



CITY COUNCIL AGENDA REPORT

MEETING DATE: MARCH 17, 2015

ITEM NUMBER: PH-2

SUBJECT: APPEAL OF PLANNING APPLICATION PA-14-40 FOR THE GANAHL LUMBER HARDWARE STORE AND OUTDOOR STORAGE YARD AT 1100 BRISTOL STREET

FROM: PLANNING DIVISION/DEVELOPMENT SERVICES DEPARTMENT

PRESENTATION BY: MEL LEE, SENIOR PLANNER

DATE: MARCH 9, 2015

FOR FURTHER INFORMATION CONTACT: MEL LEE, AICP (714) 754-5611
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RECOMMENDATION:

UPHOLD the Planning Commission's decision to approve the proposed project, described below:

1. ***Initial Study/Mitigated Negative Declaration (IS/MND).***
2. ***Planning Application PA-14-40:***
 - *Development Review* for the construction of a 65,263 square foot building materials retail store with administrative offices (Main Building A). A total of 286 parking spaces are proposed; 108 parking stalls would be provided on the roof of the retail building; and 178 at-grade parking stalls would be provided throughout the project site;
 - *Variance* from front setback requirement for the parking lot, B Shed and Mill Shed along Bristol Street (20-foot setback required; 10-foot setback proposed);
 - *Variance* from maximum building height for the solar photovoltaic canopy and elevator overrun on Main Building A (30-foot maximum height allowed; 34 feet to the solar canopy and 41 feet to the top of the elevator proposed);
 - *Variance* from maximum building height for the B Shed (30-foot maximum allowed; 34 feet proposed);
 - *Conditional Use Permit* for the proposed outdoor storage yard consisting of three sheds (B Shed, Mill Shed, and Pole Shed) totaling 40,925 square feet; and
 - *Planned Signing Program* to allow the proposed 24-foot high freestanding sign (12 feet allowed, 24 feet proposed).

APPLICANT: The applicant is Patrick Ganahl of The Ganahl Lumber Company, representing the County of Orange, the property owner.

APPELLANTS: The appellants are Joseph E. Miller and Alison Miller.

PLANNING APPLICATION SUMMARY

Location: 1100 Bristol Street Application: PA-14-40

Request: Ganahl Lumber Hardware Store and Outdoor Storage Yard

SUBJECT PROPERTY:

SURROUNDING PROPERTY:

Zone: <u>C1</u>	North: <u>SR-55 and SR-73 Freeways</u>
General Plan: <u>General Commercial</u>	South: <u>C2, Commercial Use (Existing Ganahl Lumber)</u>
Lot Dimensions: <u>Irregular</u>	East: <u>73 Freeway</u>
Lot Area: <u>6.6 Acres (287,696 SF)</u>	West: <u>(Acr Bristol) C1, Commercial Uses</u>
Existing Development: <u>Vacant</u>	

DEVELOPMENT STANDARD COMPARISON

<u>Development Standard</u>	<u>Required/Allowed</u>	<u>Proposed/Provided</u>
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Lot Size:		
Lot Width	120 FT	1,127 FT
Lot Area	12,000 SF	6.6 Acres (287,696 SF)
FAR (Floor Area Ratio)		
	.35 (100,694 SF)	65,263 SF (Bldg. A & Mezz.) 30,262 SF (B Shed) 3,991 SF (Mill Shed) 99,516 SF (.346 FAR Total) ¹
No. of Stories/Building Height		
	2 Stories/30 FT	Main Bldg. A & Mezz: ² 1 Story+Mezz./34 FT (To Solar Roof Canopy)/41 FT (To Top of Elevator) B Shed: 1 Story /34 FT Pole Shed: 1 Story/20 FT
Interior Landscaping		
	4,450 SF	4,478 SF
Setbacks		
Front (Bristol St.)	20 FT	10 FT ²
Side (left/right)	15 FT/ 0 FT	40 FT/0 FT
Rear	0 FT	0 FT
Parking (2.87 spaces per 1,000 SF)		
Standard	279	279
Handicap	7	7
TOTAL	286 Spaces	286 Spaces ⁴
Signage (SF)		
	1,329 SF	982 SF
Freestanding Sign Height		
	12 FT	24 FT ³

NA = Not Applicable or No Requirement

(1) .35 FAR Allowed per 2000 Costa Mesa General Plan Policy LU-1E.1(a).

(2) Variance requested for building height and front setback.

(3) Planned sign program requested.

(4) Parking rate based on parking study by LLG for other Ganahl Lumber stores.

CEQA Status	Initial Study/Mitigated Negative Declaration
Final Action	City Council (Appeal)

BACKGROUND

Ganahl Lumber is a family and employee-owned company that has been in business for over 100 years. Ganahl Lumber is proposing to relocate its Costa Mesa facility, located adjacent to the project site at 1275 Bristol Street, due to market demand for their business, size constraints, and energy and maintenance requirements of the current facility. Relocating the store would allow Ganahl Lumber to execute a lease that would allow them to do business adjacent to their existing Costa Mesa location for the next 63 years, and result in the construction of a larger store and storage areas that would support a greater inventory and product mix, be more energy efficient, and require less maintenance. Additionally, the new hardware store would provide an opportunity to expand the home design showroom space.

The project includes the construction and operation of a new lumberyard and building materials retail store for the Ganahl Lumber Company. The existing Costa Mesa Ganahl Lumber store is located on the adjacent property would close once the new store is completed.

A detailed discussion of the various components of the proposed project is contained the Planning Commission Staff Report dated February 23, 2015, a copy of which is attached to this report (Attachment 5).

Summary of Planning Commission Action

The Planning Commission held a public hearing on February 23, 2015, which included presentation of the project by staff and the applicant, as well as information related to the environmental impact analysis of the project by the City's environmental consultant, LSA Associates. In addition, public comments were received by the Planning Commission. Based on the evidence and testimony presented during the hearing, the Planning Commission voted to approve the project by a 5-0 vote. An appeal of the Planning Commission's decision was filed on February 27, 2015.

Appeal/De Novo Hearing

It should be noted that the City Council hearing for this appeal is a **de novo hearing** in which the City Council may consider the project in its entirety. The purpose of this report is to provide responses to the issues raised by the appellant, and to highlight and/or clarify the evidence in the administrative record that was presented to the Planning Commission prior to its action.

Issues Raised by Appellant in Appeal Application

Following is listing of the concerns described in the appeal application:

1. The proposed use is not permitted or conditionally permitted in the C1 zone.

2. The project proposes modifications to Bristol Street that will negatively impact access to and from the properties on the South side of Bristol Street.
3. There were no facts to support the findings to approve the conditional use permit.
4. The findings supporting the variances were not supported by the substantial evidence.
5. The approval of signage the doubles the height allowed by the Zoning code was not supported by substantial evidence.
6. The project is under-parked and does not comply with the parking requirements provided in the Zoning Code.
7. The project does not comply with the FAR requirements provided in the Zoning Code.
8. The conditions of approval are vague.
9. The Planning Commission improperly approved the mitigated negative declaration when the environmental document failed to consider, among other things, the access impacts to the properties on the south side of Bristol Street caused by the proposed modifications to the center median on Bristol Street.

ANALYSIS

The following analysis provides responses to the concerns raised by the appellant. More detailed information is provided in the:

- Planning Commission staff report;
- Initial Study/Mitigated Negative Declaration (Under Separate Cover); and
- Supplemental Traffic Analysis by LLG, dated March 2015 [*This supplemental report is pending and will be provided to the City Council prior to the hearing.*]
- *The proposed Ganahl Lumber Hardware Store & Outdoor Storage Yard is considered a conditionally permitted use in the C1 zone (Local Business District). Specifically, the proposal requires discretionary action on the Development Review, CUP, and Variance approvals.*

The main building (Building A) contains the main store retail sales area, which is a permitted use in the C1 (Local Business District) Zone per Zoning Code Land Use Matrix Section 13-30(130 – Retail: General). Code requires that the outdoor storage yard (containing lumber stock, a mill shed, and storage sheds) be considered through a conditional use permit per Zoning Code Section 13-30(d) – Citywide Land Use Matrix. Outdoor lumber yards are not specifically listed in the corresponding Land Use Matrix, and the Conditional Use Permit process allows the City to impose consider this type of use on a case-by-case basis and impose conditions of approval, as applicable.

- *Adjacent to the subject site, the existing Ganahl store (formerly Barr Lumber) at 1275 Bristol Street is considered a legally-permitted use in the commercial zone.*

Both of the existing and proposed locations for Ganahl Lumber are designated General Commercial by the Costa Mesa General Plan. According to City

records, the existing Ganahl Lumber facility at 1275 Bristol Street, which is zoned C2 (General Commercial), was originally built as Ward and Harrington Home Improvement Center in the early 1970's and previously used by Barr Lumber until the facility was acquired by Ganahl Lumber in the 1990's. The historic uses of this property by Harrington Home and by Barr Lumber included an outdoor storage yard. At that time in the 1970's and 1980's, these commercial facilities which were retail in nature were considered permitted uses and did not require a CUP.

- Per the Costa Mesa Zoning Code, commercial zones are considered appropriate for home improvement stores and hardware stores with outdoor storage yards, subject to conditions.

The existing Home Depot at Harbor Center in Costa Mesa is also located in the General Commercial land use designation. Home Depot required discretionary approval of a Master Plan in the C1-S zone.

Other jurisdictions also consider Ganahl Lumber stores as commercial uses. For reference purposes, following is a list of similar Ganahl Lumber stores located in commercial zones in other jurisdictions:

Other Ganahl Lumber Store Locations	Commercial Zones
City of Buena Park 6586 Beach Blvd, Buena Park, CA 90621	CG (Commercial General)
City of Pasadena 3003 E Colorado Blvd, Pasadena, CA 91107	(East Colorado Specific Plan-Commercial General- The Chihuahuita area.)
City of Capistrano Beach 34162 Doheny Park Dr., Capistrano Beach, CA 92624	C C/P (Community Commercial/Pedestrian)
City of Los Alamitos 10742 Los Alamitos Blvd. Los Alamitos, CA 90720	C-G (General Commercial Zoning District)- Hardware Store

- Traffic analysis related to transportation and circulation issues were considered by the Planning Commission, including discussion of any impacts to level of service and commercial properties on the south side of Bristol Street.

During the Planning Commission hearing, Ryan Bensley from LSA Associates, who prepared the IS/MND for the City, addressed this issue by stating that the properties on the south side of Bristol Street would not be adversely affected by the project. Specifically, there are no modifications to the center left turn lane on Bristol Street which would adversely impact access to the properties on the south side of Bristol Street. A detailed response to this issue is being prepared

by Linscott, Law, and Greenspan traffic engineers as a supplemental report. This will be forwarded to the City Council prior to the public hearing.

- Approved by the City Attorney’s office as to form and substance, the facts and findings for the approval of the CUP and variances for Ganahl Lumber are contained in the Planning Commission resolution.

The evidence supporting the variances are contained in the Planning Commission Staff Report, and are also referenced as the facts in support of the findings contained in Planning Commission Resolution No. PC-15-11, which is attached to this report. The analysis contained in this staff report is also included in Exhibit A, Findings, of the Council approval resolution.

The applicant’s request includes a variance from the Bristol Street setback (20-foot required, 10-foot proposed). Attachment 8 depicts the existing setbacks along Bristol Street for neighboring properties which do not meet this requirement. These include the following properties:

1. 1072 Bristol Street – approximate 12 foot setback.
2. 1182 Bristol Street – less than 10 foot setback.
3. 1312 Bristol Street – approximate 15 foot setback.

- Code allows consideration of a 24-foot high sign through the approval of a Planned Signing Program, and the evidence justifying the approval of the proposed sign is contained in the administrative record.

The evidence supporting the Planned Sign Program for the proposed 24-foot tall freestanding sign are contained in the Planning Commission Staff Report dated February 23, 2015, and are also referenced as the facts in support of the findings contained in Planning Commission Resolution No. PC-15-11, which is attached to this report.

A survey of existing freestanding signs in neighboring properties along Bristol Street provides information on pylon signs of comparable height (See photos in Attachment 8):

Description	Address	Sign Height (Approx.)
Agape Wellness Center	1182 Bristol St.	22 feet
Animal Hospital	1206 Bristol St.	15 feet
Extra Storage	1250 Bristol St.	25 feet
Acapulco Rest.	1262 Bristol St.	19’6” feet
Travelodge	1400 Bristol St.	20 feet
Bill’s Burgers	1476 Bristol St.	16 feet
Bristol Village Center	270 Bristol St.	25 feet
Car Wash	2770 Bristol St.	24 feet
Bristol Design Center	2777 Bristol St.	25 feet

- Code allows the approval of a unique parking rate for this project based on the parking study that was prepared; the proposed store provides a greater ratio of parking spaces compared to the existing Ganahl Lumber location.

As noted in the Planning Commission Staff Report, the Zoning Code does not specify a parking requirement for hardware stores with outdoor lumber yards. As allowed by Code, a parking analysis was conducted by LL&G using the parking and traffic accumulation data collected in February 2014 for the existing Ganahl Lumber operation. Based on this analysis, a parking ratio of 2.87 spaces per 1,000 square feet was determined to be required for the proposed project. When applied to Building A and Building B, a parking demand of 239 spaces is forecast. With a proposed supply of 286 spaces, parking will be sufficient for this use.

- The proposed 0.35 FAR is consistent with the General Commercial land use designation, and Ganahl Lumber was considered the “least intense development of the four proposals that the County received” [County letter dated March 6, 2015 – Attachment 7.]

This property is owned by the County Flood Control District and is limited in development potential due to its location and required unbuildable easements by Caltrans and the County Flood Control District. As noted in the Planning Commission Staff Report, the Floor Area Ratio (FAR) for the project is 0.346, excluding the Pole Shed, which is not enclosed, and the proposal will not exceed the City's maximum FAR requirement (.35 FAR maximum allowed).

This site has been vacant for about seven years since the Bristol Street Mini Storage was removed. As indicated in the letter submitted by the County of Orange Executive Office, which facilitated the lease of their property to Ganahl Lumber, the County determined that the Ganahl Lumber proposal was the least intensive land development that their office received (Attachment 7). In November 2013, the County's evaluation panel gave Ganahl the highest rating above one proposal from Lyon-NCA Bristol Venture for 207 apartments and two other proposals for hotels. All of the other proposals are not consistent with the current GP/zoning, and would require a General Plan amendment and Rezone of the property.

- The project was approved with a number of conditions of approval to ensure land use compatibility.

The conditions of approval are contained in Planning Commission Resolution No. PC-15-11, which is attached to this report. Since appellants made no reference as to which condition of approval was vague, a specific response to this issue cannot be prepared.

- Prepared by LSA Associates, the Initial Study/Mitigated Negative Declaration complies with State law requirements.

This document analyzes the environmental impacts of the project and describes mitigation measures and conditions of approval to minimize impacts to below a level of significance. The environmental document was circulated through the State Clearinghouse for the required 30-day public review period. The environmental document and copies of correspondence received to date are included in the administrative record.

LEGAL REVIEW

The draft resolution has been reviewed and approved as to form by the City Attorney's Office.

ALTERNATIVES

The City Council may take the following actions:

- Uphold the Planning Commission's decision and approve PA-14-40. Any modifications to the conditions of approval, such as additions or deletions, can be made by the Council as part of this action; or
- Reverse the Planning Commission's approval and deny PA-14-40. If the project were to be denied, appropriate findings would need to be made and the project applicant could not submit substantially the same type of application for six months.

CONCLUSION

De novo literally translates to "anew," "afresh" or "a second time." A de novo hearing is essentially a new proceeding where the proposal is presented to the City Council for final consideration. In its decision making, City Council is not restricted to the evidence that was previously presented to the Planning Commission.

MEL LEE, AICP
Senior Planner

GARY ARMSTRONG, AICP
Director of Economic & Development /
Deputy CEO

- Attachments:
1. [Location Map and Plans](#)
 2. [Draft Resolutions](#)
 3. [Appeal Application and Attachments](#)
 4. [Planning Commission Minute Excerpts](#)
 5. [Planning Commission Staff Report and Related Exhibits](#) (Note: [Initial Study/Mitigated Negative Declaration](#) Is Under Separate Cover)
 6. [Planning Commission Resolution](#)
 7. [Correspondence From Public](#)
 8. [Existing Building Setbacks and Signage along Bristol Street](#)

cc:

Chief Executive Officer
Assistant Chief Executive Officer
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