



# City of Costa Mesa

## Inter Office Memorandum

**TO:** CITY COUNCIL AND PLANNING COMMISSION  
**CC:** TOM HATCH, GARY ARMSTRONG, AND CLAIRE FLYNN  
**FROM:** WILLA BOUWENS-KILLEEN, ZONING ADMINISTRATOR  
**DATE:** OCTOBER 23, 2014  
**SUBJECT:** ZONING ADMINISTRATOR DECISION(S)

*WBM*

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This is to advise you of the following decision(s) made by the Zoning Administrator within the last week. The decision(s) will become final unless a member of the Planning Commission or City Council requests a review of the decision(s) or an interested party files an appeal by 5:00 p.m. on October 30, 2014. Project descriptions have been kept brief for this notice. As a result, there may be details to the project or conditions of approval that would be of interest to you in deciding whether to request a review of a decision. Please feel free to contact me by e-mail at [willa.bouwens-killeen@costamesaca.gov](mailto:willa.bouwens-killeen@costamesaca.gov) if you have any questions or would like further details.

### **ZA-14-30 1609 POMONA AVENUE**

The applicant is requesting approval of a Minor Conditional Use Permit to allow four of the required 16 parking spaces to be placed within a garage. The parking is in support of an existing 3,292 sq. ft., two story industrial building as well as a new, 2000 sq. ft., two story office/storage building with tuck-under parking.

Approved, subject to conditions of approval.

Comments received: One in opposition.

### **ZA-14-31 3151 AIRWAY AVENUE, SUITE J-2**

Minor Conditional Use Permit to deviate from shared parking requirements based on unique operating characteristics (appointment only on a one-to-one basis) for a 1,717 square foot optometrist office.

Approved, subject to conditions of approval.

Comments received: None.



# CITY OF COSTA MESA

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

DEVELOPMENT SERVICES DEPARTMENT

October 23, 2014

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

**RE: ZONING APPLICATION ZA-14-030  
MINOR CONDITIONAL USE PERMIT TO ALLOW REQUIRED PARKING TO BE  
PROVIDED WITHIN AN EXISTING GARAGE  
1609 POMONA AVENUE, COSTA MESA**

Dear Mr. Clarke:

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, code requirements, and special district requirements (attached). The decision will become final at 5 p.m. on October 30, 2014, 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, Antonio Gardea, at (714) 754-5692, or at [antonio.gardea@costamesaca.gov](mailto:antonio.gardea@costamesaca.gov)

Sincerely,

WILLA BOUWENS-KILLEEN, AICP  
Zoning Administrator

Attachments:      Project Description  
                         Findings  
                         Conditions of Approval, Code Requirements, Special District  
                         Requirements and Planning Application Summary  
                         Applicant's Letter  
                         Plans

cc:      Engineering  
         Fire Protection Analyst  
         Building Safety Division

Richard Cushman  
1609 Pomona Ave LLC  
P.O. Box 530951  
Livonia, MI 48153

## **PROJECT DESCRIPTION**

### ***Project Site/Environs***

The property is located on the west side of Pomona Avenue north of W. 16<sup>th</sup> Street near the Y-intersection with Superior Avenue. An alley from Ohms Way to W. 16<sup>th</sup> Street abuts the west side of the site. The property is zoned MG (General Industrial District) with a General Plan land use designation of Light Industry and is surrounded by industrially-zoned properties.

The site is approximately 15,120 square feet and developed with an industrial building approximately 3,200 square feet in area. The property slopes from east to west. At the street level, the building has an approximately 2,000 square foot space that is used for automobile sales display. The lower level is approximately 1,200 square feet with four bays used for motor vehicle (boat) repair, as approved under Conditional Use Permit ZE-79-38. Because the applicant proposes to use the garage bays to satisfy the required parking, a condition of approval is included requiring revocation of Conditional Use Permit ZE-79-38 prior to issuance of a building permit.

On August 25, 2014, the Planning Commission revoked two conditional use permits at the request of the property owner's agent. Planning Application PA-99-39 allowed a martial art studio that was discontinued. PA-86-174 allowed automobile sales without any outdoor display but is no longer necessary since automobile sales with no more than one vehicle displayed outdoors is now a use permitted by right.

### ***Request***

A minor conditional use permit is required since the applicant proposes placing four of the required parking spaces in the garage to support the construction of an additional building on the property.

## **ANALYSIS**

The applicant proposes to construct a two-story, 2,000-square foot building on the rear portion of the property, abutting the alley. The proposed structure is to contain seven parking space on the lower level. The second floor would be used for office and storage purposes.

### ***Development Standards***

The proposed structure meets the development standards of the General Industrial Zoning District, including the 0.35 floor area ratio limitation for low traffic uses of the site's Light Industrial General Plan designation. The scale of the building is comparable to other industrial buildings in the vicinity. The site layout takes into consideration on-site vehicular circulation. With the required revocation of the outdoor storage use permit (ZE-79-38), all uses would be conducted under roof in accordance with the development standards of the MG zone.

### *Justification for Approval*

The request to allow the four covered parking spaces as part of the 16 required parking spaces works with the proposed layout for the remainder of the site. Circulation around the site is safe and adequate back up and turning radii are provided. The existing garage bays have interior dimensions for the parking stalls to comply with the zoning code requirements for both depth and width. The layout of the parking stalls on the property ensure adequate back out distance for the four spaces located within the existing garage bays. A note on the plans indicates that the bay doors will remain open during business hours, which is reflected in the conditions of approval; this encourages their use. The use of the existing garage bays facilitates provision of the minimum number of required parking spaces for the proposed project. The use of enclosed parking spaces does not count as floor area and the proposed and existing buildings are within the allowable floor area ratio for the site's designation and proposed uses.

### *Additional Discussion*

The applicant's letter indicates that the existing driveways are to remain. Despite the project narrative, the plans indicate that the parking spaces in front of the building are to be removed which allows removal of the southernmost driveway along Pomona Avenue. Site visits confirmed that the existing building continues to house an automobile sales use without outdoor display. Removal of the driveway along the south side of the property would preclude this use from continuing. Consequently, conditions of approval are included requiring removal of the north driveway and requiring that the ten-foot front setback be landscaped. Any walls visible from the public right of way will be required to be decorative, including where appropriate, the replacement of existing chain link fences with decorative walls/fences and a prohibition against any barbed wire.

## **FINDINGS**

- A. The information presented complies with Costa Mesa Municipal Code Section 13-29(g)(2) in that:
1. *The proposed use is compatible with developments in the same general area.*  
The provision of four parking stalls within the existing garage have interior dimensions that comply with the zoning code requirements. The layout of the parking stalls on the property ensure adequate back out distance for the four spaces located within the existing garage bays. The majority of the required parking spaces are open and accessible to the public. A condition of approval requires that the garage bay doors remain open during business hours to encourage the use of these enclosed stalls for parking. The proposed office and storage use is compatible with the surrounding industrial and automotive repair uses. Use of the existing four automotive repair bays as part of the required 16 parking spaces enables the adaptive reuse of the existing building as well as construction of new building area and other aesthetic improvements to the site (landscaping; decorative walls/fences). The surrounding area is developed with one and two story buildings for industrial uses.
  2. *Granting the Minor Conditional Use Permit will not be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity.* The use of the enclosed parking spaces as a portion of the required parking will not adversely affect surrounding properties because all required parking is provided onsite. The proposed two-story building will be used as administrative offices and storage which are low traffic uses. The proposed new two story building is to be constructed at the rear of the property abutting an alley. The use of the existing garage bays for required parking would not adversely affect neighboring properties because sufficient and accessible parking is provided on site to accommodate the proposed uses.
  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 for the property.* The use of the four enclosed parking spaces does not allow a use or intensity which is not in accordance with the Light Industry designation of the site. Since the existing garage bays are no longer used for automobile or boat repair, the stalls are available for use as parking spaces. Use of enclosed area for parking spaces does not count as floor area. The proposed building complies with the development standards for the general industrial zone and is within the floor area ratio limits for low traffic uses for properties designated as light industrial in the Land Use Element of the General Plan.
- B. *The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt under Section 15303, Class 3, New construction or conversion of small structures, of the CEQA Guidelines. Class 3 consists of construction and location of limited numbers of new, small facilities or structures. In urbanized areas, the exemption applies to up to four such industrial buildings not*

*exceeding 10,000 square feet in floor area on sites zoned for such use, if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.* The use of the garage bays for required parking is within an existing building. Use of these garage bays and striping of additional parking spaces enables construction of the proposed project. The project consist of a new two-story, 2,000-square foot building. The area on the upper level of the building is office and storage uses and the lower level is a seven space carport. Public services and facilities are available and the site is surrounded by industrial uses.

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

## **CONDITIONS OF APPROVAL**

- Plng.
1. The use shall be limited to the type of operation as described in the staff report and as conditioned below. 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 minor 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 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 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 (1) City's approval of the project, including but not limited to any proceeding under the California Environmental Quality Act. 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.
  3. If any section, division, sentence, clause, phrase or portion of this approval 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. The use shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The business owner shall institute whatever security and operational measures are necessary to comply with this requirement.
  5. The four garage bay doors shall remain open during business hours.
  6. The new, two-story building is designed with a ground floor carport; garage doors or other methods to enclose the parking stalls on the lower level are prohibited.
  7. The applicant shall submit a request for voluntary revocation of Conditional Use Permit ZE-79-38 prior to issuance of a building permit.
  8. The applicant shall remove the existing chain-link gates with barbed wire and replace with decorative wrought iron gates. No chain link fencing or barbed wire shall be permitted/installed.
  9. The applicant shall submit a landscaping and irrigation plan for the front setback area. The landscape plan is subject to review and approval by the Planning Division. The landscaping and irrigation shall be installed prior to final inspection of the new building.

10. Any proposed walls that are visible from the right of way shall be of decorative finished materials, subject to review and approval by the Planning Division.
11. All new and existing construction shall be architecturally compatible with regard to building materials, style, colors, etc. with the existing structures. Plans submitted for plan check shall indicate how this will be accomplished.
12. No exterior roof access ladders, roof drain scuppers, or roof drain downspouts are permitted. This condition relates to visually prominent features of scuppers or downspouts that not only detract from the architecture but may be spilling water from overhead without an integrated gutter system which would typically channel the rainwater from the scupper/downspout to the ground. An integrated downspout/gutter system which is painted to match the building would comply with the condition. This condition shall be completed under the direction of the Planning Division.
13. A copy of the conditions of approval shall 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.
14. The applicant shall maintain free of litter all areas of the premises under which applicant has control.
15. Permits shall be obtained for all signs according to the provisions of the Costa Mesa Sign Ordinance. Freestanding signs shall be subject to review and approval by the Planning Division/Development Services Director to ensure compatibility in terms of size, height, and location with the proposed/existing development, and existing freestanding signs in the vicinity.
- Trans. 16. Close unused drive approach with full height curb and gutter.  
Park.
17. The applicant shall replant three 24 inch-box Lagerstroemia indica x fauriei 'Tuscadora' along the Pomona Avenue right of way.



## 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 minor conditional use permit is valid for one (1) year from the effective date of this approval and will expire at the end of that period unless the use is established by business licenses being obtained and/or the use legally commences. If the applicant is unable to establish the use within the one-year time period, the applicant may request an extension of time. A written request for an extension of time must be received by Planning Division prior to the expiration of the minor conditional use permit.
- 2. Security gates are subject to review and approval by the Planning Division in conjunction with the fire department and transportation division.
- 3. Parking stalls shall be double-striped in accordance with City standards.
- 4. 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. Landscaping and irrigation shall be installed in accordance with the approved plans prior to final inspection or occupancy clearance.
- 5. All landscaped areas shall be separated from paved vehicular areas by six inch high continuous Portland Cement Concrete curbing.
- 6. All uses shall be conducted underroof except as may be permitted by a minor conditional use permit or as permitted elsewhere in this Zoning Code.
- 7. Installation of all utility meters shall be performed in a manner so as to obscure the installation from view from any place on or off the property. The installation shall be in a manner acceptable to the public utility and shall be in the form of a vault, wall cabinet, or wall box under the direction of the Planning Division.
- Bus. Lic. 8. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections, final occupancy and utility releases will not be granted until all such licenses have been obtained.
- Bldg. 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) and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa.
- 10. On graded sites the top of exterior foundation shall extend above the elevation of the street gutter at point of discharge or the inlet of an

- approved discharge devise a minimum of 12 inches plus 2 percent. 2013 California Building Code CBC 1808.7.4
11. The applicant shall submit a precise grading plan, an erosion control plan and a hydrology study. If it is determined that a grading plan is not required a drainage plan shall be provided. A precise grading plan shall not be required if any of the following are met:
    - 1- An excavation which does not exceed 50 CY on any one site and which is less than 2 ft in vertical depth, or which does not create a cut slope greater than 1 ½:1 (excluding foundation area).
    - 2- A fill less than 1 foot in depth placed on natural grade with a slope flatter than 5:1, which does not exceed 50 CY on any one lot and does not obstruct a drainage course.
    - 3- A fill less than 3 ft in depth, not intended to support structures, which does not exceed 50 CY on any one lot and does not obstruct a drainage course.
  12. Submit a soils report for this project. Soil's Report recommendations shall be blueprinted on both the architectural and the precise grading plans. If there are existing slopes then the soil's report shall address how the new slope shall be maintained to avoid any future failure.
  13. The ground immediately adjacent to the foundation shall be sloped away from the building at a slope of not less than 5% for a minimum of 10 ft. measured perpendicular to the face of the wall. CBC 1803.3.
  - Eng. 14. At the time of development submit for approval an off-site plan to the Engineering Division and grading plan to the Building Division that shows sewer, water, existing parkway improvements and the limits of work on the site, and hydrology calculations, both prepared by a civil engineer or architect. Construction access approval must be obtained prior to building or engineering permits being issued by the City of Costa Mesa. Pay offsite plan check fee to the Engineering Division. An approved offsite plan and fee shall be required prior to engineering/utility permits being issued by the City.
  15. Obtain a permit from the Engineering Division, at the time of development and then construct P.C.C. commercial sidewalk per City of Costa Mesa standards as shown on the offsite plan, including four (4) feet clear around obstructions in the sidewalk.
  16. Obtain a permit from the Engineering Division, at the time of development and then remove any existing driveways and/or curb depressions that will not be used and replace with full height curb and sidewalk at applicant's expense.
  17. For demolition, grading, or building permits involving projects with a valuation of \$10,000 or more, the contractor shall use a City-permitted hauler(s) to haul any debris or solid waste from the job site (refer to Section 8-83(h), Regulations, of Title 8 of the Costa Mesa Municipal Code). Use of a City-permitted hauler for such projects is the responsibility of the designated contractor. Non-compliance is subject to an administrative penalty as follows: \$1,000 or 3% of the total project value, whichever is greater.
  - Trans. 18. A minimum 25 foot backup aisle shall be provided for all parking spaces.

19. Fulfill mitigation of off-site traffic impacts at the time of issuance of occupancy by submitting to the Transportation Division the required traffic impact fee pursuant to the prevailing schedule of charges adopted by the City Council. The traffic impact fee is calculated including credits for all existing uses. At the current rate per trip end, the traffic impact fee is estimated at \$600.00. NOTE: The Traffic Impact Fee will be recalculated at the time of issuance of building permit/certificate of occupancy based upon any changes in the prevailing schedule of charges adopted by the City Council and in effect at that time

### **SPECIAL DISTRICT REQUIREMENTS**

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

- Sani. 1. It is recommended that the applicant contact the Costa Mesa Sanitary District at 949.645.8400 for current district requirements.
- AQMD 2. Applicant shall contact the Air Quality Management District (800) 288-7664 for potential additional conditions of development or for additional permits required by AQMD.
- CDFA 3. 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.

ZONING APPLICATION SUMMARY

Location: 1609 Pomona Avenue Permit No.: ZA-14-30

Request: Construction of two story structure for office/storage use and lower level carport.

**SUBJECT PROPERTY:**

Zone: MG  
 General Plan: Light Industry  
 Lot Dimensions: 78 FT x 175 FT  
 Lot Area: 15,120 SF

**SURROUNDING PROPERTY:**

North: MG – Industrial Use  
 South: MG – Industrial Use  
 East: MG – Auto Repair Use  
 West: MG - Multiple Tenant Building with Auto Repair Uses

Existing Development: Two-level industrial building – approximately 3,300 sf with lower level storage and office space (repair bays not included in FAR).

**DEVELOPMENT STANDARD COMPARISON**

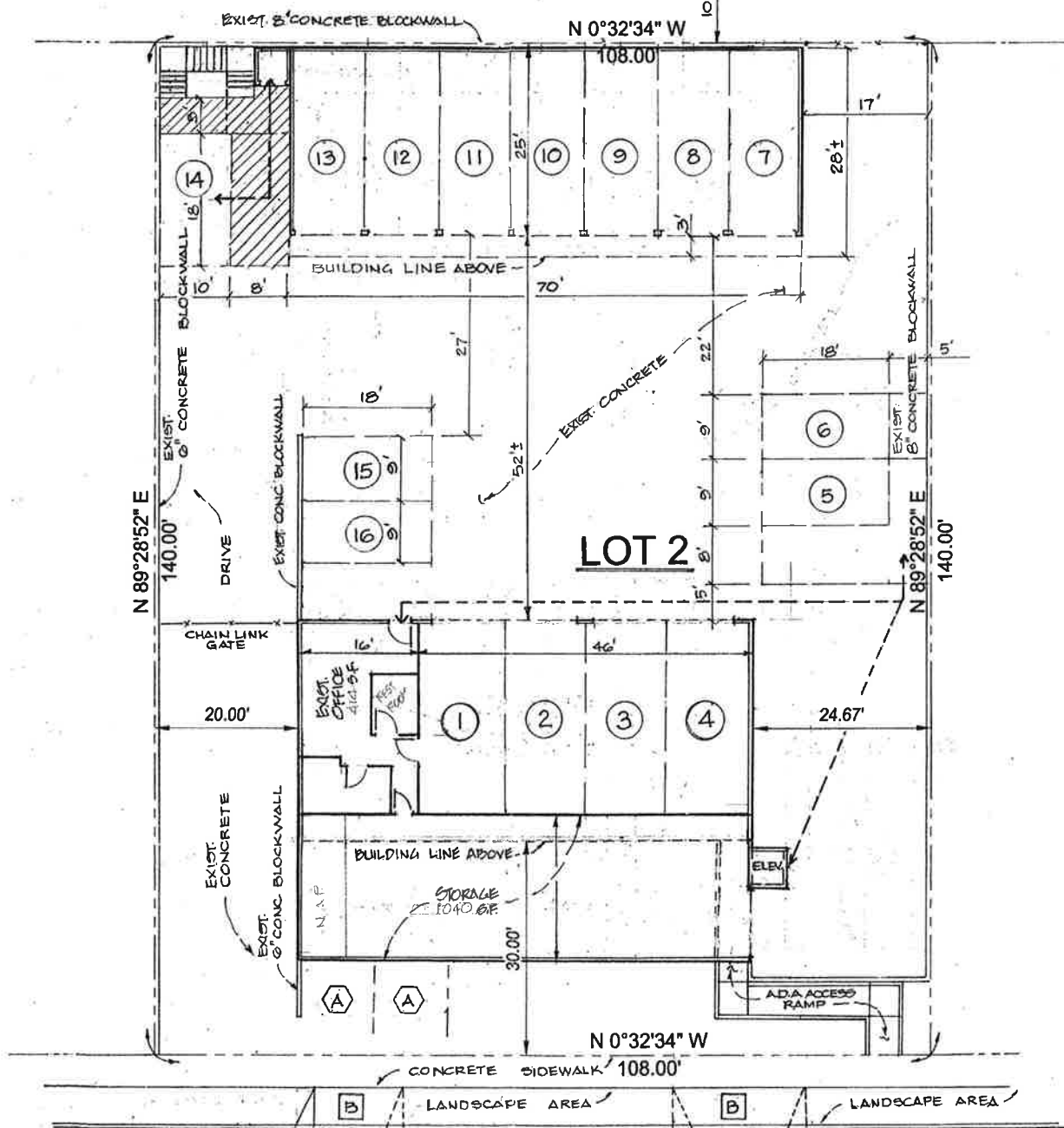
<u>Development Standard</u>	<u>Code Requirement</u>	<u>Proposed/Provided</u>
<b>FAR:</b>	0.35 (low traffic use)	0.35
<b>Building Height:</b>	2 Stories / 30 FT max.	2 Stories / 20 FT
<b>Setbacks:</b>		
Front (East)	10 FT	30 FT
Side (North)	0 FT	17 FT
Side (South)	0 FT	18 FT
Rear (West)	0 FT	0 FT
<b>Parking Spaces:</b>	16	16 (12 standard & 4 spaces in existing garage bays)*
<b>Wall</b>	8 FT max.	8 FT

\* Minor Conditional Use Permit requested.

## PROJECT NARRATIVE

The proposed project for the minor Conditional Use Permit will be the construction of a two story building with public parking beneath. The square footage will be within the allowable F.A.R. of the site and zoning. The building will be used for storage purposes. Parking spaces under the existing building will also be open to the public with signage denoting such. The existing parking at the front of the property will be eliminated. However, the existing driveways will remain in order to facilitate ingress and egress for access to items in the showroom. Site drainage will remain as is, with no grading of the site.

ALLEY



SITE DATA:

SIZE: 15,120 SQUARE FEET	5,292 SQ. FT.
ALLOWABLE F.A.R. (15,120 S.F. X 0.35)	
EXIST. BLDG. SQ. FT.	1,838 SQ. FT.
UPPER LEVEL OFFICE (6 SPACES)	414 SQ. FT.
LOWER LEVEL OFFICE (1 SPACE)	1040 SQ. FT.
LOWER LEVEL STORAGE (9 SPACES)	
TOTAL	3,292 SQ. FT.
PROPOSED BLDG. SQ. FT.	2,000 SQ. FT.
UPPER LEVEL OFFICE/STORAGE	
TOTAL SQ. FT.	5,292 SQ. FT.
REQUIRED PARKING @ 3:1	116
PARKING PROVIDED	14 REGULAR 2 A.D.A.

NOTE:  
ALL DOORS TO ENCLOSED REQUIRED PARKING TO REMAIN OPEN DURING BUSINESS HOURS

LEGEND

- REQUIRED PARKING (I)
- REMOVE EXIST. PARKING (A)
- PROPERTY LINE (---)
- CHAIN LINK GATE (x-x-x)
- REMOVE EXIST. DRIVEWAY (B)
- ACCESSIBILITY PATH (--->)

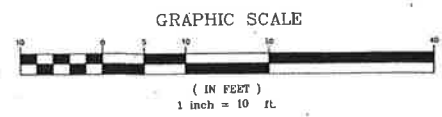
LEGAL DESCRIPTION:

LOT 2 OF TRACT MAP NO. 4157, RECORDED IN BOOK 143, PAGES 35-36 OF THE OFFICIAL RECORDS OF ORANGE COUNTY, CALIFORNIA.



NORTH

REVISIONS	DATE	No.

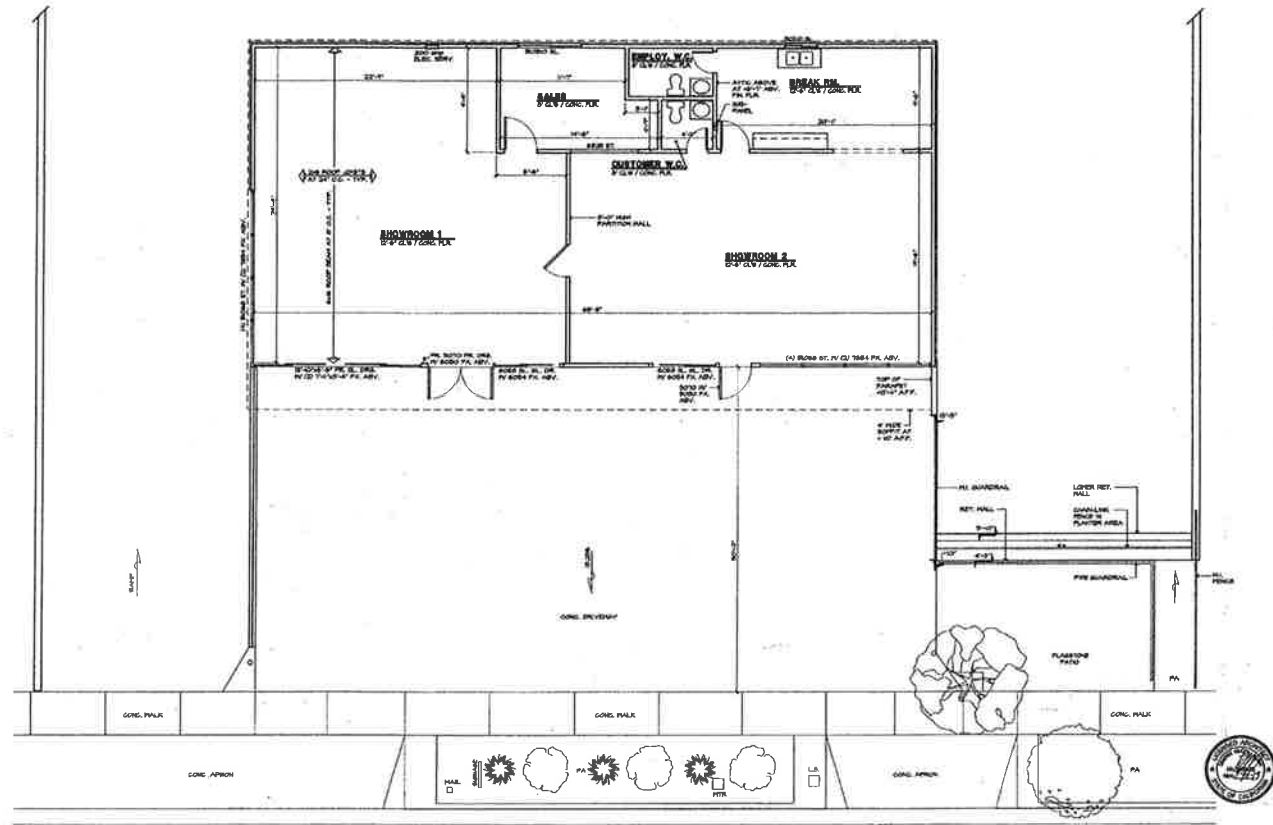


PLANS DRAWN BY: JFC  
DATE: MARCH, 2014  
SCALE: 1" = 10'

PLANS PREPARED BY:  
J&K CONSULTING SERVICES  
27389 PASEO PLACENTIA  
SAN JUAN CAPISTRANO, CA  
92675

SUBMITTAL DATE: MARCH, 2014
EXISTING BUILDING AND SETBACK EXHIBIT LOT 2, TRACT No. 4157
COSTA MESA COUNTY OF ORANGE, CALIFORNIA USA

PLAN CHECK NO. 1
SHEET 1
OF 1



POMONA AVENUE

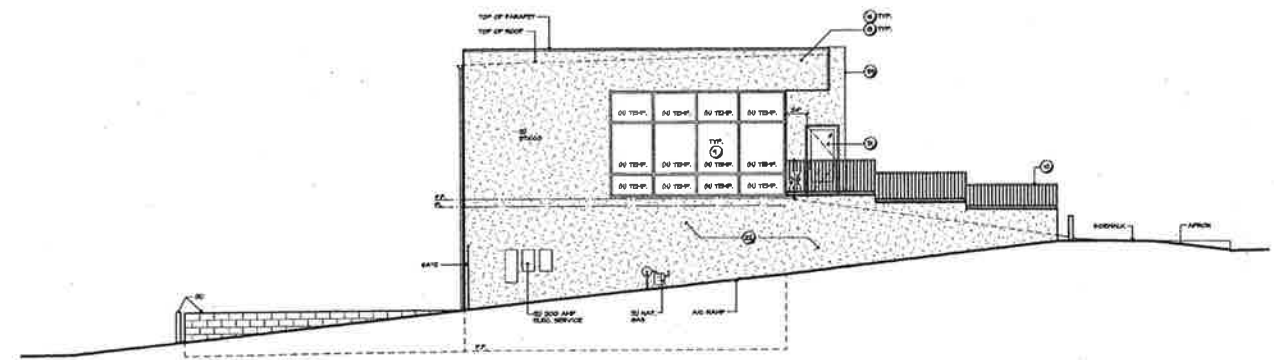
EXISTING UPPER LEVEL PLAN  
SCALE: 1/4" = 1'-0"

APPROVED  
THESE PLANS AND DETAILS ARE APPROVED FOR CONSTRUCTION AS SHOWN ON THESE PLANS AND DETAILS. ANY CHANGES TO THESE PLANS AND DETAILS SHALL BE MADE BY THE ARCHITECT AND NOTED ON THE PLANS AND DETAILS. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND NOTICES FROM THE LOCAL AGENCIES. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND NOTICES FROM THE LOCAL AGENCIES.

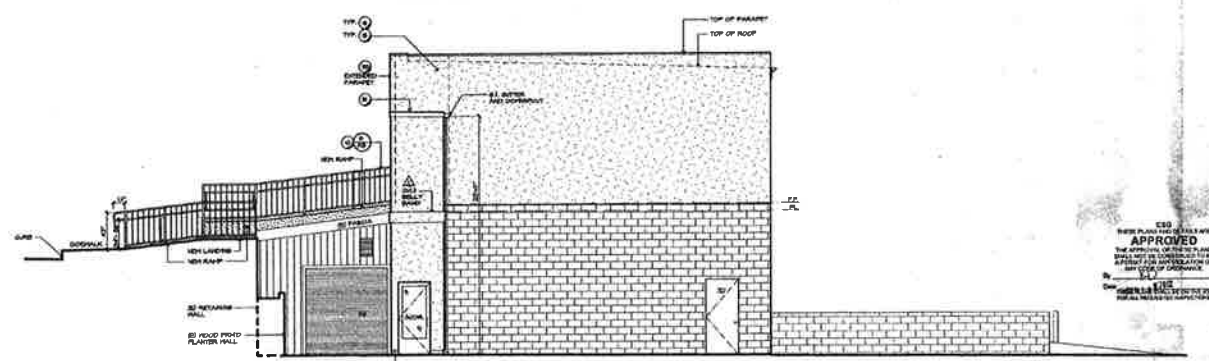
EXISTING UPPER LEVEL PLAN

E1

PROJECT: 1609 POMONA AVENUE  
PRESTIGE DEVELOPMENT, INC.  
1609 POMONA AVENUE  
COSTA MESA, CA 92627



PROPOSED LEFT (SOUTH) ELEVATION  
SCALE: 1/4" = 1'-0"



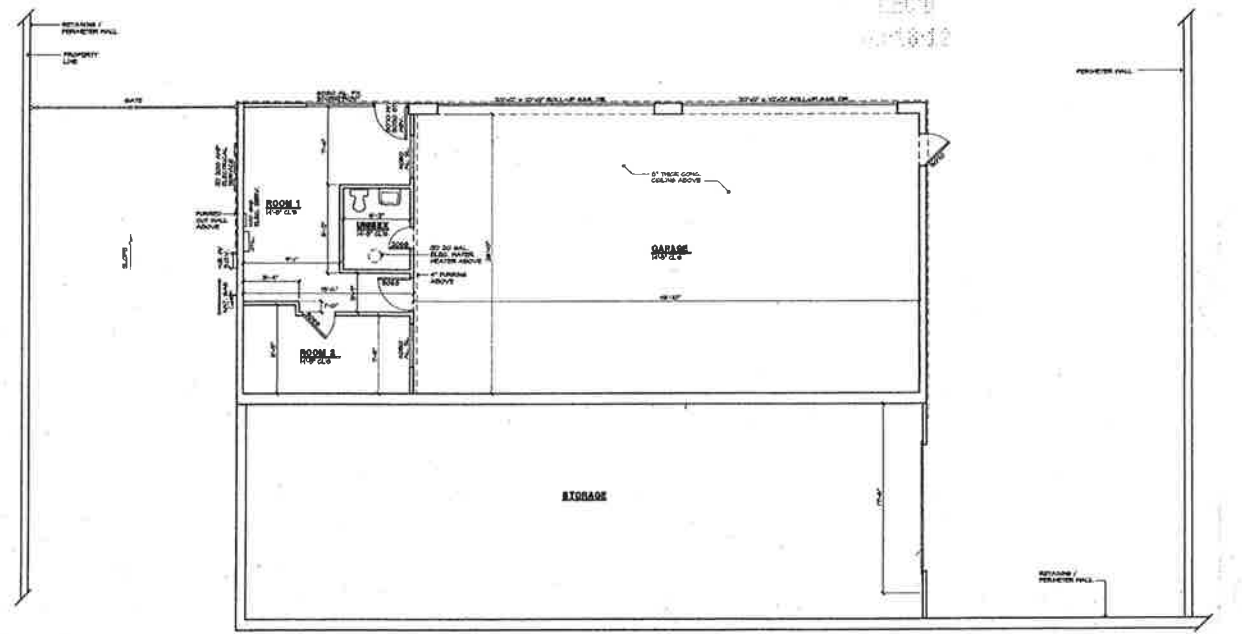
PROPOSED RIGHT (NORTH) ELEVATION  
SCALE: 1/4" = 1'-0"

APPROVED  
THESE PLANS AND DETAILS ARE APPROVED FOR CONSTRUCTION AS SHOWN ON THESE PLANS AND DETAILS. ANY CHANGES TO THESE PLANS AND DETAILS SHALL BE MADE BY THE ARCHITECT AND NOTED ON THE PLANS AND DETAILS. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND NOTICES FROM THE LOCAL AGENCIES. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND NOTICES FROM THE LOCAL AGENCIES.

ELEVATIONS

A4

PROJECT: 1609 POMONA AVENUE  
PRESTIGE DEVELOPMENT, INC.  
1609 POMONA AVENUE  
COSTA MESA, CA 92627



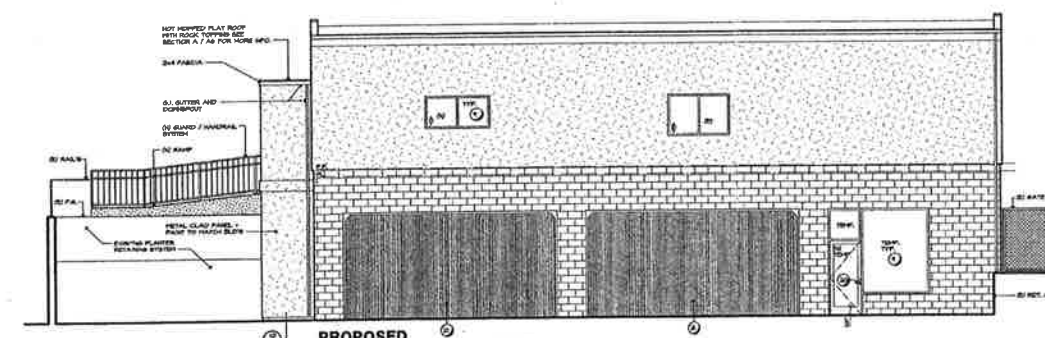
EXISTING LOWER LEVEL PLAN  
SCALE: 1/4" = 1'-0"

APPROVED  
THESE PLANS AND DETAILS ARE APPROVED FOR CONSTRUCTION AS SHOWN ON THESE PLANS AND DETAILS. ANY CHANGES TO THESE PLANS AND DETAILS SHALL BE MADE BY THE ARCHITECT AND NOTED ON THE PLANS AND DETAILS. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND NOTICES FROM THE LOCAL AGENCIES. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND NOTICES FROM THE LOCAL AGENCIES.

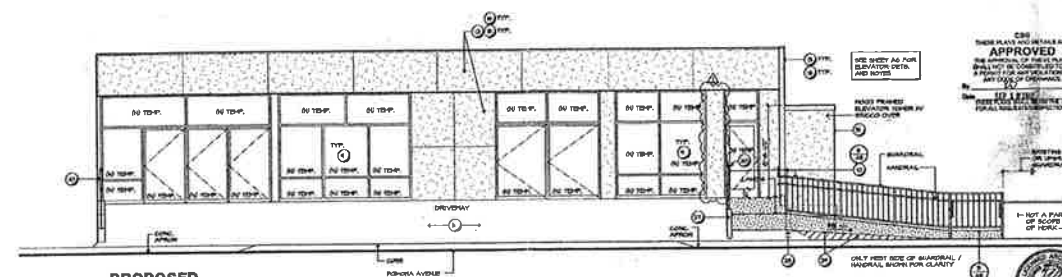
EXISTING LOWER LEVEL & FRONT ELEV.

E2

PROJECT: 1609 POMONA AVENUE  
PRESTIGE DEVELOPMENT, INC.  
1609 POMONA AVENUE  
COSTA MESA, CA 92627



PROPOSED REAR (WEST) ELEVATION  
SCALE: 1/4" = 1'-0"



PROPOSED FRONT (EAST) ELEVATION  
SCALE: 1/4" = 1'-0"

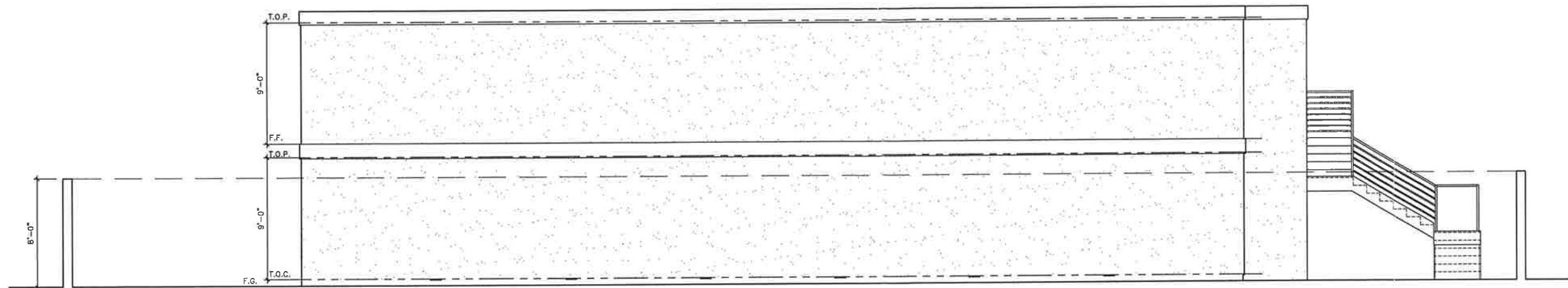
APPROVED  
THESE PLANS AND DETAILS ARE APPROVED FOR CONSTRUCTION AS SHOWN ON THESE PLANS AND DETAILS. ANY CHANGES TO THESE PLANS AND DETAILS SHALL BE MADE BY THE ARCHITECT AND NOTED ON THE PLANS AND DETAILS. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND NOTICES FROM THE LOCAL AGENCIES. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND NOTICES FROM THE LOCAL AGENCIES.

ELEVATIONS

A3

PROJECT: 1609 POMONA AVENUE  
PRESTIGE DEVELOPMENT, INC.  
1609 POMONA AVENUE  
COSTA MESA, CA 92627

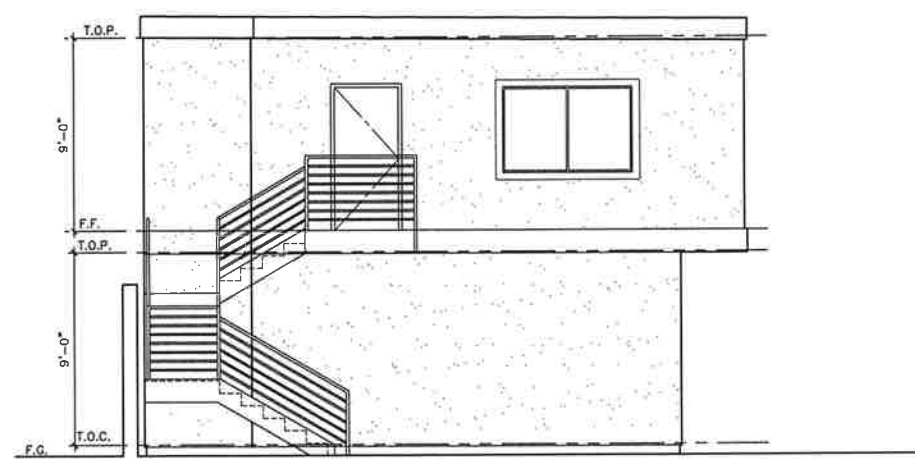




Exterior Elevation (North)

Scale: 1/4"=1'-0"

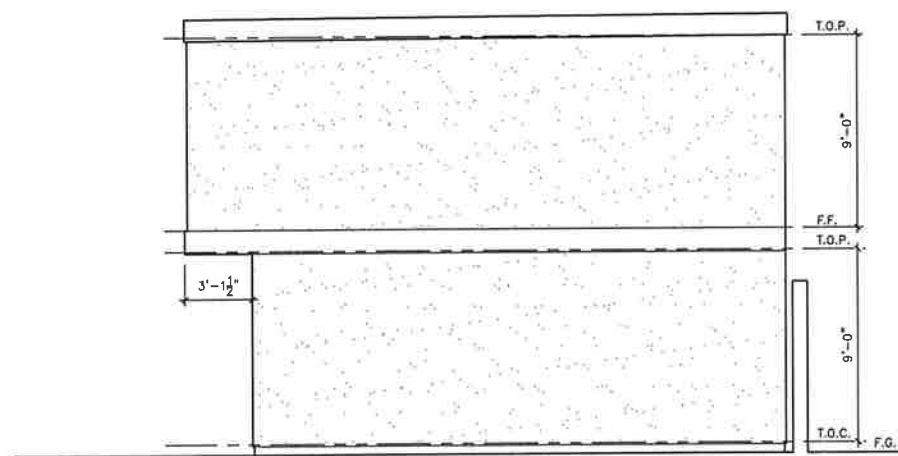
1



Exterior Elevation (West)

Scale: 1/4"=1'-0"

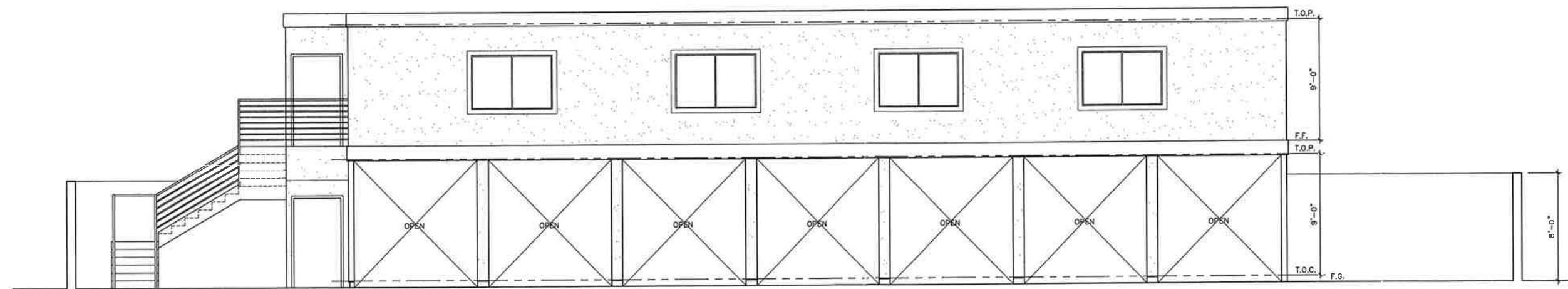
4



Exterior Elevation (East)

Scale: 1/4"=1'-0"

2



Exterior Elevation (South)

Scale: 1/4"=1'-0"

3



# CITY OF COSTA MESA

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

DEVELOPMENT SERVICES DEPARTMENT

October 23, 2014

Arnold Ng  
21250 Hawthorne Boulevard Suite 500  
Torrance, CA 90503

**RE: ZONING APPLICATION ZA-14-31  
MINOR CONDITIONAL USE PERMIT FOR A DEVIATION FROM SHARED  
PARKING REQUIREMENTS FOR AN OPTOMETRIST OFFICE  
3151 AIRWAY AVENUE SUITE J2, COSTA MESA**

Dear Mr. Ng:

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 October 30, 2014, unless appealed by an affected party, including filing of the necessary application and payment of the appropriate fee, or called up for review by a member of the Planning Commission or City Council.

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

Sincerely,

WILLA BOUWENS-KILLEEN, AICP  
Zoning Administrator

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

cc:                      Engineering  
                             Fire Protection Analyst  
                             Building Safety Division

Jay Two Partners, LLC  
3151 Airway Avenue, Suite J-2  
Costa Mesa, CA 92626

Thanh Mai and Valerie Lam  
28715 Dovernridge Drive  
Rancho Palos Verdes, CA 90275

## **PROJECT DESCRIPTION**

The property is located on Airway Avenue, east of the 55 freeway and north of Baker Street. The property is zoned CL (Commercial Limited) with a General Plan land use designation of Industrial Park. The project site is developed with 161,000 square feet of area over 21 buildings. There are 591 parking spaces onsite, provided at a rate of approximately 4 spaces per 1,000 square feet of floor area. The site provides landscaping along all street frontages, including East Baker Street, Airway Avenue, and East Paularino Avenue. There is one point of ingress/egress on each frontage as well as two points onto the neighboring properties at 3140 and 3158 Redhill Avenue.

The proposed use will occupy a 1,717 square foot tenant space, located in an existing multi-tenant building. The tenant space consists of two exam rooms, two therapy rooms, a pre-test area, lab space, an optical room, a restroom, an office, and a reception area. There is a single entrance/exit door on the west side of the tenant space adjacent to the parking lot. The office will be open 10 a.m. to 7 p.m. Monday through Thursday and 9 a.m. to 2 p.m. Saturdays; they will be closed Fridays and Sundays.

The applicant requests approval of a minor conditional use permit (MCUP) to allow a deviation from the shared parking requirements for the optometrist office due to unique operating characteristics (limited patients and staff).

## **ANALYSIS**

### *Parking*

The total on-site parking spaces provided for the entire property is 591 spaces, or 3.7 parking spaces for every 1,000 square feet of building area. However, because this is a nonconforming commercial property, the site is "credited" as providing the current commercial requirement of 4 spaces/1,000 square feet for commercial uses, or 644 spaces for the center.

The parking ratio for an optometrist office is 6 spaces per 1,000 square feet of floor area or 10 parking spaces for this space. At a rate of 4 spaces per 1,000 square feet there are 7 spaces allocated to the suite. The applicant is requesting approval of a minor conditional use permit to deviate from shared parking requirements due to unique operating characteristics.

The applicant proposes limiting the number of patients and staff in the tenant space to ensure parking demand does not exceed the 7 allocated spaces-. Although two doctors will work from this office, they will work alternating days.

The submitted schedule is as follows:

Time Frame	Maximum Number of Patients per Hour	Maximum Number of Doctors and Staff per Hour
Monday-Thursday		
10:00 a.m. – 1:00 p.m.	2	3-4
1:00 p.m. – 2:30 p.m.	0	2-3
2:30 p.m. – 7:00 p.m.	2	3-4
Saturday		
9:00 a.m. – 2:00 p.m.	2	2-3

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, reducing the days and/or hours of the business.

*General Plan Consistency*

The Industrial Park General Plan land use designation is intended to apply to large districts that contain a variety of industrial and compatible office and support commercial uses; this business fits within those types of uses. The maximum allowable FAR for moderate traffic generating uses (8 to 15 average daily trips per 1,000 square feet in industrial designations) is 0.30 in the Industrial Park designation. This site area is 12.1 acres, resulting in a floor area ratio of 0.30. The leasing of one of many suites within the building containing a variety of uses will not impact the overall FAR designation of the site.

The proposed use, as conditioned, is consistent with the Zoning Code and the City's General Plan because, with the recommended conditions of approval, the optometrist use should not adversely impact 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 one doctor working at a time, limiting the suite to a maximum of six occupants at one time, to prevent parking conflict with surrounding businesses.

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 optometrist office

should not have parking impacts due to the proposed limited occupancy of the tenant space during operating hours.

3. Granting the minor conditional use permit will not allow a use, density or intensity that is not in accordance with the General Plan designation and any applicable specific plan for the property. The proposed use does not 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. There will be a compatible and harmonious relationship between the proposed building and the site development, and use, and the building and site developments, and uses that exist or have been approved for the general neighborhood. The optometrist office is conditioned to operate as described in this staff report, with only one doctor working at a time and limited staff to avoid parking impacts.

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 and will not be affected.

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

4. The use is consistent with the General Plan in that an optometrist office is considered a compatible use in an Industrial Park land use designation.

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

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

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

### **CONDITIONS OF APPROVAL**

P1ng. 1. The use shall be limited to the type of operation described in this staff report: an optometrist office open 10 a.m. to 7 p.m. Monday through Thursday and 9 a.m. to 2 p.m. Saturday with a maximum of six occupants

at any one time, including a maximum of one doctor. Any change in the operational characteristics including, but not limited to, type of service provided or hours of operation will require approval of an amendment to the minor conditional use permit, subject to Zoning Administrator approval.

2. 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 the days and/or hours of the business.
3. The applicant shall contact the Planning Division to arrange a Planning inspection of the site. This inspection is to confirm that the conditions of approval and code requirements have been satisfied
4. 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 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.        | <ol style="list-style-type: none"><li>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.</li><li>2. Permits shall be obtained for all signs according to the provisions of the Costa Mesa Sign Ordinance.</li></ol> |
| Bldg.        | <ol style="list-style-type: none"><li>3. 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 (if applicable) 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.</li></ol>                                                                                                                                       |
| Bus.<br>Lic. | <ol style="list-style-type: none"><li>4. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections, final occupancy and</li></ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

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.

### **SPECIAL DISTRICT REQUIREMENTS**

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

- |       |                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Sani. | <ol style="list-style-type: none"><li>1. It is recommended that the applicant contact the Costa Mesa Sanitary District at 949.645.8400 for current district requirements.</li><li>2. Comply with the requirements of the California Food and Agriculture (CDFA) to determine if red imported fire ants exist on the property prior to any soil movement or excavation. Call CDFFA at (714) 708-1910 for information.</li></ol> |
| AQMD  | <ol style="list-style-type: none"><li>3. Applicant shall contact the Air Quality Management District (800) 288-7664 for potential additional conditions of development or for additional permits required by AQMD.</li></ol>                                                                                                                                                                                                   |



## **APPLICANT LETTER**

**TO:** Chelsea Crager  
City of Costa Mesa  
Development Services Department  
Phone: (714) 754-5609

**FROM:** Thanh Mai and Valerie Lam  
Insight Vision Center Optometry  
28715 Doverridge Drive  
Rancho Palos Verdes, CA 90275  
(310) 346-5224

Dear Chelsea Crager,

Insight Vision Center Optometry would like to open a private practice optometry office at the location of 3151 Airway Avenue, Unit J-2, Costa Mesa (1,717 square foot unit). Insight Vision Center Optometry is excited to provide quality eye care with a personal touch, and the unique services of specialty contact lenses and vision therapy to the families of Costa Mesa and the surrounding cities. This location is ideal for our practice because of it's proximity to the local freeways, the professional neighbors within the business park, the demographics of the city, and the network of complementary specialists (neuropsychologists, occupational therapists, educational specialists) in the community.

Insight Vision Center Optometry is a specialty optometry practice whose goal is to provide the community with the highest quality of eye care with an emphasis on specialty contact lenses, vision therapy, and pediatric primary eye care. We are aware of the industry competition that exists in our area, especially from corporate optometry (Costco, Sears, Lenscrafters) and other private practices nearby. However we will provides specialty services that create for us a niche market compared to other optometry practices. In fact, they would be referring patients to our practice for these specialty services.

The unique operating characteristics of our practice will not compete with the current tenants for parking spaces. We see patients on a one doctor to one patient ratio, which means that there would be a maximum of 2 patients scheduled every hour. We plan to have 2 staff members plus 1-2 doctors (Dr. Mai and Dr. Lam will be working alternating days) which will result in 3-4 parking spaces needed for staff. Likewise, our operating hours will be from 10 am to 7 pm which shifts our patient hours later in the afternoon when most businesses will be closing for the day. We plan to conduct staggered lunch periods from 1-2:30pm which will help to keep patient flow consistent without a long build-up of wait time for patients after lunch. Our practice will be open Monday through Thursday, and Saturdays from 9am -2pm. We have driven by this business park multiple times to assess the parking situation on a weekday at 10 am and during the weekend, and have always observed ample parking spots available. We project to only need a maximum of 7 parking spots during the full working day at any given time. This aligns with the rest of the park which is currently parked for 4 spots per every 1000 square foot.

## Table of Projected Patients and Staff Occupancy

Monday – Thursday: 10am-7pm

Time Frame	Maximum Number of Patients Per Hour	Approximate Number of Doctors+Staff Per Hour
10:00AM – 1:00PM	2	3-4
1:00PM - 2:30PM	0	2-3
2:30 PM – 7:00PM	2	3-4

Saturday: 9am – 2pm

Time Frame	Maximum Number of Patients Per Hour	Approximate Number of Doctors+Staff Per Hour
9:00AM – 2:00PM	2	2-3

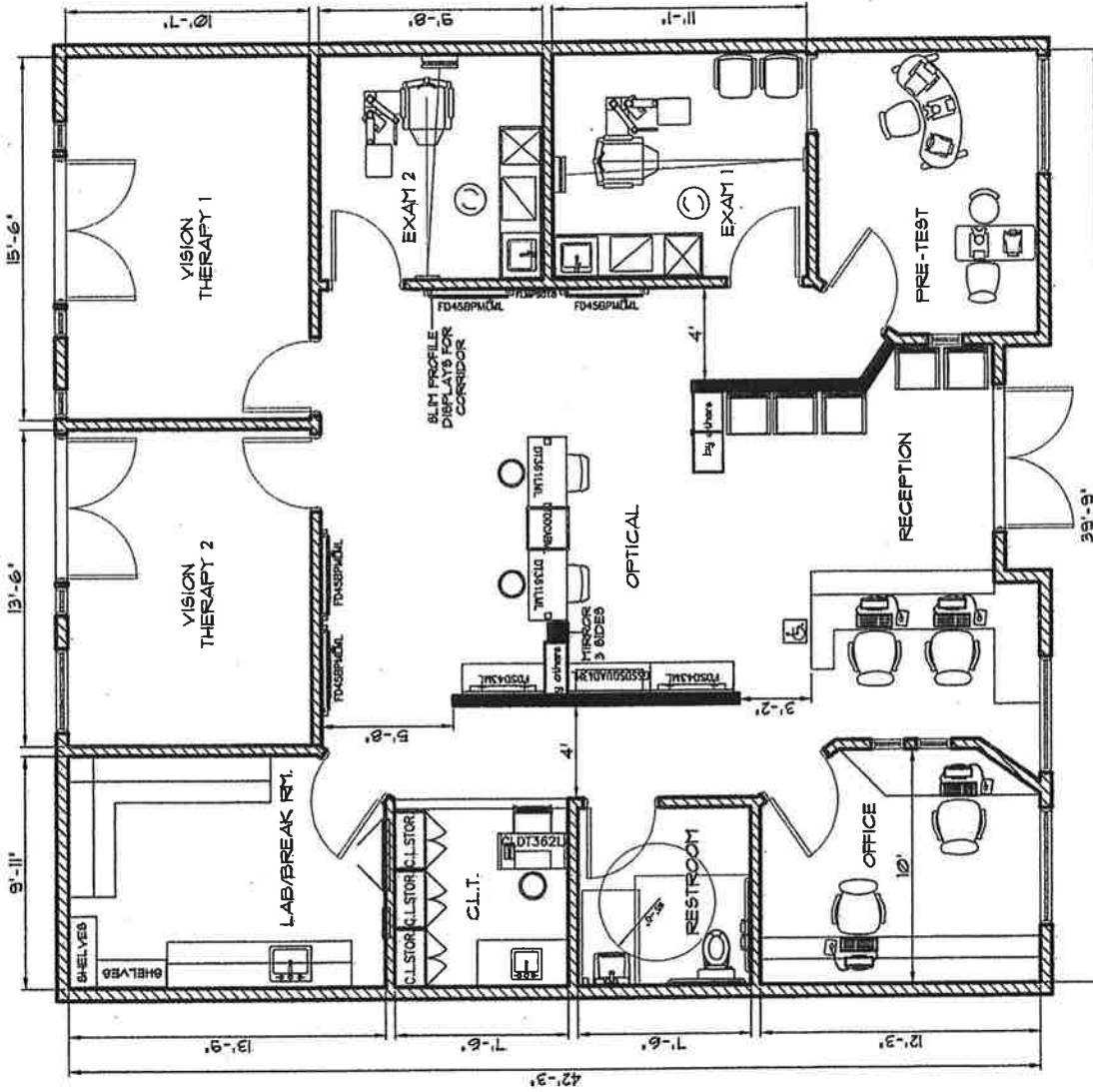
### **Description of Justification Form- MINOR CONDITIONAL USE PERMIT**

Opening an optometry practice is mutually beneficial in the business park at 3151 Airway Ave. to the existing tenants and to our optometry practice. The surrounding neighbors consist of lawyers, accountants, chiropractors, dentists, home health professionals, drug rehabilitation counselors, architects, and other small professional businesses. 3151 Airway Ave. business park consists of licensed professionals that are respectable in their field.

Insight Vision Center Optometry likewise will be an upscale, professional optometry office established by two licensed optometrists who are well accomplished in their field. Our office will represent professionalism as a business and prestige as a medical office, and will not have a “retail” feel like other optical shops seen within shopping malls. Our business does not create a lot of noise from machinery, nor do we create a lot of waste by-products.

Furthermore, having an optometry office at 3151 Airway would be beneficial to other complementary health and educational professionals. Having optometry along with dentistry, chiropractors, and counseling will create a more distinguished reputation for the business park within the medical community. Furthermore, our offices could actually result in referrals, having proximity become a convenience factor for potential patients who want to get two services done at the same location.

VISION CENTER  
COSTA MESA, CALIFORNIA



SPACE PLAN

Viewpoint / Stylus Collection

APPROXIMATELY 650 FRAMES DISPLAYED IN OPTICAL

- EXISTING WALLS
- NEW WALLS
- DEMO WALLS

**EYEDESIGNS**  
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DOWNSIDE, PA 19028  
(610) 486-1411  
FAX (610) 486-1411

**VALERIE LAM, O.D.**  
THANH MAI, O.D.  
Site: 1151 Arroyo Avenue, 12  
Costa Mesa, CA 92626  
Tel: 310-346-5224  
E-mail: valerielam7@gmail.com

DATE ISSUED: AUG. 7, 2014  
REVISIONS:  
1. DESCRIPTION:  
2.  
3.  
4.  
5.  
6.  
7.  
8.  
9.  
10.  
11.

SALES PERSON: JERRY KU  
INTERIOR DESIGNER: XXXXX  
SPACE PLANNER: XXXXX  
FORMER: XXXXX  
SHEET TITLE: SPACE PLAN  
DRAWING SCALE: 1/8" = 1'-0"  
SHEET NO: XXXXXX  
CUSTOMER NUMBER: XXXXXX

THIS DRAWING IS FOR PRESENTATION ONLY. NOT FOR USE AS A CONSTRUCTION DOCUMENT.  
CEILING HEIGHT: 8' MIN  
FLOOR LEVEL: GROUND  
AREA: 1,717 S.F.  
SOFFIT HEIGHT: NONE

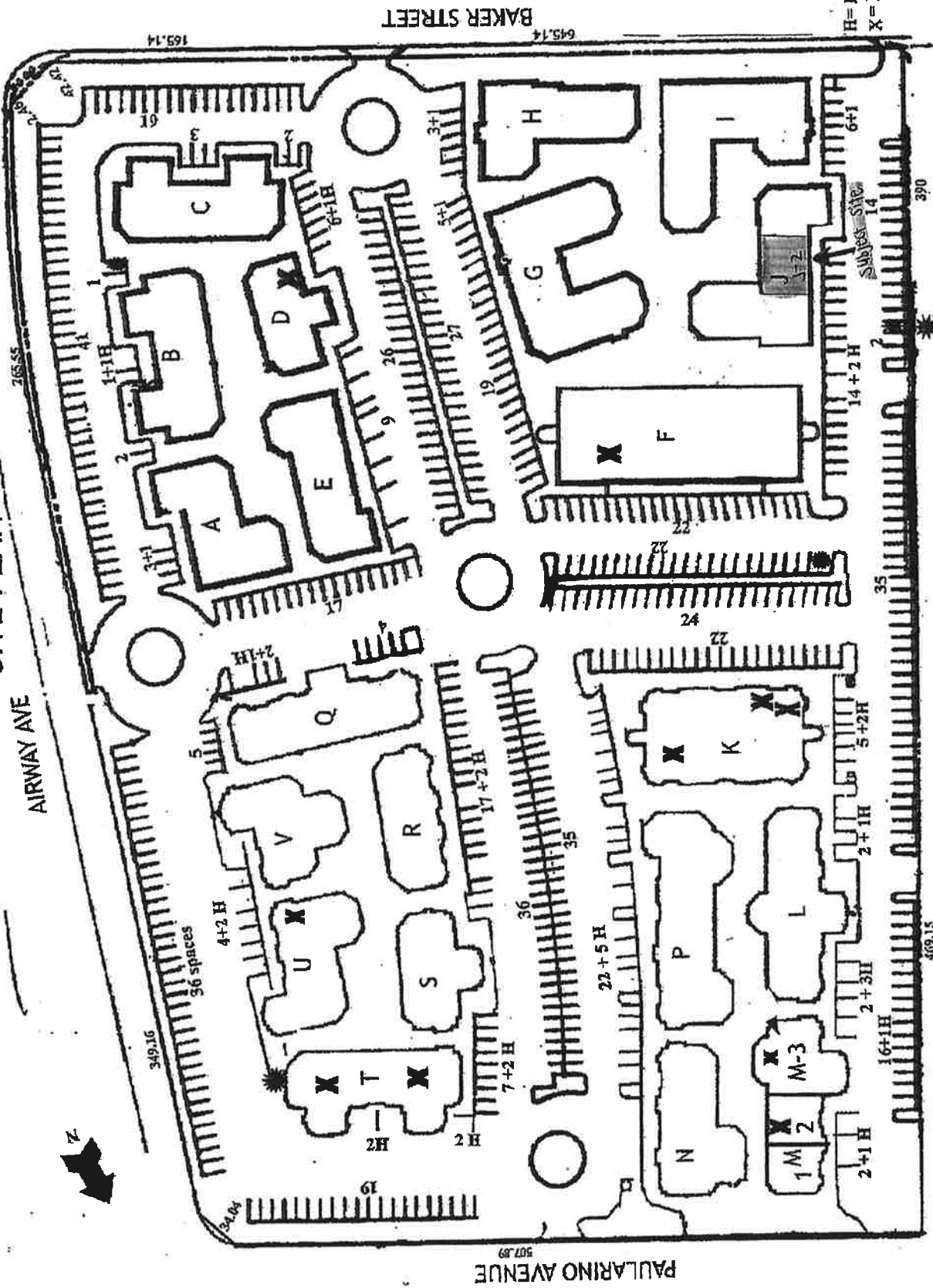
EXHIBIT A

Design of Product; Buyer: Eye Designs has provided to Buyer space-renderings depicting suggested layouts of the Products (the "Drawings"). Copies of the Drawings have been made available to Buyer solely for the purpose of enabling Buyer to compare requirements or other matters of the Products with the Drawings. Eye Designs has not investigated the specific code requirements or other matters of the Products or of the Products or of the Products. Such determination should be made by Buyer, its architect, engineer, electrician or other appropriate agents. Eye Designs does not represent or warrant that the Drawings comply with applicable federal, state, or local law, rule, or regulation. By no later than the Sign-off Date, Buyer shall supply Eye Designs with a list of structural components, locations of beams, doors, windows, plumbing fixtures, and such other information that may affect the design or installation of the Products (the "Product Specifications"). By signing the final Sign-off Date, Buyer is acknowledging at Eye Designs in writing the accuracy of the field angles and dimensions (the "Field Dimensions") relating to the manufacturer and installation of the Products. Buyer acknowledges and agrees that in the event the Buyer fails to verify the accuracy of the Field Dimensions in accordance with the foregoing sentence, Eye Designs shall have no responsibility to verify any Field Dimensions and shall monitor the Products in accordance with dimensions and angles set forth in the final Drawings or otherwise made available to Eye Designs. Buyer acknowledges and agrees that the final Drawings, and any and all design, specifications, and field dimensions necessary or utilized in connection with the Products, shall be prepared, reviewed and finalized by Buyer's architect, engineer, electrician, and/or other appropriate agents, and shall be in compliance with all federal, state, and local laws, rules and regulations, and shall be made available to Eye Designs. Eye Designs operates your business and looks forward to helping you reach your goals and objectives. Your success is the foundation and key to our success.

Verification of ALL wall dimensions shown on this document is required to ensure proper installation of your new furniture supplies by EYE DESIGNS. EYE DESIGNS, LLC, will not be held responsible for furniture not fitting properly if the client does not notify EYE DESIGNS, LLC, of any discrepancies in this, and all other documents supplied by EYE DESIGNS, LLC, at the point of Signing of the final "Sign off package". Eye Designs is solely responsible for products that we are supplying.

# Medical Offices SITE PLAN

2014



APN: \_\_\_\_\_  
 Applicant: **INSIGHT VISION CENTER OPTOMETRY**  
 Sq footage leased: **17,177**  
 Parking spaces: \_\_\_\_\_

Representative:  
**APEX COMMERCIAL**  
**ARNOLD NG**  
**(310) 714-9500**

Address of Property: **3151 Airway Avenue, Suite J-2**  
**Costa Mesa, CA 92626**

Legal Description: \_\_\_\_\_

H = Handicap  
 X = Medical Office