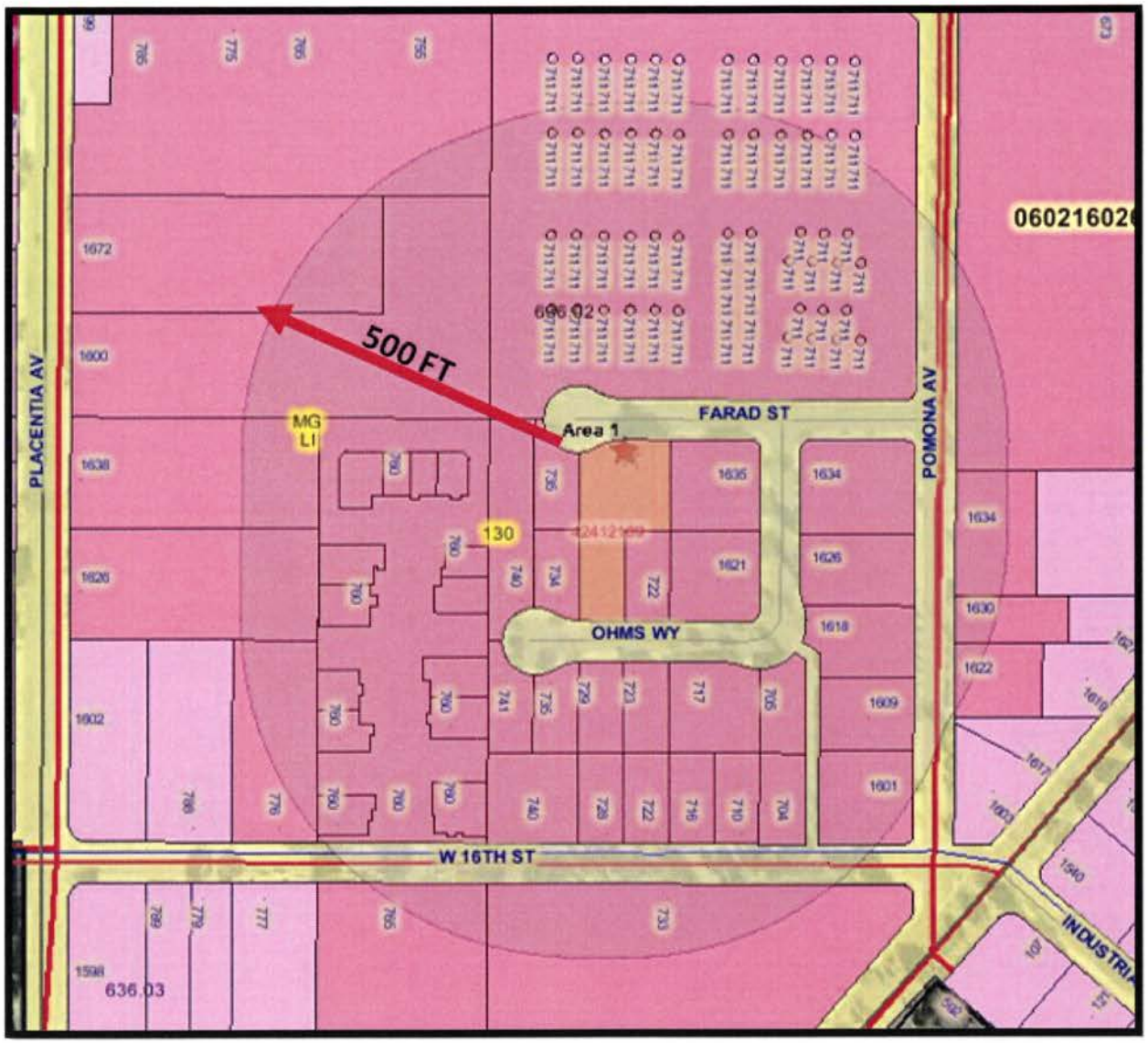
The applicant proposes to use the existing building according to the approved conditional use permit PA-14-32 approved in January 2015, which includes a vintage automobile museum with complimentary café for socializing events, including membership meetings and special events. This amendment to the existing conditional use permit would allow for live entertainment. An analysis on potential impacts of the live entertainment is discussed below.

Traffic and Parking Impacts

The traffic and parking impacts anticipated for the use were evaluated and reviewed through the original conditional use permit; this application is only to allow live entertainment. No new floor area will be added to accommodate the live entertainment request, and all special events are still required to abide by the 100-person maximum limit allowed by the CUP. As such, no additional increase in parking demand is anticipated, so no additional parking will be required for the live entertainment.

Noise

Noise impacts as a result of the live entertainment are not anticipated. Westside Museum is located in the MG industrial zone, and no residential zone exists within 500 feet from the property, as shown in figure below. The property is located within a large industrial area with numerous industrial buildings, which will help attenuate any noise impacts occurring from the site. The live entertainment will also be conducted entirely within the interior portion of the existing building, and is conditioned to occur behind closed doors. As a result, the music should be buffered by surrounding buildings, and by the building itself. Staff also has contacted the Police Department to confirm if any concerns exist related to the proposed use. Based on feedback from Police and Code Enforcement, there are no concerns related to the proposed use.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JUSTIFICATION FOR APPROVAL

Pursuant to Title 13, Section 13-29, Planning Application Review Process, 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 the following assessment of facts and findings which are also reflected in the draft resolution.

- *The provision for live entertainment to the existing permitted use, is compatible with surrounding uses, and would not be materially detrimental to other properties within the area.* The property has already been approved as a vintage automobile museum with complimentary café for socializing events, including membership meetings and larger special events. Live entertainment is considered ancillary to the approved use, and will not cause an increase in floor area. The live entertainment will be provided inside on a modular stage located on the northwest corner of the building. The property is located within a large industrial area with numerous industrial buildings. There are no residentially zoned properties located 500 feet from the property. The closest residential zone is R3 zone located approximately 1,364 feet north of the existing use, along Pomona Avenue north of 17th Street.

  Compliance with the conditions of approval set forth in the approved conditional use permit (PA-14-32) and the amendment to the conditional use permit (PA-14-32A) will require the live entertainment to operate with minimal impact on surrounding properties and uses. The proposed use, as conditioned, will not generate adverse noise, traffic, or parking impacts that are unusual for industrially-zoned properties. Conditions of approval require noise sources be confined indoors and be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. Also, conditions of approval from original conditional use permit require special events be limited to a maximum of 100 people, which has been determined to be the maximum persons allowed per available parking.

  CONDITION #4: Music shall not be audible beyond the area under control of the licensee.

  CONDITION #5: The live entertainment shall at all times be conducted within the building. While live entertainment is underway, the doors of the business are to remain closed.

  CONDITION #6: The business shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The applicant and/or business owner shall institute whatever security and operational measures are necessary to comply with this requirement.

CONDITION #17 (see PA-14-32): Subsequent to the approval of the CUP and to create additional parking for gatherings greater than 100 persons, the applicant may apply for an amendment to the CUP to request "off-site valet parking" for the club meetings and special events. The off-site valet parking plan may be processed by the Development Services Director or the Zoning Administrator as a minor amendment to the CUP and shall not require Planning Commission review, unless appealed. Increased frequency of events shall not be approved until the applicant demonstrates that the valet parking is sufficient

- *The Police Department does not have any objection to the use.* The Police Department has reviewed the proposed use and has no objections to the approval of the application. As of the date of this report, the City has not received any comments from the public regarding the proposed use.

- *The provision to allow live entertainment will not allow a use, density or intensity which is not in accordance with the General Plan designation for the property.* No adverse parking impacts are anticipated. Westside Museum is operating under the conditional use permit approved for the previous Beverly Hills Motorsport Museum and café. Because the request for live entertainment does not increase the floor area or intensity of the use, additional parking is not required. Conditions of approval from original conditional use permit require special events be limited to a maximum of 100 people, which has been determined to be the maximum persons allowed per provided parking.

GENERAL PLAN CONFORMANCE

The proposed live entertainment at Westside Museum is permitted in the MG zone subject to approval of a minor conditional use permit, when more than 200-feet away from residential property. Subject to conditions, the proposed use is in conformance with the 2015-2035 General Plan. Specifically, the project complies with the following Land Use Objectives:

> *Policy LU-1.1 Provide for the development of a mix and balance of housing opportunities, commercial goods and services, and employment opportunities in consideration of the needs of the business and residential segments of the community.*

The live entertainment request is consistent with Land Use Objective LU-1.1, in that it will enhance and promote the operation of the existing business. Westside Museum is located within the Westside mixed-use overlay zone where adaptive reuse of industrial buildings is encouraged. The proposed use is compatible with industrial and automotive uses in the area and is not anticipated to negatively impacts surrounding properties. The museum/café will be open to the public and offer lunch and dinner for surrounding businesses as well as a venue for private parties/events.

Policy LU-3.1 Protect existing stabilized residential neighborhoods, including mobile home parks (and manufactured housing parks) from the encroachment of incompatible or potentially disruptive land uses and/or activities

The project will protect existing residential neighborhoods as the proposed use is more than 500 feet from residentially zone property and, therefore, should have minimal noise impacts to the surrounding neighborhood. Conditions of approval require that all music will be indoors and that music not be audible beyond the control of the licensee.

ENVIRONMENTAL DETERMINATION

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. If the project is denied, it is exempt from the provisions of CEQA Section 15270(a) for Projects Which Are Disapproved.

FINDINGS

A. The information presented substantially complies with Costa Mesa Municipal Code section 13-29(g)(2) because:

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

Facts in Support of Finding: The site is located in an industrial area characterized by a variety of light and general industrial uses. The existing automotive museum and café with valet parking are uses permitted subject to the approved Conditional Use Permit PA-14-32. The property is located in the Westside mixed-use overlay zone where adaptive reuse of industrial buildings is encouraged. No new floor area will be added to accommodate the live entertainment request, and all special events are still required to abide by the 100-person maximum limit allowed by Conditional Use Permit PA-14-32. As such, no additional parking is required as a result of the live entertainment. The proposal is compatible with the surrounding industrial and automotive uses in the area. The museum's café is an amenity for museum visitors and club members but will also open to the public to provide an additional eating establishment for surrounding businesses similar to the Boathouse Collective. The museum and café with live entertainment will foster additional weekend and nighttime activity in the area.

Finding: Granting the minor conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.

Facts in Support of Finding: Granting the minor conditional use permit for live entertainment at the existing automotive museum/ café will not be detrimental or injurious to the surrounding properties with industrial and automotive uses. The property has been already approved for an automotive museum and café. Live entertainment is considered ancillary to the approved use, and will not cause an increase in floor area. The proposed use, as conditioned, will not generate adverse noise, traffic, or parking impacts that are unusual for industrially zoned properties.

Finding: 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.

Facts in Support of Finding: The provision for live entertainment is not expect to intensify the use or density, or permit a use that is not in conformance with the General Plan designation. The property has been already approved for an automotive museum and café. Live entertainment is considered ancillary to the approved use, and will not cause an increase in floor area.

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 from CEQA under Section 15301 for Existing Facilities.

C. The project is exempt from Chapter IX, Article 12, Transportation Demand Management, of Title 13 of the Costa Mesa Municipal Code.

CONDITIONS OF APPROVAL

Plng. 1. The use shall be limited to the type of operation as described in the applicant's letter of description and staff report. Live entertainment will consist of acoustic performers, pianists, jazz and blue grass ensembles, and various types of amplified music to accompany museum installations. In addition, the live entertainment may include Powerpoint presentations, videos, and projections of slide shows and films using a modular screen system or projected on the existing walls. All live entertainment shall occur indoors only and cease by 11 p.m., daily. Any change in the operational characteristics including, but not limited to, the hours of operation and additional services provided, shall require review by the Planning Division and may require an amendment to the conditional use permit, subject to either Zoning Administrator or Planning Commission approval, depending on the nature of the proposed change. The applicant is reminded that Code allows the Planning Commission to modify or revoke any planning application based on findings related to public nuisance and/or noncompliance with conditions of approval [Title 13, Section 13-29(o)].

2. The applicant is reminded that all conditions of approval from Conditional Use Permit PA-14-32 still apply (copies attached as Attachment 3)
3. The applicant shall submit a revised valet parking and circulation plan for review and approval by the Planning Division and Transportation Division prior to Final Inspection for Building Permit BC14-00940. A total of 48 valet parking spaces shall be created. The layout shall conform to the City's Parking Design Standards. One-way drive aisle width shall be a minimum of 12 feet.
4. Music shall not be audible beyond the area under control of the licensee.
5. The live entertainment shall at all times be conducted within the building. While live entertainment is underway, the doors of the business are to remain closed.
6. The business shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The applicant and/or business owner shall institute whatever security and operational measures are necessary to comply with this requirement.
7. The applicant shall contact Code Enforcement for a public entertainment permit prior to any live entertainment. Contact Code Enforcement (714-754-5623) for application information.
8. A copy of the conditions of approval for Conditional Use Permits PA-14-32 and PA-14-32A 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.
9. 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.

10. A six-month review period by Planning Commission is required if noise complaints are received by the City regarding amplified music or any other noise issues as a result of operation of the live entertainment.

CODE REQUIREMENTS

Plng

1. Once the use is legally established, the planning/zoning application herein approved shall be valid until revoked. The Director of Economic & Development/Deputy CEO or his designee may refer the planning/zoning application to the Planning Commission for modification or revocation at any time if, in his opinion, any of the following circumstances exist: 1) the use is being operated in violation of the conditions of approval; 2) the use is being operated in violation of applicable laws or ordinances or 3) one or more of the findings upon which the approval was based are no longer applicable.
2. Permits shall be obtained for all signs according to the provisions of the Costa Mesa Sign Ordinance.
3. All work shall be conducted under-roof. Outdoor work or display is prohibited. Outdoor storage, if permitted, shall comply with the provisions of Costa Mesa Municipal Code Section 13-44/13-53.

Bus Lic.

4. 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.

Westside Museum
729 Farad Street
Costa Mesa CA 92627

Costa Mesa Westside Museum
Proposed Live Entertainment

The Westside Museum is planning on adding an audio and visual element to the downstairs space. Any live entertainment that would accompany the revolving Museum installations would take place on the NW end of the building as shown on the drawings provided. Live entertainment, would be set up using a modular stage system that would be positioned as shown on the drawings provided, and will not impair any exits or paths of travel. The Live entertainment would include acoustic performers, piano players, jazz ensembles, blue grass arrangements, full bands and various types of amplified music to accompany installations. Any live entertainment would be contained within the building and would not past the hours of operation. Any live or amplified music would be designed not to impair the surrounding industrial businesses.

Power Point presentations, videos, and projections of slide shows and films will also be set up using a modular screen system, or simply projected on to the existing walls, away from any exits or areas that would impair the path of travel in any way.

LOOMIS, RYAN

From: Clayton Peterson <clay@westsidemuseum.com>
Sent: Tuesday, November 08, 2016 8:33 PM
To: LOOMIS, RYAN
Subject: Re: PA-14-32 A1 update

Hi Ryan,

On the application for live entertainment we are going to request live music for all hours of operation. Although we are not planning on having music during the day time hours in the week nor are we planning on having music every night, but want to make sure we leave our options open during our evening hours of operation.

thanks,
Clay

On Tue, Nov 8, 2016 at 8:52 AM, LOOMIS, RYAN <RYAN.LOOMIS@costamesaca.gov> wrote:

Hi Clayton,

I forgot to ask in our phone call yesterday the hours proposed for live entertainment. Is it proposed daily, or just during special events or member meetings?

If you have any questions or concerns, please contact me.

Thank you,

Ryan Loomis, AICP | Associate Planner

City of Costa Mesa

77 Fair Drive, Costa Mesa, 92628

Ph. (714) 754-5608 Fax. (714) 754-4913

ryan.loomis@costamesaca.gov

Costa Mesa

From: Clayton Peterson [mailto:clay@westsidemuseum.com]
Sent: Sunday, November 06, 2016 5:44 PM
To: LOOMIS, RYAN <RYAN.LOOMIS@costamesaca.gov>
Subject: Re: PA-14-32 A1 update

Hi Ryan,

Our planned use of the museum has not significantly changed and we are still in the discovery phase of exactly what the future plans with the space will be. For now, we are planning on operating under the current CUP conditions with the addition of live entertainment. I have answered your questions below in Maroon to help clarify our current use.

1. Is the use still proposing to operate as a car museum?

Yes, we will be using the space to display various automobiles and other relevant vehicles with also the addition of sculpture, installations and art. The cars were removed during the construction phase in order not to harm them and we are currently working out which automobiles will be on display.

2. How many events do you propose at the location?

We are planning operating under the current CUP, giving us four special events per year. If we can secure additional parking we will request an amendment to the current conditions and ask for the approval of additional events throughout the year.

3. What are the hours of operation?

We are planning on operating under the current CUP hours of operation, with a Valet service provided in order not to burden the neighboring companies.

4. What is maximum number of people planned for events?

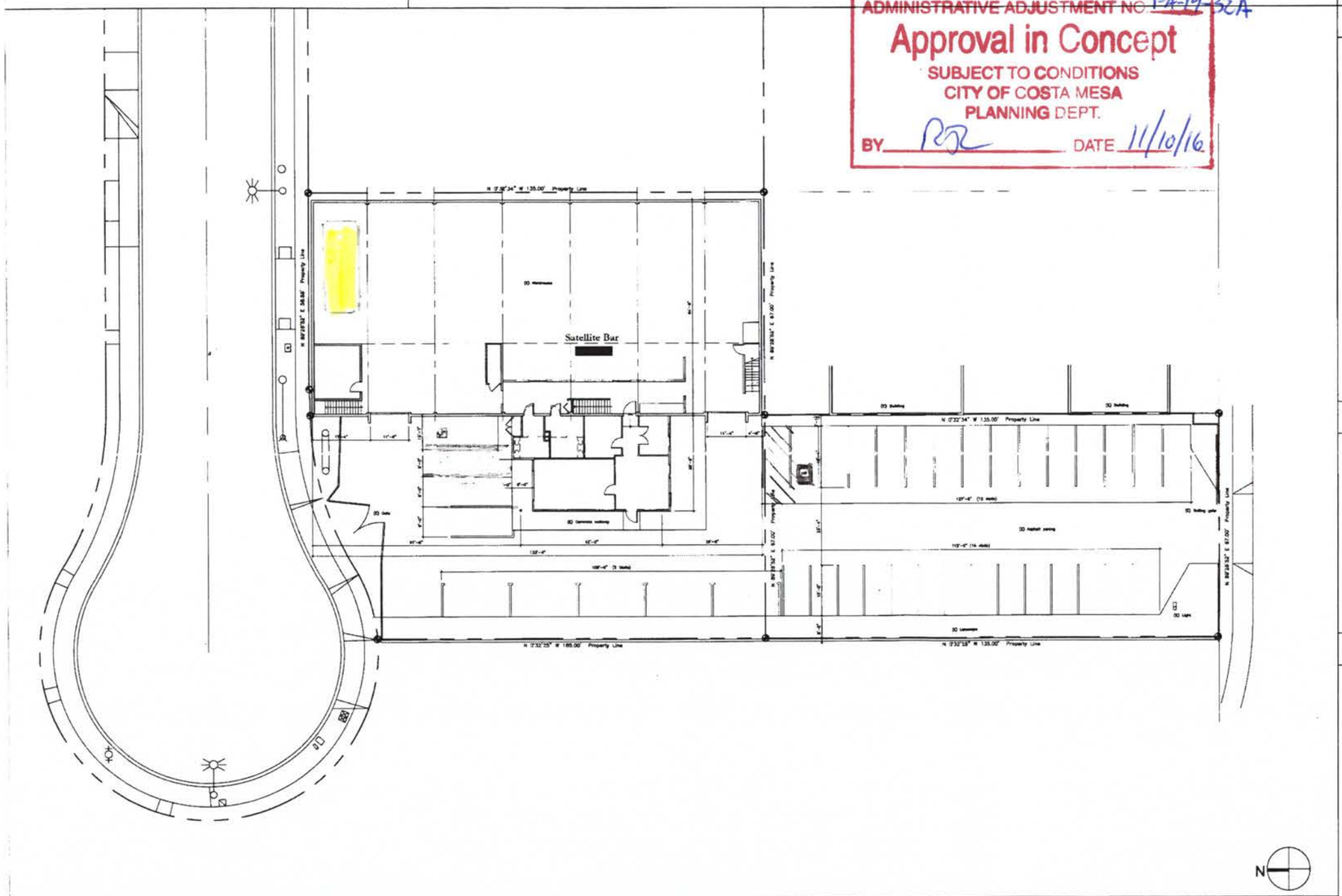
We are planning on operating under the current CUP. If we can secure additional parking we will request an amendment to the current conditions and ask for the approval of additional capacity. The goal would be to secure parking using valet as to not burden any of the neighboring businesses in the area. It is important to me as an owner to make sure that the Museum is a positive addition to the surrounding industrial neighborhood, as I have done with the Boathouse location. I will keep you posted on any additional parking agreement requests we have in motion.

Let me know if this helps clarify the current plan in order to move forward with acquiring an entertainment permit in coordination with the release of our ABC license which currently has live entertainment approval.

Building Department Notes

Westside Museum
Tenant Improvement
729 Farad
Costa Mesa, California 92627

MINOR CONDITIONAL USE PERMIT/
ADMINISTRATIVE ADJUSTMENT NO. PA-14-32A
Approval in Concept
SUBJECT TO CONDITIONS
CITY OF COSTA MESA
PLANNING DEPT.
BY RR DATE 11/10/16



Existing Site Plan

Scale: 1/16"=1'-0"

1

Legal description

TRACT NO:	4157 and Newport Mesa Tract
LOT NO.:	10 and portion of lot 611
ASSESSORS PARCEL NUMBER:	116-260-9,10

Consultants

Owner:
Cushman Development Corporation
18593 Fox Hollow Court
Farmington, MI 48167
206-445-6301

Consultant:
J&K Consulting Services
27389 Paseo Placentia
San Juan Capistrano, Ca 92675
949-370-7015

Architect:
Randy Ranieri Architect and Assoc. Inc
3141 Limerick Lane
Costa Mesa, Ca 92626
714-296-5502

Project Data

Plan check number:	-	
Building department:	City of Costa Mesa	
Building codes:	This project to comply with 2013 CBC, 2013 CMC, 2013 CEC, 2013 CPC, and 2013 CFC City of Yorba Linda Ordinances	
Occupancy classification:	-	
Construction classification:	type V-B (Fully Sprinklered)	
Stories:	Two - (2)	
Project Description:	Update accessible parking, Update accessible restrooms, add a food service bar and a bar on mezzanine level.	

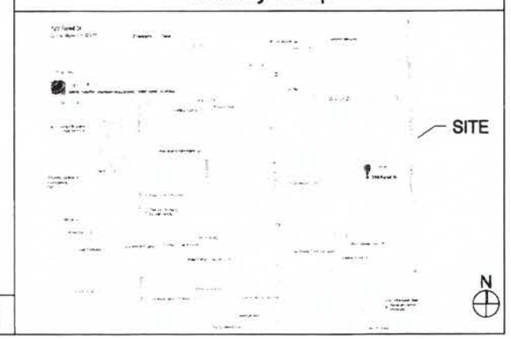
PROJECT DATA:

Lot Size:	Lot 10 9,004.5 S.F. + Lot 611 17,018 S.F. = 26,022.5	
Lot Coverage:	38%	
Building Footprint:	9,869 S.F.	
1st Floor Warehouse:	8,163 S.F.	(3/1000)=24 stalls
1st Floor Warehouse Storage:	310 S.F.	(3/1000)= 0 stalls
1st Floor Stairs:	149 S.F.	(3/1000)= 0 stalls
1st Floor Warehouse Total:	8,622 S.F.	24 stalls
1st Floor Office:	766 S.F.	(1/250) = 3 stalls
1st Floor Office Storage:	144 S.F.	(3/1000)= 0 stalls
1st Floor Restrooms:	261 S.F.	(1/250) = 1 stalls
1st Floor Electric Room:	20 S.F.	(1/250) = 0 stalls
1st Floor Hall:	56 S.F.	(1/250) = 0 stalls
1st Floor Office Total:	1,247 S.F.	4 stalls
Mezzanine:	1,738 S.F.	
Mezzanine Storage:	678 S.F.	(3/1000)= 0 stalls
Mezzanine Food Bar:	248 S.F.	(1/100) = 3 stalls
Mezzanine Bar:	141 S.F.	(1/100) = 1 stalls
Mezzanine Total:	2,805 S.F.	
		37 stalls provided

Sheet Index

Architectural drawings
T-1 Title sheet / project information / general notes / site plan
GN-1 General Accessibility Notes
GN-2 General Accessibility Details
GN-3 Health Department Notes
A-1 Overall Floor Plans
A-2 Enlarged Floor Plans
A-3 Exterior elevations

Vicinity Map



RANDY RANIERI ARCHITECT & ASSOCIATES, INC.
3141 LIMERICK LANE
COSTA MESA, CALIFORNIA 92626
Phone (714) 296-5502 Fax (714) 546-2636
E-mail rrarch@ca.rr.com

This drawing and its content are instruments of service and are the copyrighted property of Randy Ranieri Architect. The use is expressly intended for the project noted below and may not be reused or reproduced in whole or in part without the written permission of Randy Ranieri Architect.
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LICENSED ARCHITECT RANDY ALLEN RANIERI C-24225 9/30/2015 RENEWAL DATE STATE OF CALIFORNIA

Randy Ranieri

CONSULTANT

Consultant:
J&K CONSULTING SERVICES
27389 PASEO PLACENTIA
SAN JUAN CAPISTRANO, CA 92675
949-370-7015

Project title

Project:
Museum
Tenant Improment
729 Farad
Costa Mesa, Ca. 92627

Sheet title

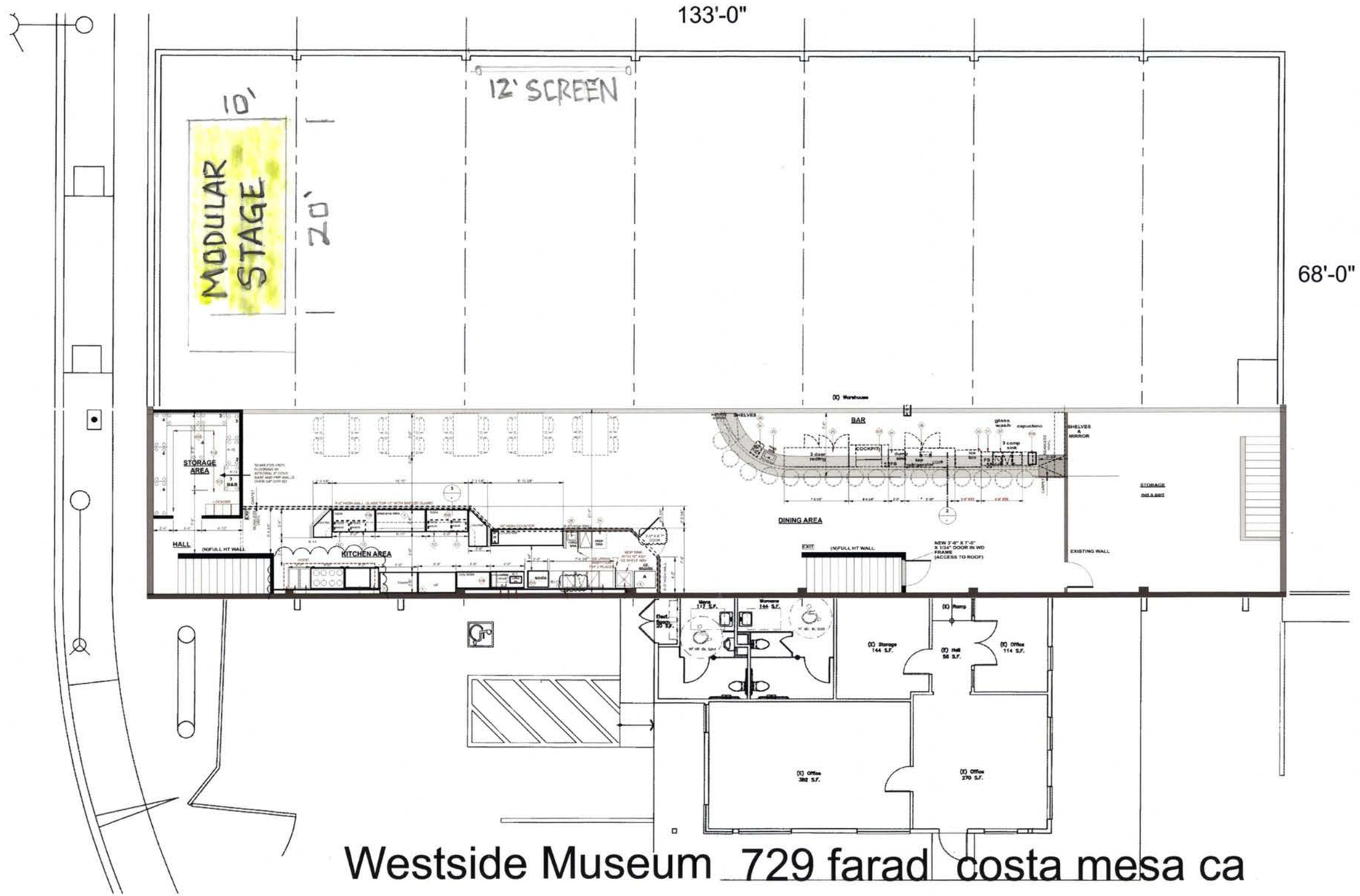
TITLE SHEET/SITE PLAN
PROJECT DATA

Revisions

Date: 09-05-14
Drawn: RR..

Sheet Number

T-1



Westside Museum 729 farad costa mesa ca

N

Floor Plan

Scale: 1/8"=1'-0"

2

CITY OF COSTA MESA

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

DEVELOPMENT SERVICES DEPARTMENT

NOTICE OF DECISION
PLANNING COMMISSION ACTION

DATE: January 28, 2015

PROJECT NO: PA-14-32

SITE ADDRESS: 729 Farad Street

FINAL ACTION: At a noticed public hearing on January 26, 2015 the Planning Commission approved this application, subject to conditions, by adoption of Planning Commission Resolution PC-15-06. The final resolution is attached.

APPEAL PERIOD: This decision will become final unless appealed by 5 p.m., February 2, 2015 by the filing of the necessary form and fees with the City Clerk's office, located at 77 Fair Drive, Costa Mesa.

PLANNING CONTACT: Antonio Gardea, Senior Planner, (714) 754-5692 antonio.gardea@costamesaca.gov

If you have any questions or comments regarding this notice of decision, please contact the project planner (above) or me at 714-754-5278.

Sincerely,

Claire L. Flynn, AICP
Assistant Development Services Director

DISTRIBUTION:

Jerauld F. Clarke
J&K Consulting Services
27389 Paseo Placentia
San Juan Capistrano, CA 92675

Gary Katsaris
Beverly Hills Motorsport
1609 Pomona Avenue
Costa Mesa, CA 92627

Cushman Family Trust
18593 Fox Hollow Ct
Northville, MI 48168

RESOLUTION NO. PC-15-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-14-32 FOR AN AUTOMOTIVE MUSEUM, CAFÉ AND VALET PARKING ON WEEKENDS AND SPECIAL EVENTS AT 729 FARAD STREET IN THE MG ZONE

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

WHEREAS, an application was filed by Jerauld F. Clarke, authorized agent for the property owner, Richard Cushman, requesting approval of a conditional use permit for an automobile museum and café and on-site valet parking for membership meetings and special events, in the MG zone;

WHEREAS, the primary use of the industrial building will be the automotive museum of approximately 9,589 square feet in area. As a complementary use, the museum will feature a café of approximately 3,085 square feet in area (280-square foot at ground and 2,805 square foot at mezzanine level). The museum will host on-going membership meetings on weekends and four annual special events and private parties. The proposed activities, as modified per conditions of approval, are summarized below:

Use	Area (sf)	Days	Hours
Automotive Museum / Office (vehicle storage/ display – no sales)	9,589 sf	Monday - Saturday	12:00 noon – 11:00 p.m.
Cafe (lunch and dinner only)	3,085 sf	Monday - Saturday	12:00 noon – 11:00 p.m.
Membership Meetings with On-site Valet Parking (40-50 max. attendees)		Weekends	"
Special Events with On-site Valet Parking (100 max. attendees)		4 Annually	"

WHEREAS, a duly noticed public hearing was held by the Planning Commission on January 26, 2015, with all persons provided an opportunity to speak for and against the proposed project.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", and subject to the conditions contained in Exhibit "B", the Planning

Commission hereby **APPROVES** Planning Application PA-14-32 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-14-32 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B", as well as with compliance of all applicable federal, State, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

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 26TH DAY OF JANUARY 2015.

Jim Fitzpatrick, Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, Claire Flynn, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution No. 15-06 was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on January 26, 2015 by the following votes:

AYES: Fitzpatrick, Dickson, McCarthy, Mathews, Sesler

NOES: None

ABSENT: None

ABSTAIN: None

Claire L. Flynn, Secretary
Costa Mesa Planning Commission

EXHIBIT "A"

FINDINGS

A. The information presented substantially complies with Costa Mesa Municipal Code section 13-29(g)(2) because:

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

Facts in Support of Finding: The site is located in an industrial area characterized by a variety of light and general industrial uses. The proposed automotive museum and café with valet parking are uses permitted subject to approval of a conditional use permit in the MG zone. The property is located in the Westside mixed-use overlay zone where adaptive reuse of industrial buildings is encouraged. Adequate parking exists to support the use and there are no land use compatibility issues. The proposal is compatible with the surrounding industrial and automotive uses in the area. The museum's café is an amenity for museum visitors and club members but is also open to the public to provide an additional eating establishment for surrounding businesses similar to the Boathouse Collective. The museum and café will foster additional weekend and nighttime activity in the area. The membership meetings and special events occur during the weekends when most of the surrounding businesses are closed.

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: Granting the conditional use permit for the proposed automotive museum/ café and use of the facility for special events with valet parking will not be detrimental or injurious to the surrounding properties with industrial and automotive uses. Compliance with the conditions of approval will allow this use to operate without impacting the surrounding properties and uses. The 37 on-site parking spaces will provide sufficient parking for the day to day operation of the museum/café from noon to 11:00 p.m. and valet parking will be provided for membership meetings and special events. Granting the conditional use permit for valet parking is subject to conditions of approval to minimize impacts to existing off-site uses. The valet parking service is intended for special events only, including meetings with attendance of 40 – 50 members. The valet parking provides additional parking to not impact off-site parking. The proposed use, as conditioned, will not generate adverse noise, traffic, or parking impacts that are unusual for industrially zoned properties.

Finding: Granting the conditional use permits will not allow a use, density or intensity which is not in accordance with the General Plan designation for the property.

Facts in Support of Finding: The proposed automotive museum and cafe is not anticipated to generate a significant demand for parking nor a large number of vehicle trips. The special events would occur on a limited basis (four times annually) and sufficient parking is provided for weekend membership meetings. A review by the Transportation Division indicated that the combination of a museum and café use is anticipated to generate an estimated 30 peak hour trips. Because this is below the 50 peak hour trip threshold, a traffic study was not required. Since this is a change of use, the project is subject to a traffic impact fee.

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 from CEQA under Section 15301 for Existing Facilities.

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

EXHIBIT "B"

CONDITIONS OF APPROVAL

Plng.

1. The use shall be limited to the type of operation as described in the applicant's letter of description and staff report. Any change in the operational characteristics including, but not limited to, the hours of operation and additional services provided, shall require review by the Planning Division and may require an amendment to the conditional use permit, subject to either Zoning Administrator or Planning Commission approval, depending on the nature of the proposed change. The applicant is reminded that Code allows the Planning Commission to modify or revoke any planning application based on findings related to public nuisance and/or noncompliance with conditions of approval [Title 13, Section 13-29(o)].
2. Hours of operation shall be limited to 12:00 p.m. to 11:00 p.m. unless otherwise approved by the Development Services Director. Hours of operation for customer service shall not include any time between 11:00 p.m. and 6:00 a.m.
3. Customer, auto club member and employee parking shall occur on-site and not within surrounding streets.
4. The applicant shall submit a revised valet parking and circulation plan for review and approval by the Planning Division and Transportation Division. A total of 48 valet parking spaces shall be created. The layout shall conform to the City's Parking Design Standards. One way drive aisle width shall be a minimum of 12 feet.
5. The gate along Ohms Way shall remain open during business hours.
6. No fee shall be charged for the valet parking service.
7. The valet stations shall be located in an area that does not interfere with required parking or drive aisles.
8. A minimum of three attendants shall be required for valet parking services. The parking attendants shall ensure that the parking areas are monitored and coordinate the maneuvering of vehicles to and from the parking lot. Visitors shall be directed to use the Farad Street entrance.
9. During membership meetings and special events, valet services shall be provided and utilize the easterly section of the parking lot aisle to stack vehicles.
10. The special events and valet service shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The applicant and/or business owner shall institute whatever security and operational measures are necessary to comply with this requirement.
11. Customer and employee parking shall occur on-site and not within surrounding streets or adjacent parking lots. If parking problems arise, the operator shall institute whatever operational measures are necessary to minimize or eliminate the problem, including, but not limited to, revision of operating hours and reduction or elimination of special events.
12. 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.

13. 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.
14. The Planning Division shall review the CUP not later than six months after approval to determine if the above conditions of approval are being complied with. The Development Services Director or his/her designee may extend the Planning Application review for subsequent one year periods if all conditions of approval have been satisfied, no complaints have been received, and the site inspection reveals compliance with applicable ordinance requirements.
15. Within 180 days of the full operations of the proposed museum café, club event, and special event, the business operator shall submit a parking assessment report to the Development Services Director for review and approval to ensure that there are no negative impacts to the adjacent properties. The plan shall show the adequacy of parking areas during normal business hours, contain real-time parking counts at peak demand times, indicate that the valet parking is sufficient for club and special events, and specifically verify that there are no parking-related conflicts to the surrounding area
16. The conditional use permit herein approved shall be valid until revoked, but shall expire upon discontinuance of the activity authorized hereby for a period of 180 days or more. The conditional use permit may be referred to the Planning Commission for modification or revocation at any time if the conditions of approval have not been complied with, if the use is being operated in violation of applicable laws or ordinances, or if, in the opinion of the development services director or his designee, any of the findings upon which the approval was based are no longer applicable.
17. Subsequent to the approval of the CUP and to create additional parking for gatherings greater than 100 persons, the applicant may apply for an amendment to the CUP to request "off-site valet parking" for the club meetings and special events. The off-site valet parking plan may be processed by the Development Services Director or the Zoning Administrator as a minor amendment to the CUP and shall not require Planning Commission review, unless appealed. Increased frequency of events shall not be approved until the

applicant demonstrates that the valet parking is sufficient to serve the parking demand.

18. There shall be no outdoor sound amplification (i.e. music, announcements, etc.) at the subject property.

CODE REQUIREMENTS

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

Plng. 1. Approval of the planning application is valid for one (1) year from the effective date of this approval and will expire at the end of that period unless applicant establishes the use by obtaining a business license and legally establishes the business. If the applicant is unable to establish the use within the one-year time period, the applicant may request an extension of time. The Planning Division must receive a written request for the time extension prior to the expiration of the planning application.

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

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

4. Permits shall be obtained for all signs according to the provisions of the Costa Mesa Sign Ordinance.

5. Two (2) sets of detailed landscape and irrigation plans, which meet the requirements set forth in Costa Mesa Municipal Code Sections 13-101 through 13-108, shall be required as part of the project plan check review and approval process. Plans shall be forwarded to the Planning Division for final approval prior to issuance of building permits.

6. Two (2) sets of landscape and irrigation plans, approved by the Planning Division, shall be attached to two of the final building plan sets.

7. Landscaping and irrigation shall be installed in accordance with the approved plans prior to final inspection or occupancy clearance.

8. Trash enclosure or other acceptable means of trash disposal shall be provided. Design of trash enclosure shall conform with City standards. Standard drawings are available from the Planning Division.

Bldg. 9. Comply with the requirements of the 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.

Trans. 10. The applicant shall submit a $29,617.00 Traffic Impact Fee to the Transportation Division prior to issuance of a Building Permit. The traffic

impact fee is based upon the average daily trip generation rate of 89.95 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:

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.

CITY OF COSTA MESA

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

DEVELOPMENT SERVICES DEPARTMENT

November 10, 2016

Terry To
1438 Santa Anita Ave.
South El Monte, CA 91733

RE: ZONING APPLICATION ZA-16-17
PLANNED SIGNING PROGRAM FOR 3033 PLAZA, INCLUDING A NEW, NON-ILLUMINATED MONUMENT SIGN ALONG PAULARINO AVENUE
3033 BRISTOL STREET, COSTA MESA

Dear Mr. To:

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 November 17, 2016, 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, Justin Arios, at (714) 754-5667, or at justin.arios@costamesaca.gov.

Sincerely,

WILLA BOUWENS-KILLEEN, AICP
Zoning Administrator

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

cc: Engineering
Fire Protection Analyst
Building Safety Division

Jason Ball
P.O. Box 1233
Cardiff, CA 92007

PROJECT DESCRIPTION

The project site is located on near the corner of Bristol Street and Paularino Avenue. The site is approximately 2.7 acres in size. The property is zoned C1 (Local Commercial), and has a General Plan land use designation of General Commercial. The site contains one multi-tenant building. The property has two points of ingress/egress (one off Bristol Street and one off Paularino Avenue). The surrounding area includes commercial properties to the north, east (across Bristol Street), and south, as well as multiple-family residential properties to the west.

The applicant is proposing one new freestanding monument signs; An 8 foot, 9-inch tall, 64 sq. ft. monument sign along Paularino Avenue that will be identical in size and color to the other two existing monument signs along Bristol Street.

The Planned Signing Program proposes a total of 192 sq. ft. of free standing signage (one proposed monument sign, two existing monument signs) and 837 sq. ft. of building signage, for a grand total of 1,029 sq. ft. of total signage for the site. Based on the two frontages of Bristol Street and Paularino Avenue, a maximum total of 1,295 sq. ft. of sign area is permitted for the site (maximum 680 sq. ft. facing Bristol Street and maximum 615 sq. ft. facing Paularino Avenue), of which no more than 647 sq. ft. is allowed to be freestanding signage.

ANALYSIS

Proposed Monument Sign

The applicant proposes one new, non-illuminated freestanding monument sign. The proposed monument sign is to be located outside of the driveway visibility triangle, along Paularino Avenue. Code states that freestanding signs located within 200 feet of a residential zone be limited to 7 feet in height (a maximum height of 12 feet is permitted otherwise) unless non-illuminated or placed in such a location that visibility from residentially-zoned property within 200 feet is completely obscured by permanent structures on the commercially- or industrially-zoned property. Although the proposed freestanding monument sign is proposed at a height of 8 foot-9 inches, it will be non-illuminated. The site contains two existing monuments signs, both of which are located along Bristol Street. The proposed monument sign will be identical in size and style to the two existing monument signs, with the exception of being non-illuminated.

Signage Specifications

Based on the applicants proposed Planned Signing Program, the following have been noted for all new signage:

- Tenant wall signs are to be five-inch deep, double faced, illuminated channel letters; the material shall be aluminum returns with powder coating in black color with clear Lexan backing. The maximum logo height shall not exceed 36 inches,

the maximum letter height is 30 inches, and the maximum sign width is 80% of the building frontage.

- Tenant wall signs on enhanced building façade walls (suites C, K, and S) are to be five-inch deep, single faced, illuminated channel letters; the material shall be aluminum back and returns with powder coating in black color. The maximum logo height shall not exceed 18 inches, the maximum letter height is 16 inches, and the maximum sign width is 80% of the building frontage.
- Window signs, both permanent and temporary, shall be applied on secondary surface (interior glass) in white color only. Maximum letter height is 6 inches, minimum letter height is 3 inches, maximum 3 lines of letters for a maximum overall height of 24 inches, and maximum sign letter length is 80% per window.
- Prohibited signs includes all signs prohibited in Costa Mesa's Zoning Code, which includes A-Frame signs; all existing A-Frame signs must be removed.

Justifications for Approval

The proposed Planned Signing Program does not exceed the maximum square footage of signage allowed for this site, per Code. A maximum total of 1,295 sq. ft. of sign area is permitted for the site (maximum 680 sq. ft. facing Bristol Street and maximum 615 sq. ft. facing Paularino Avenue), of which no more than 647 sq. ft. is allowed to be freestanding signage. The applicant is proposing a total of 1,029 sq. ft. of signage, with a total of 192 sq. ft. of freestanding signage. All freestanding signs are located outside of the necessary visibility triangles (10 ft. by 10 ft. along driveways). Additionally, all freestanding signage conforms to the 300 ft. minimum separation distance for freestanding signs, and all proposed freestanding signs do not exceed the maximum height allowed per Code (tallest proposed freestanding sign 8 feet, 9 inches in height). The proposed enhanced façade walls (for suites K and S) will allow consistent design throughout the center, with the existing enhanced façade wall (for suite C, Capital Noodle Bar). Furthermore, adoption of the Planned Signing Program will allow consistent design parameters to be applied to this project, which will result in a more compatible and harmonious appearance for the development.

General Plan Consistency

The proposed use, as conditioned, is consistent with the Zoning Code and the City's General Plan because, with the included conditions of approval, the Planned Signing Program should not adversely impact the surrounding uses while providing consistent and cohesive sign parameters that do not provide greater visibility than permitted by Code.

FINDINGS

A. The information presented complies with Costa Mesa Municipal Code Section 13-29(g)(8) in that:

1. The proposed signing is consistent with the intent of Chapter VIII – Signs of the

Zoning Code and the General Plan.

2. The proposed signs are consistent with each other in design and construction – taking into account sign style and shape, materials, letter styles, colors and illumination.

3. The proposed signs are compatible with the buildings and developments they identify – taking into account materials, colors and design motif.

4. Approval does not constitute a grant of special privilege or allow substantially greater visibility than what the standard sign provisions would allow.

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

1. The proposed Planned Signing Program presents a compatible and harmonious relationship between the proposed building and site development, and use(s), and the building and site developments, and uses that exist or have been approved for the general neighborhood.

2. The 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 circulations, will not be adversely affected by the proposed Planned Signing Program. The new 8-foot, 9-inch freestanding sign, proposed within 200-feet of a residential zone, will be non-illuminated, consistent with Code requirements.

3. The program complies with applicable performance standards as prescribed elsewhere in this Zoning Code.

4. The Planned Signing Program is consistent with the General Plan because it facilitates the installation of signs that contribute to a positive image of the public realm.

5. The planning application is for a project-specific case and is not to be construed to be setting a precedent for future development. The planned signing program was designed specifically for the project site taking into consideration the site's building configuration and vehicular access.

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 15311, Class 11, Accessory Structures, of the CEQA Guidelines.

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. All signage shall comply with the sign parameters contained within this Planned Signing Program.
2. Existing A-Frame signs shall be removed upon approval of this Planned Signing Program.

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 (1) 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. All construction-related activity shall be limited to between the hours of 7 AM and 7 PM, Monday through Friday, and 9 AM to 6 PM Saturday. Construction is prohibited on Sundays and federal holidays. Exceptions may be made for activities that will not generate noise audible from off-site, such as painting and other quiet interior work.
3. All freestanding signs placed in proximity to a driveway or intersection shall be placed outside of the appropriate visibility triangle.

Bldg.
4. 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.
5. Structural calculations and framing details shall be stamped and signed by a licensed California Engineer.

Bus. Lic.
6. 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.

MASTER SIGN PROGRAM

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SIGN SUMMARY

Sign Type	Description	Sign Location: Freestanding	Building	Canopy	Projecting	Quantity	Sign Area (sq. ft.)	Height clearance of sign from the ground (feet)	Height or Length limitations (feet)	Illumination (Y or N)
FS	Existing 8' height double faced monument sign A. (West of Bristol Street)	X				1	64	8'-9"		Y
FS	Existing 8' height double faced monument sign B. (East of Bristol Street)	X				1	64	8'-9"		Y
FS	New proposed 8' height double faced monument sign C. (Paularino Avenue)	X				1	64	8'-9"		N
B	Building tenants' wall signs maximum allowed area.		X			21	708.15	12'-2"		Y
B	Suite A (Maximum 30.45 per sign)		X			2	60.90	12'-2"		Y
B	Suite S (Maximum 33.99 per sign)		X			2	67.99	12'-2"		Y
	Total:					28				
	Total area of all signs:					1,029.04 sq.ft.				

STE #	FRONTAGE	(E) SIGN AREA (SQ. FT.)	MAX. AREA ALLOWED
A	40'-6"	13"X20'=21.66	60.90 SQ. FT.
AA	29'-6"	13"X15'=16.25	44.40 SQ. FT.
C	35'-0"	38"X13'-1"=41.2	52.50 SQ. FT.
D	40'-0"	17.5"X17'=24.79	60.00 SQ. FT.
E	20'-0"	20"X17.16'=28.59	30.00 SQ. FT.
F	20'-0"	13"X7.16'=7.76	30.00 SQ. FT.
F-II	31'-0"	13"X8'=8.66	46.50 SQ. FT.
G	20'-0"	17"X14'=19.83	30.00 SQ. FT.
H	20'-0"	17"X16'=22.66	30.00 SQ. FT.
I	20'-0"	18"X16'=24	30.00 SQ. FT.
II-1	12'-6"	18"X12'=18	25.00 SQ. FT.
II-2	12'-6"	NO EXISTING SIGN	25.00 SQ. FT.
J	25'-0"	18"X14'=21	37.50 SQ. FT.
K	20'-0"	18"X14'=21	30.00 SQ. FT.
L	20'-0"	18"X15'=22.5	30.00 SQ. FT.
M	20'-0"	18"X14'=21	30.00 SQ. FT.
N	20'-0"	18"X14'=21	30.00 SQ. FT.
O	20'-0"	18"X14'=21	30.00 SQ. FT.
P	20'-0"	18"X12'=18	30.00 SQ. FT.
Q	17'-0"	18"X12'-10"=19.25	25.50 SQ. FT.
Q-2	16'-2"	20"X12'-3"=20.42	25.00 SQ. FT.
R	24'-5"	17"X14'=19.83	36.75 SQ. FT.
S	45'-4"	NO EXISTING SIGN	67.99 SQ. FT.

Total area of all existing building wall signs: 438.40 Sq. Ft.

Total building wall signs allowed area : 837.04 Sq. Ft.

1. Minimum/maximum size of tenant signs (including letter heights)
   - **Minimum letter height 12"**
   - **Maximum 80% of store front length**
   - **Allowed sign area calculated at 1.5 sq. ft. per each linear foot of leased premises**
2. Minimum/maximum sign area for monument signs
   - **Maximum 64 Sq. Ft.**
   -
   -
3. Specifications (e.g. required colors, sign type)
   - **See Sign Criteria Page 3**
   -
   -
4. Exclusions/ Prohibited Signs
   - **See Sign Criteria Page 3**
   -
   -

MINOR CONDITIONAL USE PERMIT/
ADMINISTRATIVE ADJUSTMENT NO. ZA-16-17
Approval in Concept
SUBJECT TO CONDITIONS
CITY OF COSTA MESA
PLANNING DEPT.
BY JA DATE 11/10/16

Sign Summary
3033 Bristol Street, LLC.
Page 1

SIGNS EXPRESS

3033 Plaza | 3033 Bristol Street, Costa Mesa, CA92628

SS

MASTER SIGN PROGRAM

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PROPERTY OWNER :
3033 Bristol Street, LLC.
Jason Ball
P.O. Box 1233
Cardiff, Ca92007
Tel : (310)755-5262

SIGN PROGRAM DESIGNER :
Signs Express
www.signsexpress.com
1438 Santa Anita Avenue,
South El Monte, CA91733
Tel : (626)443-3333

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	Page #
Sign Summary	SS
Cover Page	CP
Table of Contents	1
General Requirements	2
Sign Specifications	3
Site Plan	4
Building Elevations	5 - 6
Channel Letter Section Details	7 - 8
Double face Monument Sign	9

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This master sign criteria is established to ensure the sign standards necessary and coordinate proportional exposure for all the tenants.

A. GENERAL INFORMATION & REQUIREMENTS

1. Tenant shall be responsible for the costs of all signs, including installation and maintenance. Each tenant or the tenant's sign contractor shall obtain and pay for all necessary City permit fees of the approved signage prior for fabrication and installation.

2. At expiration or early termination of lease, tenant shall remove all signs and return the affected areas to the original condition within a ten day period. The Landlord reserves the right to hire contractors to have the required work done at tenant's expense.

3. All signs shall be manufactured and installed by an licensed contractor & per City's building and electrical code, UL labels should be placed in an inconspicuous location.

4. After installation, all penetrations of exterior shall be sealed watertight in color and finish to match adjacent material. Final inspection by the City's Building Department is required in terms of signing off tenant's work after penetration.

5. Cooperative tenant promotion signs shall be permitted only upon review and approval by the landlord and the City of Costa Mesa.

6. Each tenant shall be fully responsible for all the actions of the tenant's contractor with respect to the installation of tenant's sign.

7. Each licensed sign contractor shall be responsible for the fulfillment of all requirements and specifications set here forth, completion of the installation in a workmanlike manner, clean up, patching and painting of any surface damage that the tenant's sign contractor may have caused. Tenant shall notify Landlord within one day of and defects in writing before work commencement.

8. Tenant's sign contractor shall connect sign display to the Junction boxes that provided by the property owner of 3033 Plaza.

B. APPROVAL AND PERMIT

Four (4) sets of color shop drawings (Minimum scale 1/8"=1'-0") must be submitted to the Landlord for approval prior submitting to the City of Costa Mesa for permit. The shop drawings shall be drawn and submitted by a licensed sign contractor, including the contractor's name, California state license number, address, contact information and Underwriter Laboratory number. The application for the sign permit shall be made to the City of Costa Mesa Planning Department and shall includes the followings.

* A scaled and dimensioned building elevation,
* Proposed signage details, size, material, colors, dimensions, and locations;
* Installation section details;
* Site plan with north arrow;
* Landlord's written approval.

C. INSURANCE

The licensed sign contractor shall carry Workmen's Compensation and Public Liability Insurance in amount of $2,000,000.00 per occurrence against all damages suffered or done to any and all persons and property while engaged in the construction or erection of signs. The additional liability insurance policy naming ***3033 Bristol Street, LLC.*** as an additional insured and shall be submitted to the landlord before the sign is installed.

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A. TENANTS' EXTERIOR ILLUMINATED WALL SIGNS

1) TENANTS WALL SIGN ON BUILDING TOWER :

a. Sign Type : 5" deep double faced illuminated channel letters.

b. Materials : Minimum 0.040" thick aluminum returns with powder coating in black color with minimum 3/16" clear Lexan backing.

c. Size : Maximum letter height is 30", Maximum sign width is 80% of frontage. Maximum sign area shall not exceed one and a half (1.5) square feet per each linear foot of leased store frontage.

d. Color : All tenants' sign face color are subject to landlord's approval.

e. Illumination : Double faced illuminated by 12 volts (9000K) white L E D modules.

f. Number of signs : One (1) sign with one (1) logo will be allowed per leased storefront elevation, one additional wall sign shall be allowed for tenant leased with corner space.

g. Logo : Maximum logo height shall not exceed 36 inches.

2) TENANTS WALL SIGN ON BUILDING FACADE :

a. Sign Type : 5" deep, single faced illuminated channel letters.

b. Materials : Minimum 0.040" thick aluminum back & returns with powder coating in black color.

c. Size : Maximum letter height is 16", Maximum sign width is 80% of frontage. Maximum sign area shall not exceed one and a half (1.5) square feet per each linear foot of leased store frontage.

d. Color : All tenants' sign face color are subject to landlord's approval.

e. Illumination : Front acrylic faces illuminated by 12 volts (9000K) white L E D modules.

f. Number of signs : One (1) sign with one (1) logo will be allowed per leased storefront elevation, one additional wall sign shall be allowed for tenant leased with corner space.

g. Logo : Maximum logo height shall not exceed 18 inches.

B. DOUBLE FACED MONUMENT SIGNS

Total three (3) sets of 6 feet overall height, double faced monument signs.
Monument sign A and B on Bristol Street will be internally illuminated.
Monument sign B on Paularino Avenue will be non-illuminated.

C. WINDOW SIGNS

Permanent and temporary window signs shall be apply on secondary surface (interior glass) in white color only, Maximum letter height is 6", Minimum letter height is 3", Maximum 3 lines of letters are no more than 24" overall height. Maximum sign letter length 80% per each window.

D. PROMOTIONAL SIGNS AND GRAND OPENING SIGNS

1. Promotional event and grand opening signs are permitted in addition to the sign area and number allowed for other classes of signs according to the City of Costa Mesa sign ordinance. The banner permit application must be filed & approved by the Planning Department.

2. Promotional & grand opening signs may not be placed within the public right-of-way, or public property, or in any location which interferes with vehicular, bicycle, or pedestrian circulation or safety.

E. PROHIBITED SIGNS

* Flashing signs
* Roof Signs
* Hazardous signs
* Home occupation signs
* Portable signs
* A-Frame signs
* Moving signs
* Inflatable and mylar balloons
* General advertising (Off-Premises) signs
* Sign erected without a permit
* Temporary sign display without a permit
* Signs that emit or generate sound
* Signs erected upon or over common area

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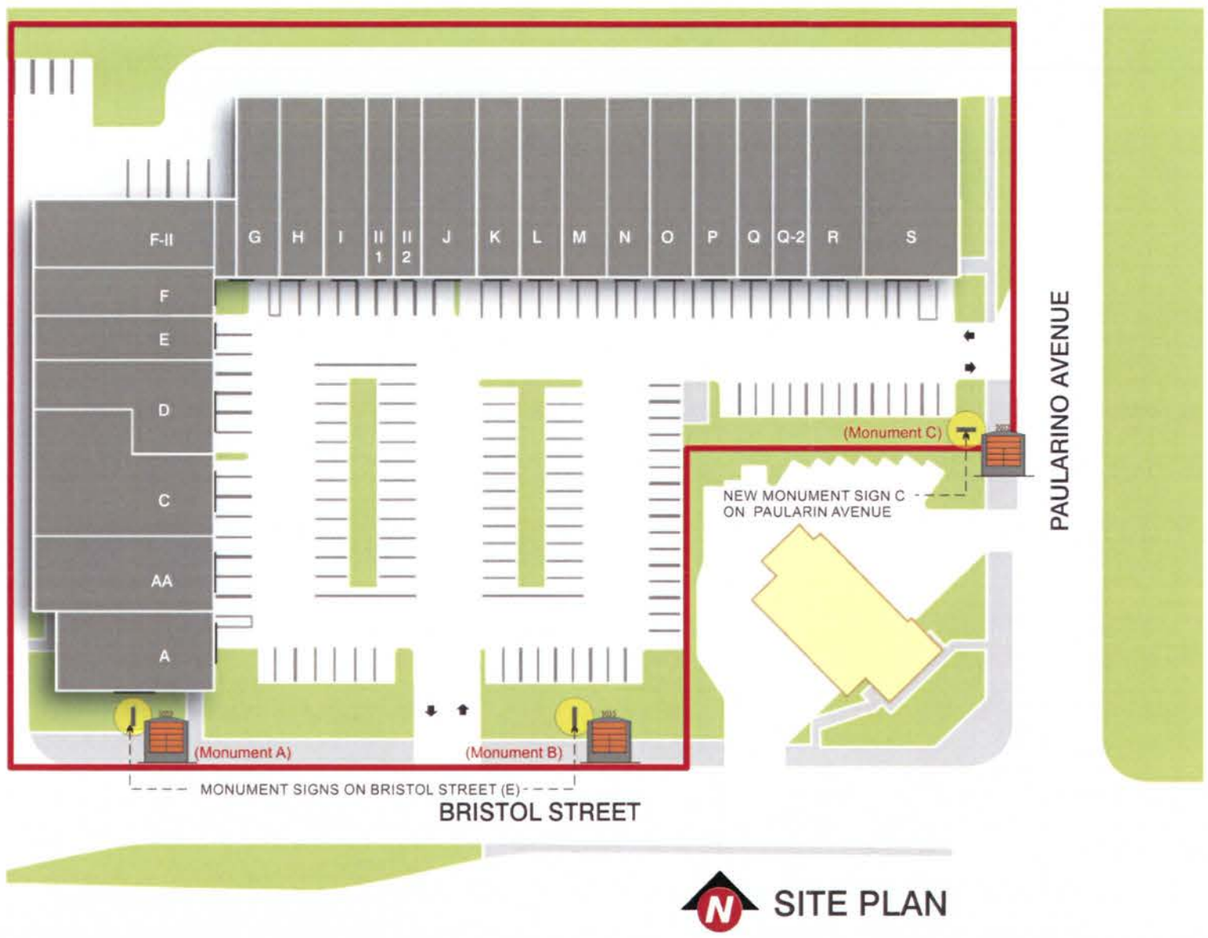
SITE PLAN



STE #	STE AREA (SQ. FT.)	STE FRONTAGE
A	2,700	40'-6"
AA	2,033	29'-6"
C	3,300	35'-0"
D	2,100	40'-0"
E	1,440	20'-0"
F	1,440	20'-0"
F-II	1,868	31'-0"
G	1,440	20'-0"
H	1,440	20'-0"
I	1,440	20'-0"
II-1	850	12'-6"
II-2	850	12'-6"
J	1,868	25'-0"
K	1,440	20'-0"
L	1,440	20'-0"
M	1,410	20'-0"
N	1,410	20'-0"
O	1,440	20'-0"
P	1,440	20'-0"
Q	1,224	17'-0"
Q-2	1,152	16'-2"
R	1,800	24'-5"
S	3,366	45'-4"

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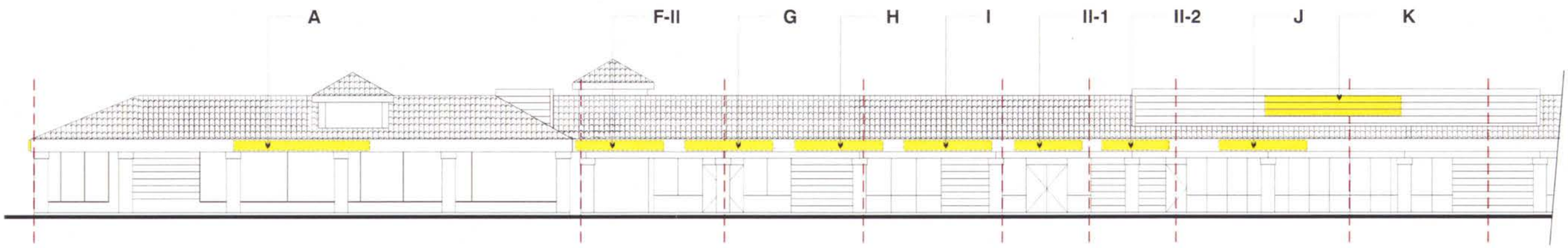
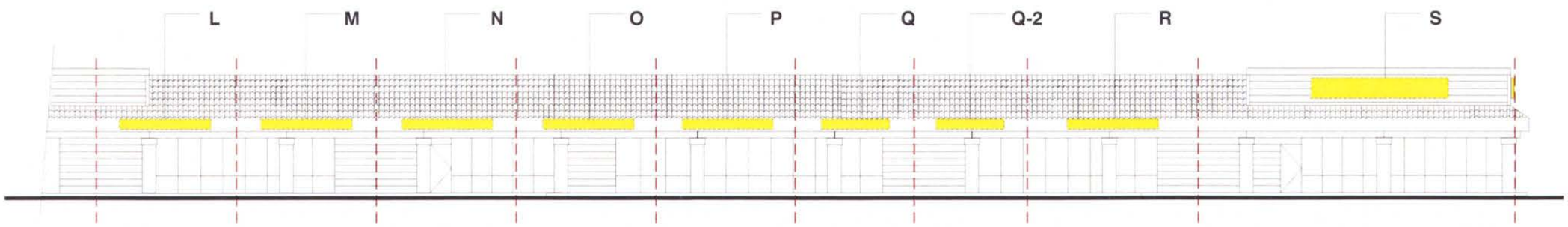
EAST ELEVATION - TENANTS' WALL SIGN LOCATIONS :





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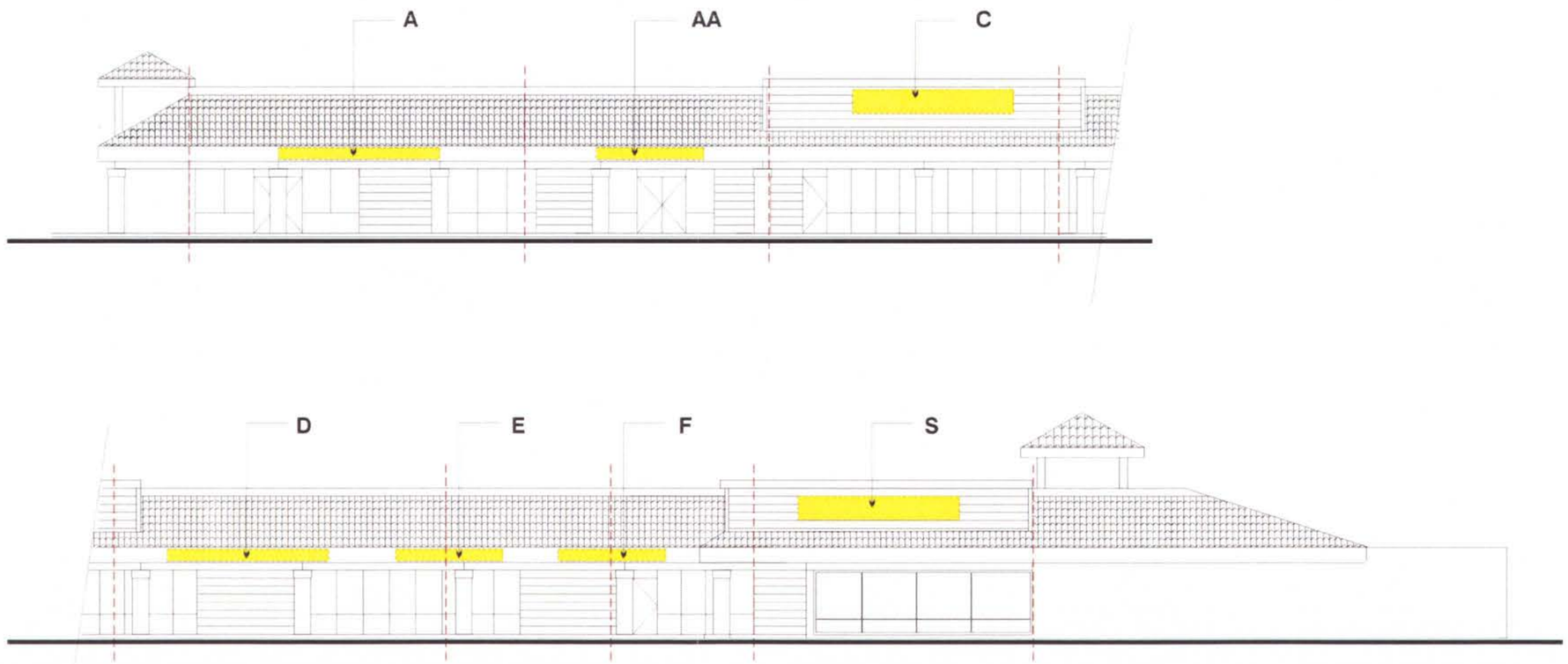
NORTH ELEVATION - TENANTS' WALL SIGN LOCATIONS :



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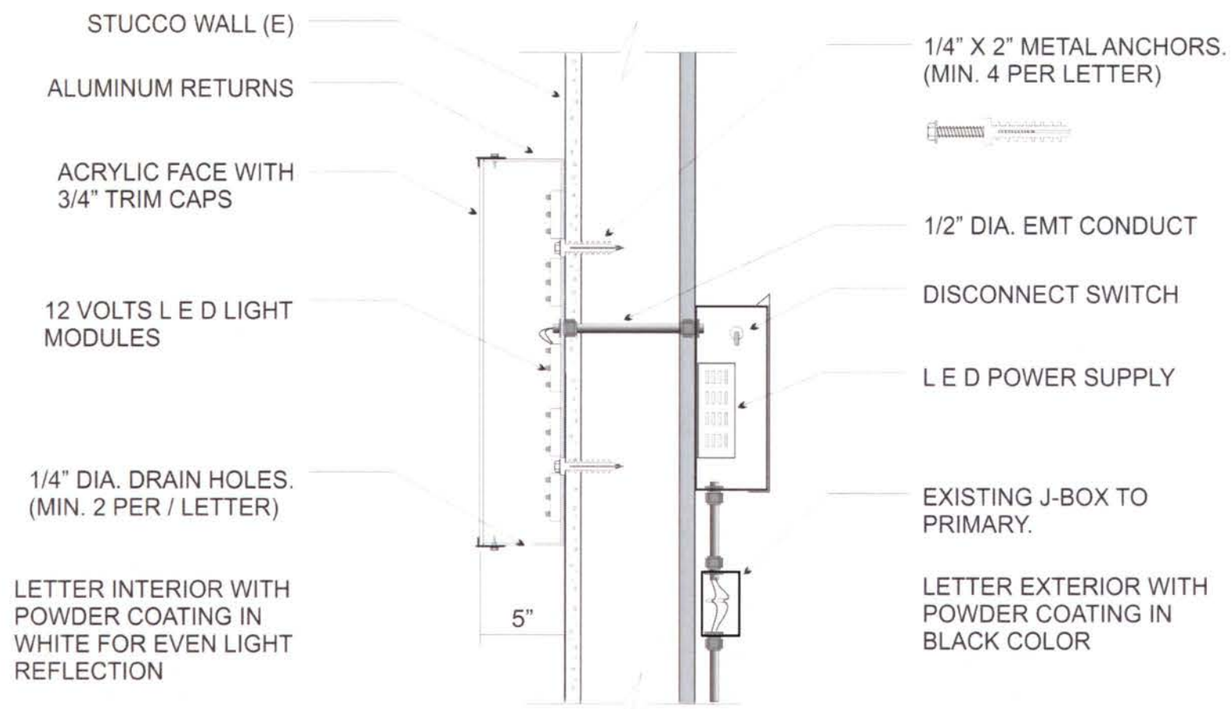
L E D FRONT-LIT CHANNEL LETTER SECTION DETAILS



ALL COMPONENTS & ASSEMBLY ARE TO BE UL LISTED

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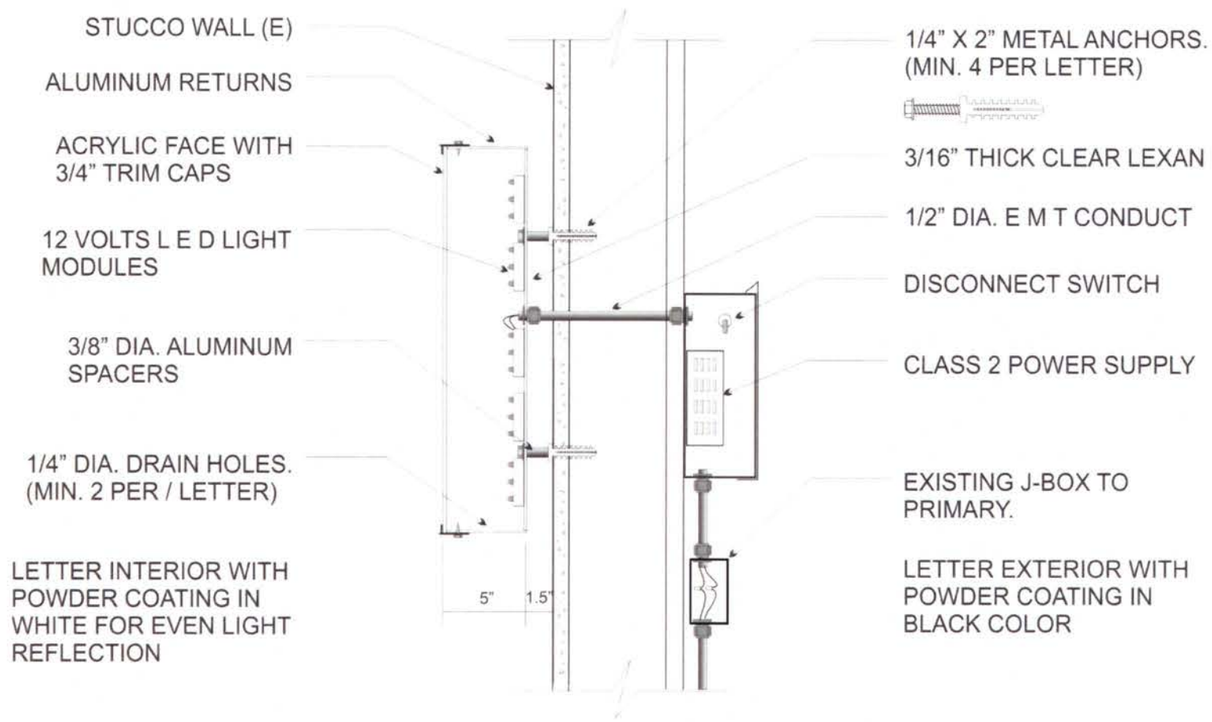
L E D DUAL-LIT CHANNEL LETTER SECTION DETAILS



ALL COMPONENTS & ASSEMBLY ARE TO BE UL LISTED

MASTER SIGN PROGRAM
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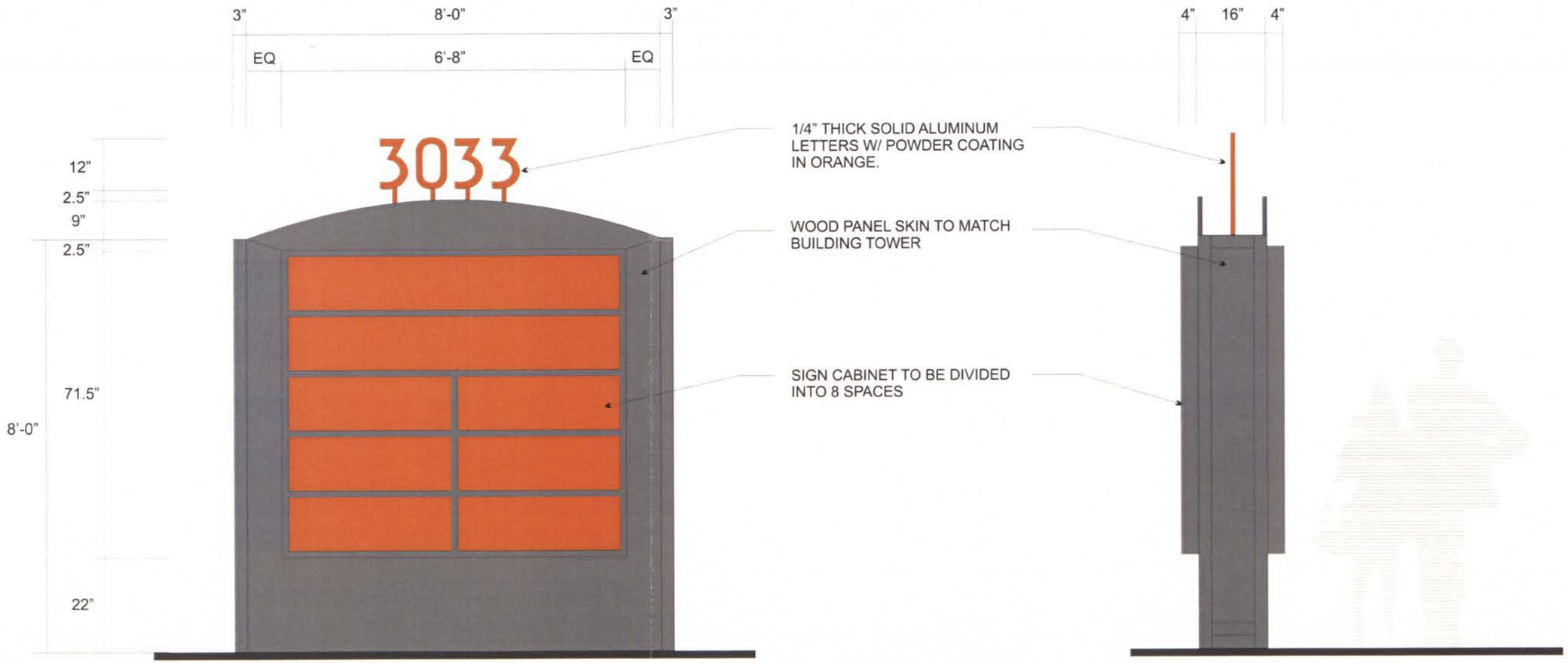
TOTAL THREE (3) SETS DOUBLE FACED MONUMENT SIGN.
Two (2) sets on Bristol Street - Internally illuminated
One (1) set on Paularino Avenue - Non-illuminated



FRONT ELEVATION

SCALE : 3/8" = 1'-0"

SIDE VIEW

CITY OF COSTA MESA

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

DEVELOPMENT SERVICES DEPARTMENT

November 10, 2016

Patrick Huynh
17111 Beach Blvd, #206
Huntington Beach, CA 92647

RE: ZONING APPLICATION ZA-16-36
MINOR CONDITIONAL USE PERMIT TO DEVIATE FROM SHARED PARKING REQUIREMENTS FOR AN ENDODONTIC OFFICE
2900 BRISTOL STREET, SUITE D-105, COSTA MESA

Dear Mr. Huynh:

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 November 17th, 2016, 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, Justin Arios, at (714) 754-5667, or at justin.arios@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
- Fire Protection Analyst
- Building Safety Division
- Dennis Chinh Tran, 2900 Bristol St, Ste. D-105, Costa Mesa, CA 92626

PROJECT DESCRIPTION

The property is located in The Waters at Creekside office complex at the southeast corner of Bristol Street and Randolph Avenue. The property is approximately 8 acres in size and was developed in the 1980s with two and three-story office buildings. The property is zoned C2 (General Business), and has a General Plan land use designation of GC (General Commercial). Physical on-site improvements include nine multi-tenant buildings with 424 parking spaces, one point of ingress/egress on Bristol Street, and one point of ingress/egress on Randolph Avenue.

The use will occupy a 1,288 square foot tenant space, located in one of the existing multi-tenant buildings. The proposed floor plan consists of two exam rooms, a doctor's office, employee lounge, lobby, restroom, mechanical and I.T. room.

The applicant requests approval of a minor conditional use permit (MCUP) to deviate from the shared parking requirements for a medical office due to unusual operating characteristics.

ANALYSIS

Proposed Use and Business Operation

The proposed use for this suite is an endodontic specialist who performs root canal treatments and endodontic microsurgery; the majority of the patients are referrals from local dentists.

Day	Business Hours	Patient Hours	Staff (per hr)[1]	Patients (per hr)	Maximum Occupancy (per hr)
Monday	9 AM to 7 PM	10 AM to 6 PM	3	1 every 2 hrs	4
Tuesday	9 AM to 7 PM	10 AM to 6 PM	3	1 every 2 hrs	4
Wednesday	9 AM to 7 PM	10 AM to 6 PM	3	1 every 2 hrs	4
Thursday	9 AM to 7 PM	10 AM to 6 PM	3	1 every 2 hrs	4
Friday	9 AM to 7 PM	10 AM to 6 PM	3	1 every 2 hrs	4
CLOSED Saturdays and Sundays					
[1] including doctor					

As stated in the applicant's letter, business hours are Monday through Friday, 9 AM to 7 PM, with patient hours from 10 AM to 6 PM. The business is closed during the weekends (Saturdays and Sundays). Day-to-day operations include two additional staff members (one receptionist and an assistant). Because of the specialized nature of the endodontic practice, the doctor is only able to see one patient every two hours (see table above). In addition, the business uses online software for scheduling appointments, and patients are seen by appointment only.

Parking and Circulation

The parking ratio for medical and dental offices is 6 spaces per 1,000 square feet of floor area, this would result in a requirement of 8 parking spaces for this suite. Based on the parking ratio for commercial properties, the subject suite is allocated 5 parking spaces (general office parking ratio is 4 spaces per 1,000 sq. ft.). Based on the business operation, the proposed endodontic practice will not yield the same parking demand as a typical medical office so the allocated parking will be sufficient for this specific use.

If parking shortages or other parking-related problems develop, the business operator will be required to institute appropriate operational measures necessary to minimize or eliminate the problem including, but not limited to, adjusting operating hours of the business.

General Plan Consistency

The General Commercial General Plan land use designation is intended to permit a wide range of commercial uses, which serve both local and regional needs. The limited number of patients seen and small staff will not generate parking impacts, and therefore, ensure the use is 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, the endodontic office 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 be limited to a maximum of 5 occupants, at any one time, to prevent parking impacts to 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. The proposed medical office will operate with no more than a total of 5 occupants in the suite, at any given time.

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. Due to the proposed operating characteristics, the proposed use does not increase the intensity of the use beyond what is allowed by the General Plan FAR requirements.

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

1. Compatible and harmonious relationship between the proposed building and 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 because the medical office will operate with no more than a total of 5 occupants in the suite at any given time.

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.

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

4. The use is consistent with the General Plan in that a medical office is a permitted use per the Zoning Code and a compatible use in the General Commercial land use designation.

5. The 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 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 use shall be limited to the type of operations as described herein:
   - The business shall be limited to a maximum of 5 occupants in the suite, at any one time (inclusive of patients, doctors, and staff).

   Any change in the operational characteristics shall require review by the Planning Division and may require an amendment to the Conditional Use Permit, subject to either Zoning Administrator or Planning Commission approval, depending on the nature of the proposed change. The applicant is reminded that the Municipal Code allows the Planning Commission to modify or revoke any planning application based on findings related to public nuisance and/or noncompliance with conditions of approval [Title 13, Section 13-29(o)].
2. Applicant shall defend, indemnify and hold harmless the City, its officials and employees, against all legal actions filed challenging City's approval of

the applicant's project and/or challenging any related City actions supporting the approval. City shall have the right to select the attorney defending it, if it elects to do so.

3. If any section, division, sentence, clause, phrase or portion of this resolution is 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.
4. Prior to the issuance of building permits and/or a business license, the applicant shall provide the City's Planning Division written authorization from the Association's legal authority agreeing to use the parking for the endodontic office.
5. The conditions of approval of Zoning Application ZA-16-36 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
6. A copy of the conditions of approval for the Minor 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, reducing class sizes or the days and/or hours of the business.
8. The use shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The applicant and/or business owner shall institute appropriate security and operational measures that are necessary to comply with this requirement.

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 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.

Bus. Lic.

4. 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.
5. Business license shall be obtained prior to the initiation the business.

SC Endodontics
www.scendodontics.com

October 10, 2016

City of Costa Mesa
Planning Department
77 Fair Drive
Costa Mesa, CA 92626

SUBJECT: Dr. Khang Le, DDS - Minor CUP for Endodontics Office – 2900 Bristol Street, Suite D-105

Dear Justin Arios:

I am an Endodontic specialist and routinely provide Root Canal Treatment and Endodontic Microsurgery. Currently, most of my business is derived from patient referrals of local dentists.

I have been in practice since 2011 in a nearby location, 3755 South Plaza Drive, Santa Ana 92704. I would like to move my practice to Costa Mesa, and I have recently purchased a property located at The Waters at Creekside - 2900 Bristol Street Suite D-105. The Waters at Creekside provides a desirable location with easy accessibility from the freeways as well as a campus style office complex. I believe that having a practice at this location will help my business to thrive as well as adding a helpful service to the community.

The suite that I am interested in purchasing is located on the first floor and is approximately 1,288 net square feet. The enclosed proposed floor plan provided shows two Exam Rooms, Sterilization Room, Imaging Room, Lobby, Lounge Area, Doctor Office, and a Restroom.

My practice is open Monday through Friday from 9am to 7pm. I have two staff members, one is the receptionist, and the other is an assistant. I treat all patients myself with the help of my assistant. Each patient requires approximately 2 hours of treatment. Being that I treat patients myself, and that I can only attend to one patient at a time, it will limit the number of occupants in the office. During patient hours between 10 am and 6 pm, we will not exceed the use of 4 parking spaces. During non-patient hours of 9 am to 10 am and 6 pm to 7 pm, we will not exceed the use of 3 parking spaces. We use PBS Endo Software for scheduling appointments. No more than 4 patients are treated in one day. On average, we care for 12-16 patients a week.

Khang T. Le, DDS
SC Endodontics
3755 S. Plaza Dr.
Santa Ana, CA 92704

SC Endodontics
www.scendodontics.com

In letter from Creekside Condominium Owners Association, suite D-105 is permitted to have four (4) of the common area parking spaces. My hope is that due to the type of business, and the limited number of occupants, that parking requirements will be adequate for this location.

There are several vacancies in the campus. A main tenant, Solid Landings, has moved out since July 2016. They have occupied 6 suites on second floor in Building B, 1 suite in Building D, and 3 suites in Building H. Building F has no occupants. 2 suites on first floor in Building A are not occupied. Please see enclosed Tenant List for your reference.

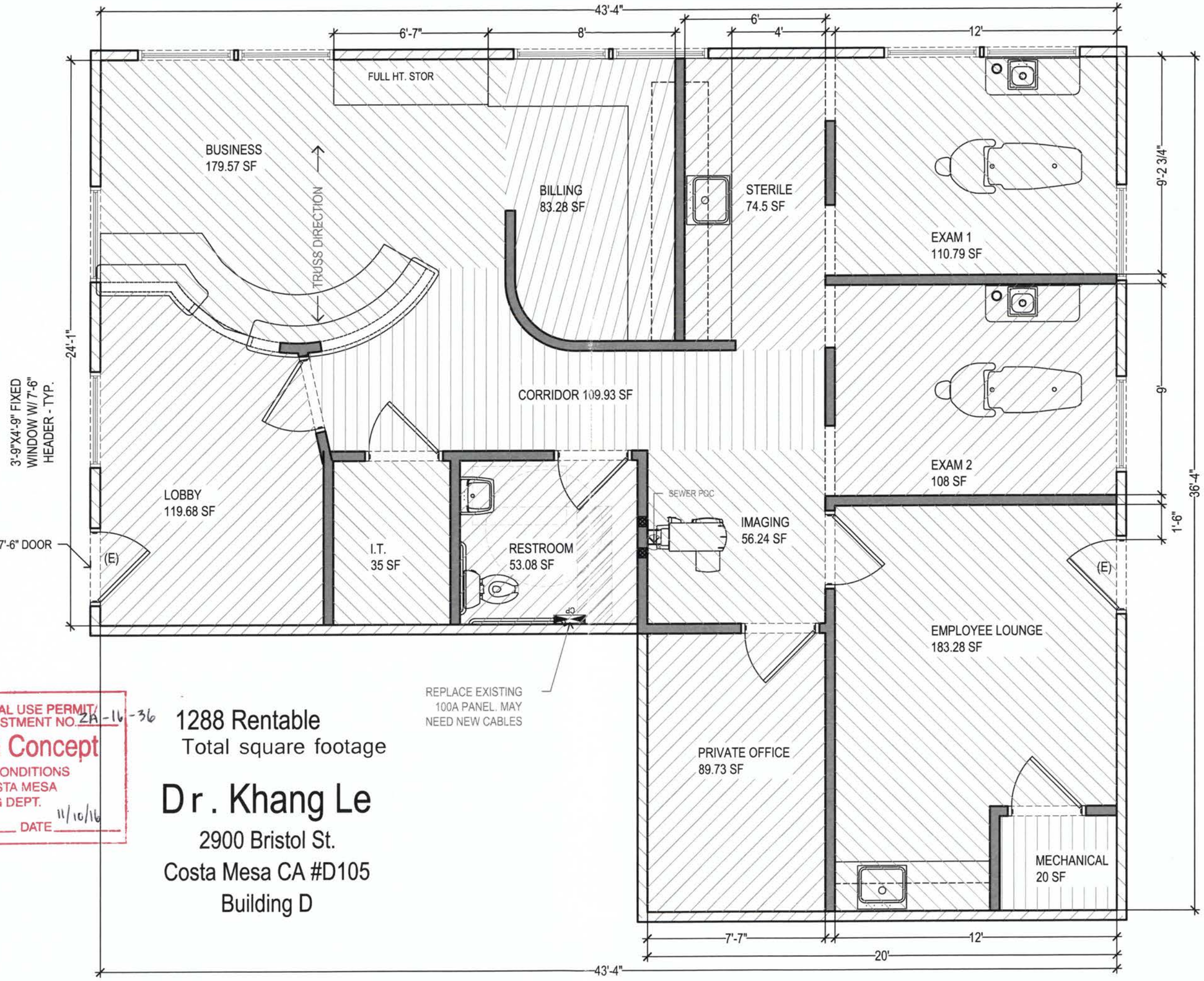
Should you have any questions, please do not hesitate to contact me at ktle.endo@gmail.com or at (714) 668-1620.

Thank you for your consideration.

Sincerely,

Khang Le, DDS

Khang T. Le, DDS
SC Endodontics
3755 S. Plaza Dr.
Santa Ana, CA 92704

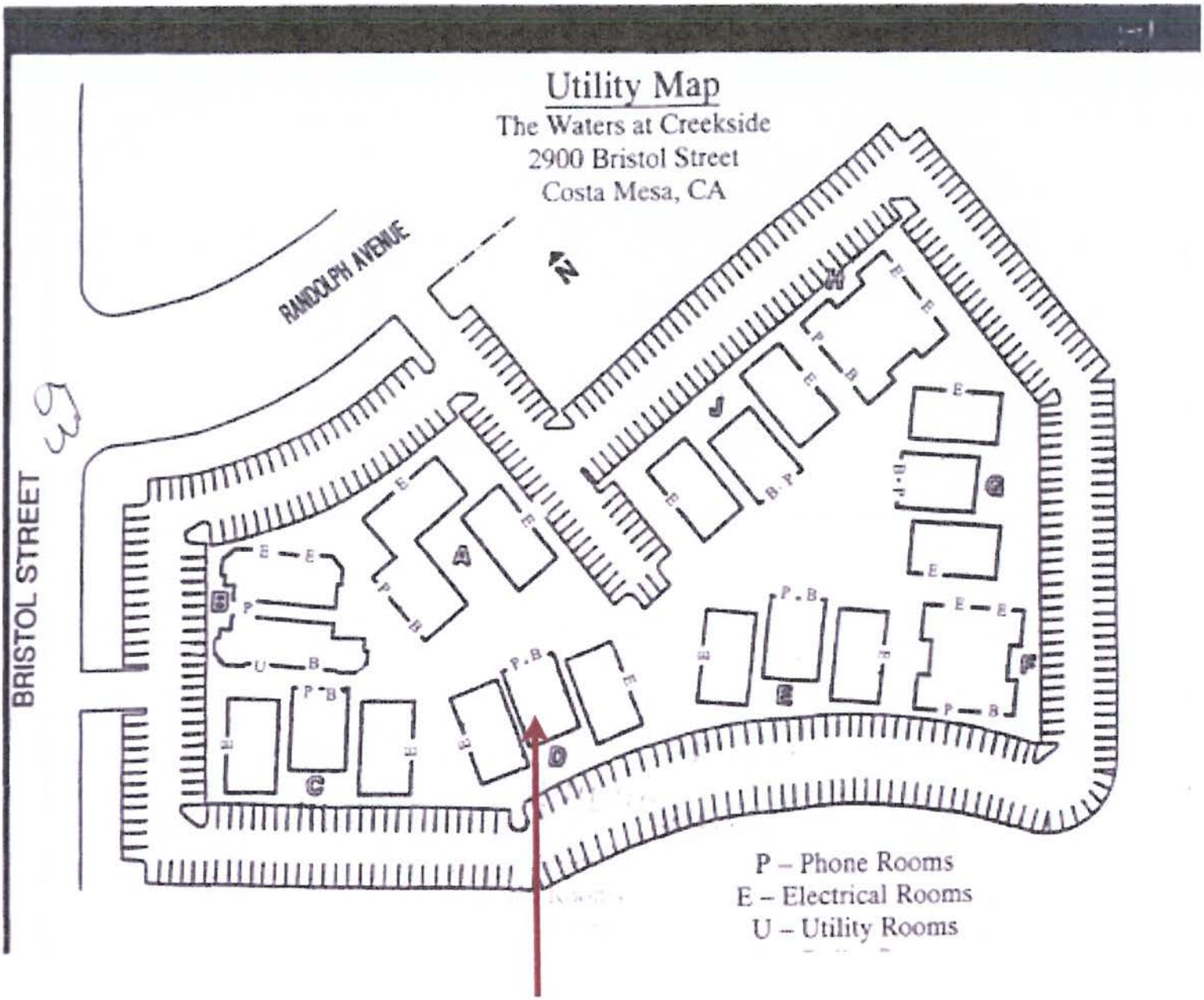


MINOR CONDITIONAL USE PERMIT/
ADMINISTRATIVE ADJUSTMENT NO. ZA-16-36
Approval in Concept
SUBJECT TO CONDITIONS
CITY OF COSTA MESA
PLANNING DEPT.
BY JA DATE 11/10/16

1288 Rentable
Total square footage

Dr. Khang Le

2900 Bristol St.
Costa Mesa CA #D105
Building D



D-105 location is in the downstairs next to the public restroom facing the 73 freeway

Day	Operating Hours	Patient Hours Only	Staff (per hr) *	Patient (per hr)	Max. Occupancy (per hr)
Monday	9am to 7pm	10am to 6pm	3	1 every 2 hrs	4
Tuesday	9am to 7pm	10am to 6pm	3	1 every 2 hrs	4
Wednesday	9am to 7pm	10am to 6pm	3	1 every 2 hrs	4
Thursday	9am to 7pm	10am to 6pm	3	1 every 2 hrs	4
Friday	9am to 7pm	10am to 6pm	3	1 every 2 hrs	4
			CLOSED Saturdays and Sundays		

* Including doctor

LIST OF TENANTS OR BUSINESS OCCUPANTS

The Waters at Creekside
2900 Bristol St.
Costa Mesa, CA 92626

Parking space total - 506

Bldg A:

1. GX Trading/GI – A-102
   (714) 549-9998
2. Accident Network / Law Office – A-104
   800-555-5509
3. Prestige Tailoring – A-105
   (714) 432-8191
4. The Health Dimension – A-106
   (714) 432-8191
5. The Pinnacle Group – A-107
   800-865-6365
6. Psychological Enrichment Center – A-108
   (714) 432-0042
7. Atlas Wellness Center – A-201
   (714) 540-6792
8. Teale Architecture / Imagine That – A-203
   (949) 975-0123
9. The Sabet Law Firm – A-204
   (714) 641-4000
10. Frasco, Inc. – A-205
    (714) 850-0084
11. Lisa M. Stanton, LMFT, Marriage & Family Therapist / Brett R. Williams, MFT – A-207
    (949) 515-5440
12. Law Office of Jacquelyne Nguyen – A-208
    (949) 722-0055

Bldg B:

1. Southern California Psychic Institute – B-104
   (714) 587-3536
2. Legal Network Staffing – B-101
   (949) 752-8800
3. Speech Language Pathologists – B-103
   (949) 955-0010
4. Centaurus Financial / Andi Y.H. Kang, CFP – B-106
   (714) 975-9032
5. Natural Success Group – B-107
   (714) 540-5014
6. Edge Music Network – B-201
   Unknown
7. Sure Haven – B-300
   (866) 294-5103

Bldg C:

1. Yvette Somoano-Villa, DO – C-101
   (949) 478-0657
2. DW Consultants – C-104
   (714) 432-1343
3. Heller Chiropractic – C-105
   (714) 557-9454
4. Sukut Dental Center / Albert Sukut, DDS / Michael J Welcome, DDS – C-102
   (714) 540-6852
5. Legacy Partners – C-203
   (714) 540-9900
6. Branch Interactive – C-201
   (714) 442-0321
7. David Lieberman – Artists Representative – C-202
   (714) 979-4700
8. Innovative Credit Solutions, LLC – C-204
   (714) 617-1600
9. Welford & Ball, LLC – C-205
   (714) 434-8560
10. Suryl, Inc. – C-206
    (714) 754-1442
11. California Family Institute / Lisa Maurel, LMFT / Chris Holf, LMFT – C-208
    (949) 381-1510

Bldg D:

1. Burba Hotel Network (BHN) – D-101
   (714) 540-9300
2. Projectline Technical Services – D-103
   (714) 540-5460
3. R.J. Bookeeping & Tax, Inc. – D-106
   (714) 708-7000
4. Competent Care – D-107
   (714) 545-4818
5. Registered Agent Solutions – D-202
   (714) 434-7274
6. Cardservice International – D-206
   (949) 644-6516
7. Encore Web Team / No Lines 4 U – D-207
   (714) 751-0627
8. Arenas Realty, Inc – D-208
   (714) 549-1887
9. Eminence Escrow, Inc. – D-208A
   (714) 881-4634

Bldg E:

1. Conversion Ventures – E-201
   (800) 971-4282
2. John J. Pulles CPA, Inc – E-202
   (714) 300-4811
3. R2A Architecture – E-205
   (714) 435-0380
4. Avivtax, Inc. / Lindsay B. Murad LMFT / The Speech Lab, Speech & Language Therapy – E-203
   (714) 850-0709
5. Tepia CO., Spikepay LLC. – E-206
   (714) 699-4760
6. Wel-Mor Psychology Group, Inc. – E-103
   (714) 540-9070

Bldg F:
Non-occupied / No tenant listed

Bldg G:

1. Psychotherapy Offices / Gail Bembinster, LCSW – G-201
   (949) 733-8229
2. Retitle Holding Company – G-203
   (714) 549-5702
3. Micro Digital, Inc. – G-204
   (714) 437-7333
4. Gillis & Associates Architects – G-205
   (714) 668-4260
5. Agee Johnson Inc. – G-206
   (714) 825-1200
6. Susan Kelsey, MFT, RPT-S / Midori Dekura, MFT / Elizabeth Farnsworth, MFT – G-101
   (800) 890-1962
7. Elite Performance Physical Therapy – G-102
   (949) 467-9656
8. Magnolia Acupuncture & Herbal Medicine / Modus Acupuncture & Herbal Medicine – G-103
   (949) 612-7247
9. Streamline Accounting Services, Inc. – G-104
   (714) 371-0770
10. CGF Associates / NAIOP – G-105
    (714) 979-9131
11. Transparent Productions – G-106
    (714) 545-8900
12. The Morris Law Group – G-108
    (714) 975-8054

Bldg H:

1. Paul Mitchell Advanced Education – H-101
   (714) 444-0788
2. Newport Psychology Group – H-103
   (714) 540-5010