



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: MARCH 25, 2019

ITEM NUMBER: PH-2

SUBJECT: PLANNING APPLICATION 19-04 FOR A CONDITIONAL USE PERMIT FOR A 1,497-SQUARE-FOOT CONVENIENCE STORE WITH THE SALE OF BEER AND WINE FOR OFF-SITE CONSUMPTION (TYPE 20 ABC LICENSE) AND A CONDITIONAL USE PERMIT FOR CONCURRENT SALE OF ALCOHOLIC BEVERAGES AND MOTOR VEHICLE FUEL LOCATED AT 2281 NEWPORT BOULEVARD

DATE: MARCH 15, 2019

FROM: PLANNING DIVISION / DEVELOPMENT SERVICES DEPARTMENT

PRESENTATION BY: JUSTIN ARIOS, ASSISTANT PLANNER

FOR FURTHER INFORMATION CONTACT: JUSTIN ARIOS (714) 754-5667
justin.arios@costamesaca.gov

DESCRIPTION

Planning Application 19-04 is a request for a Conditional Use Permit for the construction of a new 1,497-square-foot convenience store at an existing gas station with the sale of beer and wine for off-site consumption in conjunction with a State Alcoholic Beverage Control (ABC) License (Type 20, Off-Sale Beer and Wine), and a Conditional Use Permit for the concurrent sale of alcoholic beverages and motor vehicle fuel.

APPLICANT OR AUTHORIZED AGENT

Western States Engineering Inc. is the applicant for the property owner, Costa Mesa Investments, LLC.

RECOMMENDATION

Staff recommends that the Planning Commission adopt a Resolution to:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15303 (Class 3), for New Construction; and
2. Approve Planning Application 19-04, subject to conditions of approval.

PLANNING APPLICATION SUMMARY

Location:	2281 Newport Boulevard	Application No:	PA-19-04
Request:	Conditional Use Permit for the construction of a new 1,497-square-foot convenience store at an existing gas station with the sale of beer and wine for off-site consumption in conjunction with a State Alcoholic Beverage Control (ABC) License (Type 20 Off-Sale Beer and Wine), and a Conditional Use Permit for the concurrent sale of alcoholic beverages and motor vehicle fuel.		

SUBJECT PROPERTY:

SURROUNDING PROPERTY:

Zone:	C2; General Business	North:	C2; General Business
General Plan:	General Commercial	South:	State Route 55 (no access)
Lot Dimensions:	Irregular	East:	State Route 55 (no access)
Lot Area:	12,632 SF	West:	C2; General Business
Existing Development:	Existing gas station with an existing cashier's booth.		

DEVELOPMENT STANDARD COMPARISON

Development Standard	Required/Allowed C2 Development Standards	Proposed/Provided
Lot Size	12,000 SF	12,632 SF
FAR (Floor Area Ratio) – Maximum Based on High Traffic Use	0.20 FAR (2,526 SF)	0.12 FAR (1,497 SF)
Setbacks – convenience store		
Side (Newport Blvd)	20 FT	20 FT 3 IN
Side (Fairview Road)	20 FT	69 FT
Rear	0 FT	0 FT
Parking – 4 spaces per 1,000 SF of gross floor area	Minimum 6 spaces	6 spaces
Final Action	Planning Commission	
CEQA Review	Exempt (Class 3)	

BACKGROUND

Project Site / Environs

The subject property is located on the corner of Newport Boulevard and Fairview Road. The subject property is zoned C2 (General Business), and has a General Plan land use designation of General Commercial. The properties to the north and west (across Fairview Road) are also zoned C2. State Route 55 bounds the property to the south and east. The site is approximately 12,632 square feet in size (0.29 acres) and contains an existing 76 gas station. The site contains one approximately 200-square-foot building containing a cashier's booth and eight fueling stations underneath a canopy. The existing cashier's booth was approved in 1983, under ZE-82-143, with the fueling stations construction in 1963. The site also provides six parking spaces (one of which is handicap accessible), and contains four points of ingress/egress: two on Newport Boulevard and two on Fairview Road. Surrounding uses include a car wash on the property located to the north and across Fairview Road to the east and southeast include a small retail center and a flower shop.

There are no open Code Enforcement cases on the property.

ANALYSIS

Proposed Convenience Store

As described in Title 13, Article 16 (Liquor Stores, Convenience Stores, and Mini-Markets) of the Costa Mesa Municipal Code (CMMC), any new liquor store, convenience store, or mini-market shall be subject to the approval of a conditional use permit, whether or not the business engages in retail sales of alcoholic beverages for off-site consumption through a State ABC license. A link to the staff report for the adoption of Title 13, Article 16 of the CMMC is below:

<http://ftp.costamesaca.gov/costamesaca/council/agenda/2010/2010-01-05/010510CO0907.pdf>

The project proposes to demolish the existing approximately 200-square-foot cashier's booth and construct a new 1,497-square-foot convenience store. The project also includes upgrades to the parking area, new landscaped areas, and other site improvements. The fuel stations and canopy are proposed to remain. As part of the site improvements, six parking spaces are proposed (six spaces required by Code), included one handicap accessible parking space. The convenience store is proposed to operate 24 hours a day, 7 days a week.

The floor plan of the proposed convenience store includes a sales floor area, with cooler area, a unisex bathroom, as well as a backroom area. The floor plan also includes a 278-square-foot mezzanine. The design of the convenience store proposes a mixture of colored stucco (light grey and grey tones) and includes a building element, surrounding the front entrance, which acts as an entry canopy (painted orange to match the 76 gas station colors). The preliminary landscape plan includes two species of trees – one *Hymenosporum flavum* "Sweet Shade tree" and two *Lagerstroemia indica* "Crape myrtle tree" (three trees existing, three additional trees proposed; 6 trees required), both

proposed as 24" box trees, as well as various shrubs and groundcover throughout the proposed landscaped areas. Code Requirement 8 requires the submittal of detailed landscape and irrigation plans, which meet the requirements set forth in Costa Mesa Municipal Code Sections 13-101 through 13-108 and the City's Water Efficient Landscape Guidelines.

Type 20 (Off-Sale Beer and Wine) Alcoholic Beverage Control (ABC) License Request

In conjunction with the proposed convenience store, the applicant is requesting to allow the retail sale of beer and wine for off-site consumption with a Type 20 (Off-Sale Beer and Wine) ABC License. The applicant will apply to the State Department of Alcoholic Beverage Control (ABC) for the license if the subject request is approved by the Planning Commission.

Section 23958.4 of the California Business & Professions Code, also known as the California Alcoholic Beverage Control Act, establishes the criteria under which off-sale alcoholic beverage licenses may be issued by ABC, which includes the ratio of off-sale retail ABC licenses to population in the census tract in which the proposed business is located, commonly referred to as "overconcentration" or "undue concentration". ABC defines an "undue concentration" of off-sale alcoholic beverage licenses as the following:

- The area is located in a crime reporting district that has a 20 percent or greater number of reported crimes than the City average; or
- The ratio of off-sale retail licenses to population within the census tract exceeds the ratio of licenses to population in the county as a whole.

In this case, based on the ratio of off-sale retail ABC licenses to population in the census tract (639.06) in which the business is located (6,591 people), 3 off-sale retail licenses are allowed whereas 5 off-sale retail licenses currently exist (Attachment 2 provides a map and table of the existing off-sale ABC licenses within the subject census tract). Therefore, there is an existing overconcentration of off-sale ABC licenses in this census tract. Furthermore, there are additional businesses within close proximity of the subject property that also have off-sale ABC licenses, both within the census tract and in adjacent census tracts.

In consultation with the Police Department (Attachment 3), and based on the conditions of approval adopted by the Planning Commission for liquor stores, convenience stores, and mini-markets, staff will only support an off-sale retail ABC license for the proposed use, as long as the off-sale license is transferred from a location existing within the subject census tract; as a result, the number of ABC licenses within the census tract will not increase. A condition of approval has been included (Condition Number 11) that would only allow the subject business to obtain an ABC license via a transfer from an existing location within the subject census tract (639.06), as well as the standard conditions of approval for these types of uses.

Concurrent Sale of Alcoholic Beverages and Motor Vehicle Fuel

The project is proposing concurrent sale of alcoholic beverages (proposed Type 20 ABC License) and motor vehicle fuel (existing gas station). Title 13, Article 3 of the Costa Mesa Municipal Code, provides processing procedures, development standards, as well as mandatory and discretionary conditions of approval for uses proposing the concurrent sale of alcoholic beverages and motor vehicle fuel.

The following mandatory conditions of approval have been included in the draft resolution:

1. As of January 1, 1988, no alcoholic beverage shall be displayed within five (5) feet of the cash register or the front door unless it is in a cooler which was permanently affixed prior to January 1, 1988. (Condition 32)
2. No sale of alcoholic beverages shall be made from a drive-in window. (Condition 33)
3. No alcoholic beverages shall be sold or displayed outdoors. (Condition 34)
4. No display or sale of alcoholic beverages shall be made from an ice tub. (Condition 35)
5. No alcoholic beverage advertising shall be located on motor fuel islands, and no self-illuminated advertising for alcoholic beverages shall be located on buildings or windows. (Condition 36)
6. Employees on duty between the hours of 10 PM and 2 AM shall be at least twenty-one (21) years old to sell alcoholic beverages. (Condition 37)

The following discretionary conditions of approval were also included:

1. Compliance with applicable development standards and other applicable ordinance requirements.
2. Specification of the hours when the business may be in operation.

GENERAL PLAN CONFORMANCE

The proposed convenience store use is in conformance with the General Commercial General Plan land use designation for the property. The following analysis evaluates the proposed project's consistency with specific goals, objectives, and policies of the General Plan, Land Use Element.

1. **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.*

Consistency: The convenience store use would be conditioned so that all uses shall be conducted within the proposed building (underroof). Furthermore, conditions of approval have been required to ensure the proposed use will operate with minimal impacts to the adjacent properties.

3. **Policy LU-3.10:** *Minimize effects of new development on the privacy and character of surrounding neighborhoods.*

Consistency: The proposed use would be conditioned to ensure the use would operate with minimal impacts to the adjacent properties. Standard conditions of approval have been applied for the proposed use, including conditions related to the proposed convenience store, the proposed sale of alcoholic beverages, as well as the proposed concurrent sale of alcoholic beverages and motor vehicle fuel.

JUSTIFICATIONS FOR APPROVAL

Pursuant to Title 13, Section 13-29(g), Conditional Use Permit Findings, of the Costa Mesa Municipal Code, in order to approve the project, 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 proposed use, as conditioned, is compatible with the uses in the surrounding area. The proposed use would be compatible and harmonious with developments in the same general area and would not be materially detrimental to other properties within the area. The project site is located on the corner of Newport Boulevard and Fairview Road, adjacent to State Route 55, and the surrounding uses include a car wash on the property located to the north and across Fairview Road to the east and southeast include a small retail center and a flower shop. Therefore, there are other compatible commercial uses located in the area. The proposed convenience store, as conditioned, would not generate adverse noise, traffic, or parking impacts that are unusual for commercially-zoned neighborhoods. Standard conditions of approval have been included as part of the draft resolution. These conditions of approval include conditions related to proposed convenience stores, uses proposing to sell alcoholic beverages, as well as uses proposing the concurrent sale of alcoholic beverages and motor vehicle fuel.
- The proposed use 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. The proposed use, as conditioned, would not generate adverse noise, traffic, or parking impacts that are unusual for commercially-zoned properties. Residential uses would be protected from any noise or nuisance associated with the convenience store because all uses would be conducted underroof. Furthermore, conditions of approval require noise sources be conducted in a manner that would allow for the quiet enjoyment of the surrounding neighborhood.

The Police Department has reviewed the proposed use and has no objections to the approval of the application, as long as the ABC License acquired for the use is via a transfer from within the subject census tract. A condition of approval has been included that would only allow the subject business to obtain an ABC license via a transfer from an existing location within the subject census tract (639.06).

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Therefore, the proposed use would not contribute to "overconcentration" in the area.

- The proposed use, as conditioned, is consistent with the intent of the zoning code and General Plan land use designation for the property. The proposed convenience store is conditionally permitted in the C2 (General Business) zone. The General Plan land use designation of the property is General Commercial. The General Commercial designation is intended to permit a wide range of commercial uses that serve both local and regional needs. Appropriate uses are described in the General Plan and include smaller retail stores, restaurants, hotels and motels, and automobile sales and service establishments. The proposed convenience store use is an appropriate retail use for the General Commercial land use designation. Therefore, the use would comply with the land use designation of the property. Furthermore, the proposed project is consistent with General Plan Land Use Policies LU-3.1 and LU-3.10 in that the new development minimizes the effects on the character of the surrounding neighborhood and compliance with the proposed conditions of approval would ensure compatibility with the surrounding commercial businesses and nearby residential neighborhood.

PUBLIC NOTICE

Pursuant to Title 13, Section 13-29(d), of the Costa Mesa Municipal Code, three types of public notification have been completed no less than 10 days prior to the date of the public hearing:

1. Mailed notice. A public notice was mailed to all property owners and occupants within a 500-foot radius of the project site. The required notice radius is measured from the external boundaries of the property. (See attached Notification Radius Map.)
2. On-site posting. A public notice was posted on each street frontage of the project site.
3. Newspaper publication. A public notice was published once in the Daily Pilot newspaper.

As of this report, no written public comments have been received regarding the proposed project. Any additional public comments received prior to the March 25, 2019 Planning Commission meeting will be provided under separate cover.

ENVIRONMENTAL DETERMINATION

The project is exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15303 for New Construction. In urbanized areas, this exemption applies to up to four commercial 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 utilities are available and the surrounding area is not environmentally sensitive. The proposed convenience store is less than 10,000 square feet in floor area (1,497 square

feet), does not involve the use of hazardous materials, is located on an already-developed commercial property zoned for such use, and has adequate public services and utilities already serving the site. In addition, the proposed use, as conditioned, is consistent with the General Plan land use designation and all applicable General Plan policies, as well as with applicable zoning designation and regulations.

LEGAL REVIEW

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

ALTERNATIVES


1. Approve the project with modifications. The Planning Commission may suggest specific changes that are necessary to alleviate concerns. If any of the additional requested changes are substantial, the item should be continued to a future meeting to allow a redesign or additional analysis. In the event of significant modification to the proposal, staff will return with a revised resolution incorporating new findings and/or conditions.
2. Deny the project. If the Planning Commission believes that there are insufficient facts to support the findings for approval, the Planning Commission must deny the application, provide facts in support of denial, and direct staff to return to the Planning Commission at its next meeting with a Resolution for denial to be placed on the Commission's consent calendar. If the project were denied, the applicant could not submit substantially the same type of application for at least six months.

CONCLUSION

Approval of the project would allow the establishment of a 1,497-square-foot convenience store at an existing gas station with the sale of beer and wine for off-site consumption in conjunction with a Type 20 ABC License, and a Conditional Use Permit for the concurrent sale of alcoholic beverages and motor vehicle fuel. The project is consistent with the General Plan, Zoning Code and with developments in the general neighborhood. Therefore, staff recommends approval of the proposed project, subject to the conditions of approval contained in the attached resolution (Attachment 6).



JUSTIN ARIOS
Assistant Planner



BARRY CURTIS, AICP
Director of Economic and Development Services

- Attachments:
1. Vicinity Map / Zoning Map / 500' Radius Map
 2. Map of Existing Off-Sale ABC Licenses (Census Tract 639.06 & Vicinity)
 3. Memo from Police Department
 4. Site Photos
 5. Applicant's Project Description
 6. Draft Planning Commission Resolution and Exhibits
 7. Project Plans

Distribution:

- Director of Economic and Development Services
- Assistant Director of Development Services
- Assistant City Attorney
- Public Services Director
- City Engineer
- Transportation Services Manager
- Fire Protection Analyst
- File

Applicant:

Western States Engineering Inc.
4887 E. La Palma Avenue, Suite 707
Anaheim, CA 92807

Property Owner:

Costa Mesa Investments, LLC
2281 Newport Boulevard
Costa Mesa, CA 92627



PA 19-04 (2281 Newport Blvd) Vicinity Map



0.1 0 0.03 0.1 Miles

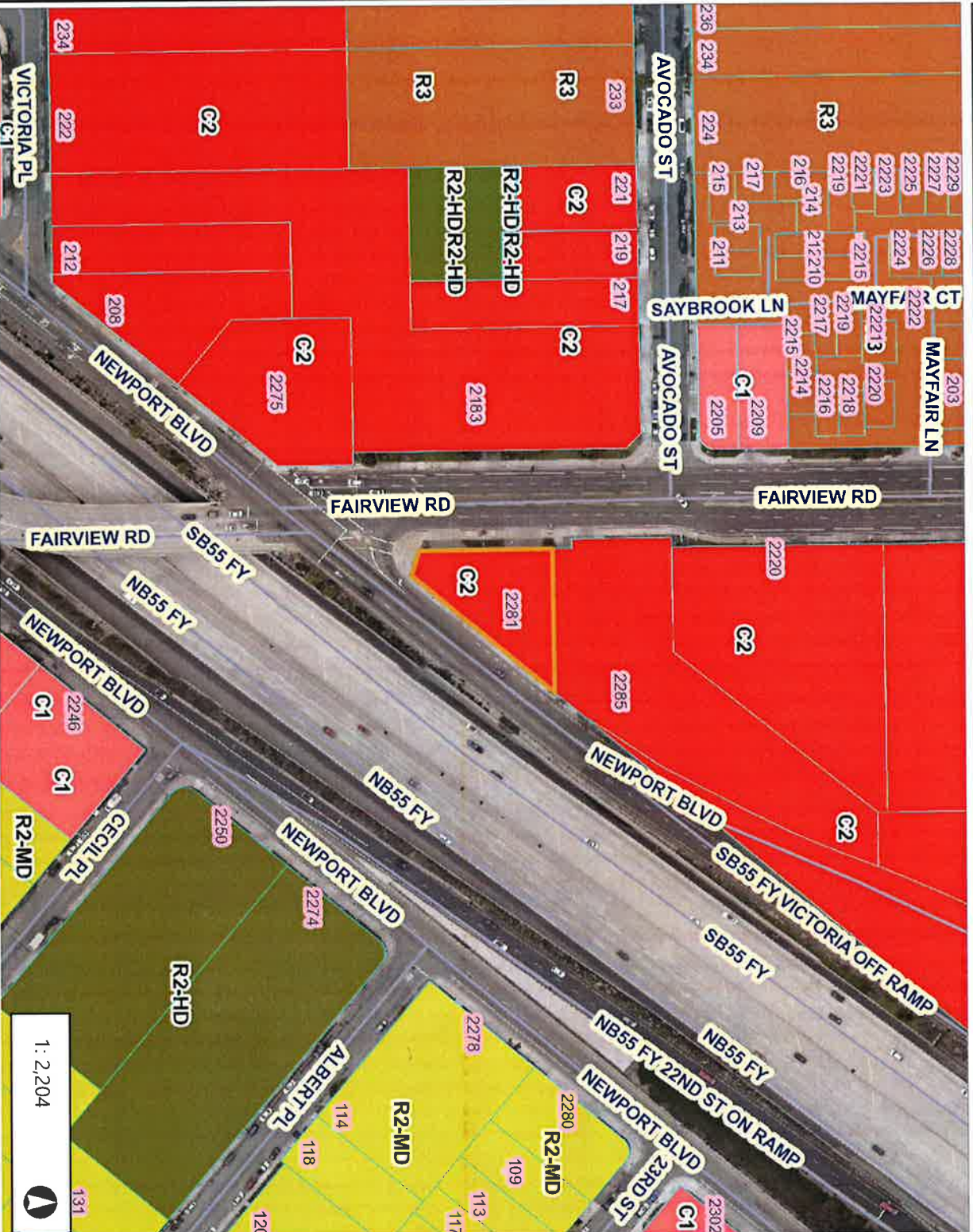
WGS_1984_Web_Mercator_Auxiliary_Sphere
© City of Costa Mesa

1: 2,204



Legend
□ Costa Mesa

Notes



Legend

Costa Mesa

Zoning

- AP - Administrative Professional
- IR-MLT - Institutional Recreational I
- R1 - Single-Family Residential
- R2-MD - Multiple-Family Residential
- R2-HD - Multiple-Family Residential
- R3 - Multiple Family Residential
- MG - General Industrial
- MP - Industrial Park
- PDI - Planned Development Industrial
- C1 - Local Business
- C2 - General Business
- C1-S - Shopping Center
- TC - Town Center
- PDR-MCM - Planned Development Mesa
- I&R - Institutional Recreational
- I&R-S - Institutional Recreational - S
- P - Parking
- CL - Commercial Limited
- PDC - Planned Development Commercial
- PDR-LD - Planned Development Residential Density
- PDR-MD - Planned Development Residential Density
- PDR-HD - Planned Development Residential Density

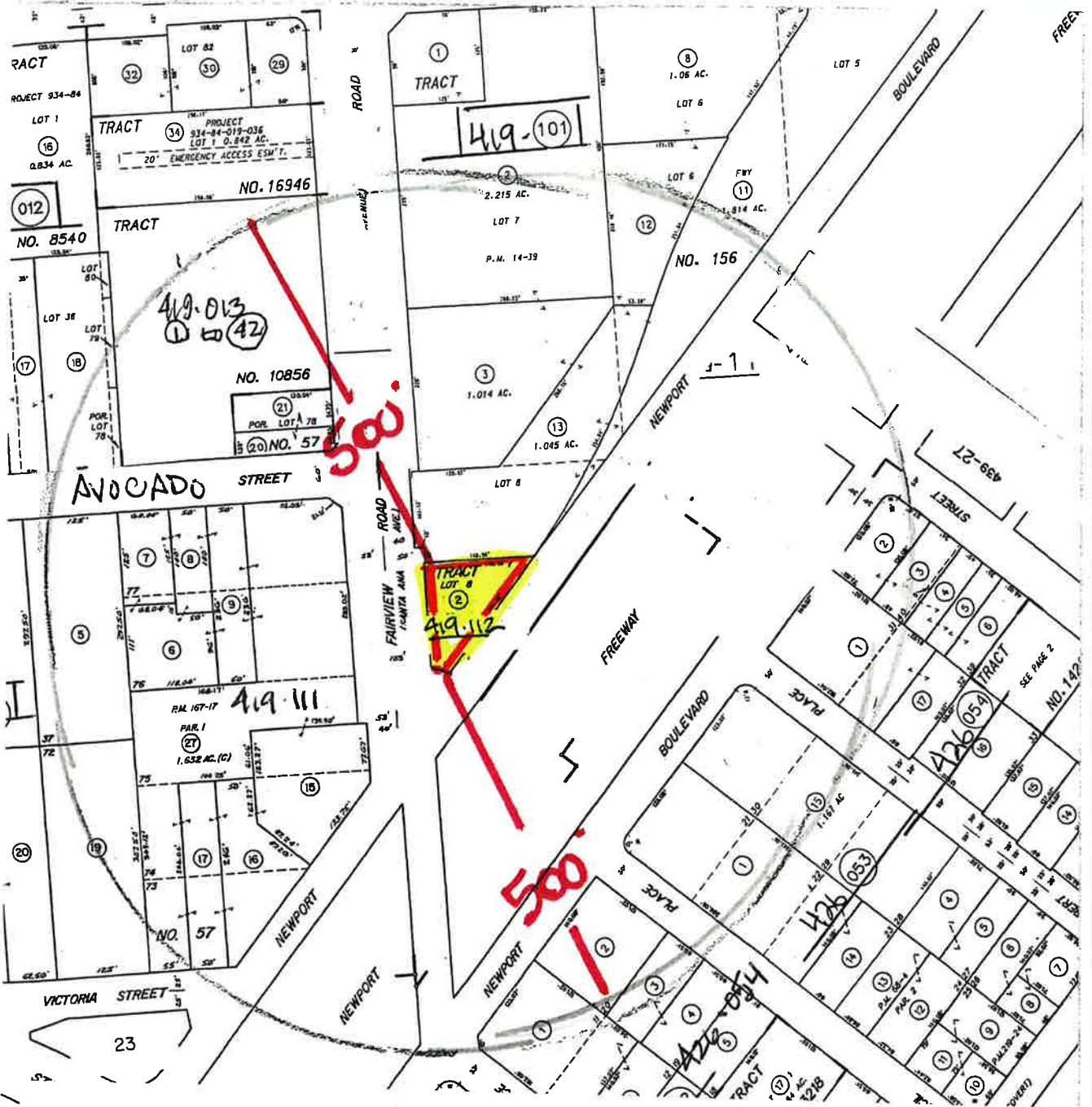
Notes

The City of Costa Mesa makes no guarantee as to the accuracy of any of the information provided and assumes no liability for any errors, omissions, or inaccuracies.

1: 2,204



0.1 0 0.03 0.1 Miles



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

FILE #196760
 2281 NEWPORT BLVD
 COSTA MESA CA
 500' OWNERS AND OCCUPANTS
 JANUARY 7 2019
 419 112 02



SUSAN W. CASE, INC.

OWNERSHIP MAP

12

949.464.6105
 orders@susancaseinc.com
 917 Glenneyre St. #7
 Laguna Beach, CA 92651



Map of Existing Off-Sale ABC Licenses

Active Off-Sale ABC Licenses		
License Number	Type	Business Name
382709	20	CHEVRON STATIONS INC
501708	21	KMART CORPORATION
565643	21	BALLAT, ABOUDI HALIL
590222	20	BIG BLOSSOM MEADERY LLC
346566	20	7 ELEVEN INC
602259	21	MOON LIQUOR INC.
408906	20	P & D INC
		2160 HARBOR BLVD
		2200 HARBOR BLVD, STE K
		2205 FAIRVIEW RD
		2238 AVALON ST
		2244 FAIRVIEW RD A1
		2200 NEWPORT BLVD
		2346 NEWPORT BLVD, STE A



1:9,028



Legend
☐ Costa Mesa

Notes

City of Costa Mesa Police Department

Memorandum



DATE: February 19, 2019
 TO: Assistant City Planner Justin Arios
 FROM: Sergeant David Casarez
 RE: PA-19-04

This memorandum is to notify you the Costa Mesa Police Department does not support application PA-19-04 with obtaining a new California Alcohol Beverage Control (ABC) license (off-sale beer and wine). The location, 2281 Newport Boulevard, is inside of census tract 639.06 as defined by ABC. This census tract allows three off-sale beer and wine licenses and the census tract currently has five. This census tract is considered as having an over concentration of alcohol licenses.

The following businesses are within census tract 639.06 and currently have an off-sale beer and wine license per ABC.

- | | |
|-----------------------------|-----------------------|
| 1. 7 Eleven Inc. | 2244 Fairview Rd., CM |
| 2. Chevron Stations Inc. | 2160 Harbor Blvd., CM |
| 3. Kmart Corporation | 2200 Harbor Blvd., CM |
| 4. Sunrise Liquor | 2205 Fairview Rd., CM |
| 5. Big Blossom Meadery, LLC | 2238 Avalon St., CM |

Furthermore, there are businesses within the immediate area (different census tract) that already sell beer and wine for off-site consumption.

- | | | |
|-----------------------------------|------------------------|-------------------------|
| 1. Sunshine liquor and Food Store | 2205 Fairview Rd., CM | approx. 312 feet away |
| 2. 7-11 Market | 2244 Fairview Rd., CM | approx. 700 feet away |
| 3. King's Food and Liquor | 2263 Fairview Rd., CM | approx. 1,108 feet away |
| 4. Stater Bros. Market | 2180 Newport Blvd., CM | approx. 1,119 feet away |
| 5. Newport Liquor | 2200 Newport Blvd., CM | approx. 1,119 feet away |
| 6. Circle K Market | 2346 Newport Blvd., CM | approx. 2,010 feet away |

Currently, the Costa Mesa Police Department does not support a new ABC license; however, if the business obtained an abandoned or surrendered license from another business within the census tract, we would reconsider our position.

Sergeant David Casarez



California Department of Alcoholic Beverage Control

Save As CSV

Active Off-Sale Retail Licenses

For the County of ORANGE and the Census Tract of 639.06

Report as of: 02/20/2019

Rows Per Page: 25 Reload

Total Licenses: 5

Page 1 of 1

Click on column header to sort

	License Number	Status	License Type	Orig. Iss. Date	Expir. Date	Primary Owner	Business Name	Premises Addr.	Geo Code
1	346566	ACTIVE	20	10/23/1998	06/30/2019	7 ELEVEN INC	7 ELEVEN STORE 2172 27007	2244 FAIRVIEW RD A1 COSTA MESA, CA 92627 Census Tract: 0639.06	3004
2	382709	ACTIVE	20	11/15/2001	10/31/2019	CHEVRON STATIONS INC	CHEVRON	2160 HARBOR BLVD COSTA MESA, CA 92627 Census Tract: 0639.06	3004
3	501708	ACTIVE	21	09/16/2010	10/31/2019	KMART CORPORATION	KMART 4047	2200 HARBOR BLVD, STE K COSTA MESA, CA 92627-2599 Census Tract: 0639.06	3004
4	565643	ACTIVE	21	01/07/2016	10/31/2019	BALLAT, ABOUDI HALIL	SUNRISE LIQUOR	2205 FAIRVIEW RD COSTA MESA, CA 92627-1623 Census Tract: 0639.06	3004
5	590222	ACTIVE	20	02/27/2018	01/31/2019	BIG BLOSSOM MEADERY LLC	BIG BLOSSOM MEADERY LLC	2238 AVALON ST COSTA MESA, CA 92627-1620 Census Tract: 0639.06	3004

ATTACHMENT 4

PA 19-04 Site Photos
2281 Newport Blvd.









KARAKI | WESTERN STATES

4887 E. LA PALMA AVE. STE 707 ANAHEIM CA 92807
T: 714-695-9300 F: 714-693-1002 WWW.KARAKIWS.COM

Date: February 27, 2019

To: **Planning Director**
City of Costa Mesa
77 Fair Dr. Costa Mesa, CA 92626

Project: **Proposed Remodel of Convenience Store**
2281 Newport Blvd., Costa Mesa, CA 92627

Subject: **APPLICANT LETTER – CONDITIONAL USE PERMIT**

To Whom it may concern:

We are applying for a Conditional Use Permit for a proposed Convenience Store in the existing Gas Station with Mini-Mart which are located on 2281 Newport Blvd in the City of Costa Mesa. Our plan is to demolish the Mini-Mart and build a new 2 story small Convenience Store. The proposed store is total of 1,497 Sq. Ft. (including 1,219 Sq. Ft. on ground floor level for sales area & 278 Sq. Ft. on mezzanine level for storage area). The maximum height of building is 25' and the proposed site planning includes upgrading parking spaces, trash enclosure and landscape areas. The existing fuel canopy & dispensers are remain as existing. However, the existing signages will be upgrading under a separated permit. The proposed hours and days of the convenience store are 24 hours and 7 days.

We would like to request Type 20 alcohol license which allows to sell off-site Beer & Wine only. The beer and wine sales are expected to account for only small percentage (1% of the sales area; 10% of walk-in cooler displays) of the store's floor area.

If you have any concerns or questions, please do not hesitate to call me at 714-695-9300 or email me at rnagahata@westernsec.com

Thank you.



Rei Nagahata | Project Manager, Registered Architect, NCARB, LEED AP BD+C
rnagahata@westernsec.com rnagahata.westernsec@gmail.com
4887 E. La Palma Ave. Ste. 707, Anaheim, CA 92807
T | 714 695 9300 | F | 714 693 1002 | F www.karakiws.com

RESOLUTION NO. PC-19-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING CONDITIONAL USE PERMIT PA-19-04 FOR A 1,497-SQUARE-FOOT CONVENIENCE STORE WITH THE SALE OF BEER AND WINE FOR OFF-SITE CONSUMPTION (TYPE 20 ABC LICENSE) AND A CONDITIONAL USE PERMIT FOR CONCURRENT SALE OF ALCOHOLIC BEVERAGES AND MOTOR VEHICLE FUEL LOCATED AT 2281 NEWPORT BOULEVARD

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

WHEREAS, an application was filed by Western States Engineering Inc., authorized agent for the property owner, Costa Mesa Investments, LLC, requesting approval of the following:

Planning Application 19-04 is a request for a Conditional Use Permit for the construction of a new 1,497-square-foot convenience store at an existing gas station with the sale of beer and wine for off-site consumption in conjunction with a State Alcoholic Beverage Control (ABC) License (Type 20, Off-Sale Beer and Wine), and a Conditional Use Permit for the concurrent sale of alcoholic beverages and motor vehicle fuel.

WHEREAS, a duly noticed public hearing held by the Planning Commission on March 25, 2019 with all persons having the opportunity to speak for and against the proposal;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the project is exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15303 (Class 3), for New Construction.

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

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

the Planning Commission hereby **APPROVES** Planning Application 19-04 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 19-04 and upon applicant's compliance with each and all of the conditions in Exhibit B, and compliance of all applicable federal, state, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

BE IT FURTHER RESOLVED that if any section, division, sentence, clause, phrase or portion of this resolution, or the document 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 25th day of March, 2019.

Bryon de Arakal, Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
COUNTY OF ORANGE)ss
CITY OF COSTA MESA)

I, Barry Curtis, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution No. PC-19-_____ was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on March 25, 2019 by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Barry Curtis, Secretary
Costa Mesa Planning Commission

Resolution No. PC-19-__

EXHIBIT A

FINDINGS

- A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(e) because:

Finding: The proposed use is compatible and harmonious with uses and developments on surrounding properties.

Facts in Support of Findings: The proposed use would be compatible and harmonious with developments in the same general area and would not be materially detrimental to other properties within the area. The project site is located on the corner of Newport Boulevard and Fairview Road, adjacent to State Route 55, and the surrounding uses include a car wash on the property located to the north and across Fairview Road to the east and southeast include a small retail center and a flower shop. Therefore, there are other compatible commercial uses located in the area. The proposed convenience store, as conditioned, would not generate adverse noise, traffic, or parking impacts that are unusual for commercially-zoned neighborhoods. Standard conditions of approval have been included as part of staff's recommendation. These conditions of approval include conditions related to proposed convenience stores, uses proposing to sell alcoholic beverages, as well as uses proposing the concurrent sale of alcoholic beverages and motor vehicle fuel.

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

Facts in Support of Findings: The proposed project will include parking lot improvements to include six parking spaces (include on handicapped accessible parking space) and new code compliant landscaping. The new parking area comply with the requirements of the Transportation Division and Fire Department for site access and circulation. In addition, the proposed project will comply with all applicable ADA (American Disabilities Act) requirements.

Finding: The project, as conditioned, is consistent with the General Plan.

Facts in Support of Findings: The General Plan land use designation of the property is General Commercial. The General commercial designation is intended to permit a wide range of commercial uses that serve both local and regional needs. Appropriate uses are described in the General Plan and include smaller retail stores, restaurants, hotels and motels, and automobile sales and service establishments. The proposed convenience store use is an appropriate retail use for the General Commercial land use designation. Therefore, the use would comply with the land use designation of the property. Furthermore, the

proposed project is consistent with General Plan Land Use Policies LU-3.1 and LU-3.10 in that the new development minimizes the effects on the character of the surrounding neighborhood and compliance with the proposed conditions of approval would ensure compatibility with the surrounding neighborhood and nearby residential neighborhood.

Finding: The planning application is for a project-specific case and does not establish a precedent for future development.

Facts in Support of Findings: Approval will apply to this project-specific location. Conditions have been included that are specific to the proposed project.

- B. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(2), Conditional Use Permit findings, in that:

Finding: The proposed 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 Findings: The proposed use would be compatible and harmonious with developments in the same general area and would not be materially detrimental to other properties within the area. The project site is located on the corner of Newport Boulevard and Fairview Road, adjacent to State Route 55, and the surrounding uses include a car wash on the property located to the north and across Fairview Road to the east and southeast include a small retail center and a flower shop. Therefore, there are other compatible commercial uses located in the area. - The proposed convenience store, as conditioned, would not generate adverse noise, traffic, or parking impacts that are unusual for commercially-zoned neighborhoods. Standard conditions of approval have been included as part of staff's recommendation. These conditions of approval include conditions related to proposed convenience stores, uses proposing to sell alcoholic beverages, as well as uses proposing the concurrent sale of alcoholic beverages and motor vehicle fuel.

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 Findings: The proposed use, as conditioned, would not generate adverse noise, traffic, or parking impacts that are unusual for commercially-zoned properties. Residential uses would be protected from any noise or nuisance associated with the convenience store because all uses would be conducted underroof. Furthermore, conditions of approval require

noise sources be conducted in a manner that would allow for the quiet enjoyment of the surrounding neighborhood.

The Police Department has reviewed the proposed use and has no objections to the approval of the application, as long as the ABC License acquired for the use is via a transfer from within the subject census tract. A condition of approval has been included that would only allow the subject business to obtain an ABC license via a transfer from an existing location within the subject census tract (639.06).

Finding: Granting the conditional use permit will not allow a use, density, or intensity which is not in accordance with the General Plan designation and any applicable specific plan for the property.

Facts in Support of Findings: The General Plan land use designation of the property is General Commercial. The General Commercial designation is intended to permit a wide range of commercial uses that serve both local and regional needs. Appropriate uses are described in the General Plan and include smaller retail stores, restaurants, hotels and motels, and automobile sales and service establishments. The proposed convenience store use is an appropriate retail use for the General Commercial land use designation. Therefore, the use would comply with the land use designation of the property. Furthermore, the proposed project is consistent with General Plan Land Use Policies LU-3.1 and LU-3.10 in that the new development minimizes the effects on the character of the surrounding neighborhood and compliance with the proposed conditions of approval would ensure compatibility with the surrounding neighborhood and nearby residential neighborhood.

- C. The project is exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15303 for New Construction. In urbanized areas, this exemption applies to up to four commercial 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 utilities are available and the surrounding area is not environmentally sensitive. The proposed convenience store is less than 10,000 square feet in floor area (1,497 square feet), does not involve the use of hazardous materials, is located on an already-developed commercial property zoned for such use, and has adequate public services and utilities already serving the site. In addition, the proposed use, as conditioned, is consistent with the General Plan land use designation and all applicable General Plan policies, as well as with applicable zoning designation and regulations.
- D. The project is exempt from Chapter XII, Article 3 Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT B

CONDITIONS OF APPROVAL

- Plng.
1. The use shall be limited to the type of operation described in this staff report, which includes a 1,497-square-foot convenience store with the sale of beer and wine for off-site consumption in conjunction with a State Alcoholic Beverage Control (ABC) License Type 20, and a Conditional Use Permit for the concurrent sale of alcoholic beverages and motor vehicle fuel. Any change in the operational characteristics including, but not limited to, a change in type of ABC License, will require approval of an amendment to the conditional use permit.
 2. Prior to the issuance of building permits, the applicant shall pay the publication and notification fees for the application, in the sum of \$453.42 (\$232.42 for publication fee, and \$221 for noticing fee).
 3. The 278-square-foot mezzanine shall be used for storage only.
 4. The applicant shall contact the Planning Division to arrange a Planning Inspection of the site prior to final building inspection. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
 5. The conditions of approval shall be on the approved Architectural plans.
 6. 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 operators/property owners shall be notified of conditions of approval upon transfer of business or ownership of land.
 7. The use shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The operator shall institute whatever security and operational measures are necessary to comply with this requirement.
 8. No modification(s) of the approved building elevations including, but not limited to, change of architectural type, changes that increase the building height, removal of building articulation, or a change of the finish material(s) shall be made during construction without prior Planning Division written approval. Elevations shall not be modified unless otherwise approved by the Development Services Director as consistent with the architectural design and features of the proposed development. Failure to obtain prior Planning Division approval of the modification could result in the requirement of the applicant to (re)process the modification through a discretionary review process or a variance, or in the requirement to modify the construction to reflect the approved plans.
 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 (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.
10. All uses associated with the convenience store shall be conducted underroof.
 11. Alcoholic beverage sales are further prohibited between 6 AM and 10 AM, as well as 12 PM and 2 AM (Type 20 ABC Licenses currently prohibit sales from 2 AM to 6 AM).
 12. All sales and service staff (within 90 days of hire) shall complete Responsible Beverage Service (RBS) training with a provider approved by the California Department of Alcoholic Beverage Control. A copy of the training certificates shall be kept on premises and presented to any authorized City official upon request.
 13. Prior to alcohol sales at this locations, the applicant shall purchase and transfer an existing Alcoholic Beverage Control license from a location within the subject census tract (639.06).
 14. Alcoholic beverage sales shall be limited to only beer and wine.
 15. No wine shall be sold with an alcoholic content of greater than 15% by volume except for "dinner wines" which have been aged two years or more and maintained in corked bottles.
 16. No sale of beer in single cans shall be permitted. No sale of beer in single bottles less than 16 ounces shall be permitted. These restrictions are not intended to prohibit the sale of such beverages in kegs or other types of containers, with a volume of two or more gallons, which are clearly designed to dispense multiple servings.
 17. Wine shall not be sold in bottles or containers smaller than 750 milliliters.
 18. Beer, malt beverages, wine coolers or pre-mixed distilled spirit cocktails (if allowed by the license) packed in 16-ounce containers or smaller, may not be sold as single containers, but must be sold in manufacturer pre-packaged multi-unit quantities.
 19. Beer or wine shall not be displayed or sold from an ice tub or any other type of portable refrigerated unit.
 20. Alcohol consumption on premises is prohibited.
 21. The business operator shall post signs inside and outside the premises prohibiting the on-site consumption of alcoholic beverages and loitering.
 22. The business operator shall post signs inside and outside the premises in compliance with the City of Costa Mesa Municipal Code notifying the public with regard to the prohibition of open containers of alcoholic beverages.
 23. Applicant shall secure the premises with appropriate security lighting and employee scrutiny of adjacent areas under which applicant has control, to prevent trash, graffiti and littering. Any lighting under the control of applicant shall be directed in such a manner so as not to unreasonably interfere with the quiet enjoyment of nearby residences. Applicant shall further provide

adequate lighting above the entrance to the premises sufficient in intensity to make visible the identity and actions of all persons entering and leaving the premises.

24. The business operator shall patrol the area over which the applicant has control in an effort to prevent the loitering of persons about the premises during hours the business is open.
25. The applicant shall maintain free of litter all areas of the premises under which applicant has control.
26. Any graffiti painted or marked upon the premises shall be removed or painted over within 48 hours of being applied.
27. The outdoor storage of boxes, equipment, materials, merchandise, and other similar items shall be prohibited.
28. No alcoholic beverage shall be displayed or offered for sale outside the building or within five feet of the cash register or any public entrance.
29. Truck deliveries shall not occur anytime between the hours of 8:00 PM to 7:00 AM.
30. Exterior signage/advertisements promoting or indicating the availability of alcoholic beverages shall be prohibited. Exterior signage indicating the availability of alcoholic beverages shall be limited to the name of the business. Interior signage/advertisements promoting or indicating the availability of alcoholic beverages which are visible from the exterior of the building shall be prohibited.
31. Except as permitted by the City of Costa Mesa Municipal Code for temporary window signs, windows shall not be blocked or obscured.
32. As of January 1, 1988, no alcoholic beverage shall be displayed within five (5) feet of the cash register or the front door unless it is in a cooler which was permanently affixed prior to January 1, 1988.
33. No sale of alcoholic beverages shall be made from a drive-in window.
34. No alcoholic beverages shall be sold or displayed outdoors.
35. No display or sale of alcoholic beverages shall be made from an ice tub.
36. No alcoholic beverage advertising shall be located on motor fuel islands, and no self-illuminated advertising for alcoholic beverages shall be located on buildings or windows.
37. Employees on duty between the hours of 10 PM and 2 AM shall be at least twenty-one (21) years old to sell alcoholic beverages.

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 two (2) years 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) a building permit has been issued and construction has commenced, and a valid building permit has been maintained by making satisfactory progress as determined by the Building Official; or 2) a certificate of occupancy has been issued. A time extension can be requested no less than thirty (30) days or more than sixty (60) days before the expiration date of the permit and submitted with the appropriate fee for review to the Planning Division. The Director of Development Services may extend the time for an approved permit or approval to be exercised up to 180-days subject to specific findings listed in Title 13, Section 13-29 (k) (6). Only one request for an extension of 180 days may be approved by the Director. Any subsequent extension requests shall be considered by the original approval authority.
 2. Once the use is legally established, the planning application herein approved shall be valid until revoked. The Development Services Director or his designee may refer the planning application to the Planning Commission for modification or revocation at any time if, in 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. Permits shall be obtained for all signs installed according to the provisions of the Costa Mesa Sign Ordinance.
 4. All requirements of the California Alcoholic Beverage Control Board shall be complied with.
 5. Concrete wheel stops shall be installed 2' from the front edge of open parking spaces, or where applicable, landscape planters shall be increased 2' in depth to allow curbing to serve as a wheel stop.
 6. 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.

7. It is recommended that the project incorporate green building design and construction techniques where feasible. The applicant may contact the Building Safety Division at (714) 754-5273 for additional information.
8. Two sets of detailed landscape and irrigation plans, which meet the requirements set forth in Costa Mesa Municipal Code Sections 13-101 through 13-108 and the City's Water Efficient Landscape Guidelines, 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.
9. Landscaping and irrigation shall be installed in accordance with the approved plans prior to final inspection or occupancy clearance.
10. Trash facilities shall be screened from view, and designed and located appropriately to minimize potential noise and odor impacts to neighbors.
11. Transformers, backflow preventers, and any other approved above-ground utility improvement shall be located outside of the required street setback area and shall be screened from view, under direction of Planning staff. Any deviation from this requirement shall be subject to review and approval of the Development Services Director.
- Bldg. 12. Comply with the requirements of the following adopted codes: 2016 California Residential Code, 2016 California Building Code, 2016 California Electrical Code, 2016 California Mechanical Code, 2016 California Plumbing Code, 2016 California Green Building Standards Code and 2016 California Energy Code (or the applicable adopted, California Residential Code, 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. Requirements for accessibility to sites, facilities, buildings and elements by individuals with disability shall comply with chapter 11B of the 2016 California Building Code.
13. Prior to issuing the Building permit, the conditions of approval shall be on the approved Architectural plans.
14. Submit a precise grading plans, 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.
15. Submit a soils report for this project. Soil's Report recommendations shall be blueprinted on both the architectural and the precise grading plans.
16.
 - i-The ground adjacent immediately to the foundation shall be slopes away from the building at a slope of not less than 5% for a minimum distance of 10 feet measured perpendicular to the face of the wall CBC sec. 1804.3. See also exception.
 - ii-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 sec. 1808.7.4

- Eng.
17. Maximum allowable area shall be determined in accordance with the applicable provisions of 2016 California Building Code sec. 506.2
 18. At the time of development submit for approval an Offsite 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 registered Civil Engineer or Architect. Cross lot drainage shall not occur. 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 per Section 13-231 of the C.C.M.M.C. and an approved Offsite Plan shall be required prior to Engineering Permits being issued by the City of Costa Mesa.
 19. A Construction Access Permit and deposit of \$730 will be required by City of Costa Mesa, Engineering Division prior to start of any on-site work, necessary during construction for street sweeping and to guarantee replacement costs in case of damage to existing public improvements.
 20. Maintain the public Right-of-Way in a "wet-down" condition to prevent excessive dust and remove any spillage from the public Right-of-Way by sweeping or sprinkling.
 21. Haul routes must be approved by the City of Costa Mesa, Transportation & Engineering Division.
 22. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then reconstruct existing driveway approaches per City of Costa Mesa Standards as shown on the Offsite Plan. Location and dimensions are subject to the approval of the Transportation Services Manager. ADA compliance required for all new driveway approaches.
 23. Fulfill City of Costa Mesa Drainage Ordinance No. 06-19 requirements prior to approval of plans.
 24. In order to comply with the 2003 Drainage Area Management Plan (DAMP), the proposed Project shall prepare a Water Quality Management Plan conforming to the Current National Pollution Discharge Elimination System (NPDES) and the Model WQMP, prepared by a Licensed Civil Engineer or Environmental Engineer, which shall be submitted to the Department of Public Works for review and approval.
 - a) A WQMP (Priority or Non-Priority) shall be maintained and updated as needed to satisfy the requirements of the adopted NPDES program. The plan shall ensure that the existing water quality measures for all improved phases of the project are adhered to.
 - b) Location of BMPs shall not be within the public right-of-way.
- Bus.
Lic.
25. 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.

- Fire 26. Comply with the requirements of the 2016 California Fire Code, including the 2016 Intervening Update and referenced standards as amended by the City of Costa Mesa.

SPECIAL DISTRICT REQUIREMENTS

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

- Sani. 1. Prior to the Building Division (AQMD) issuing a demolition permit, contact South Coast Air Quality Management District located at:
21865 Copley Dr.
Diamond Bar, CA 91765-4178
Tel: 909-396-2000
OR
Visit their web site:
<http://www.costamesaca.gov/modules/showdocument.aspx?documentid=23381>
The Building Division will not issue a demolition permit until an identification number is provided 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.
- Health
Dept.
Water 3. Provide a plan to the County of Orange Health Dept. for review and approval.
4. Customer shall contact the Mesa Water District – Engineering Desk and submit an application and plans for project review. Customer must obtain a letter of approval and a letter of project completion from Mesa Water District.
5. Prior to the issuance of a connection permit, the applicant shall pay the applicable water connection fees.

KARAKI
WSe

 4887 E. LA PALMA STE. 707
 ANAHEIM, CA 92807
 TEL: (714) 953-1000 FAX: (714) 953-1002
 www.westerneng.com

CONSULTANT/SEALS

VICINITY MAP



LEGEND

- ① NO. OF PARKING SPACES
- ② ACCESSIBLE PARKING
- ③ PROPERTY LINE
- ④ ADA PATH OF TRAVEL
- ⑤ CONCRETE PAVING AREA
- ⑥ LANDSCAPED AREA
- ⑦ DECORATIVE PAVING
- ⑧ DIRECTIONAL ARROW
- ⑨ AREA LIGHTS
- ⑩ WALL MOUNTED AREA LIGHTS
- ⑪ (E) FIRE HYDRANT
- ⑫ (E) SEWER MANHOLE
- ⑬ (E) SEWER CLEANOUT
- ⑭ (E) POWER POLE
- ⑮ (E) WATER METER
- ⑯ (E) WATER POINT
- ⑰ (E) SIGN

SITE KEY NOTES

- ① (N) CONVENIENCE STORE
- ② (E) GAS STATION CANOPY AND FUEL DISPENSERS, TO REMAIN REPLACE SIGNAGE (UNDER SEPARATED PERMIT)
- ③ (N) UNDERGROUND STORAGE TANKS
- ④ (N) LANDSCAPE AREA WITH CONCRETE CURB
- ⑤ (N) MAIN SWITCH GEAR
- ⑥ (E) MONUMENT SIGN TO BE REPLACED (UNDER SEPARATED PERMIT)
- ⑦ (N) SIGN (UNDER SEPARATED PERMIT)
- ⑧ (N) TRASH ENCLOSURE
- ⑨ CONCRETE PAVING
- ⑩ (N) STEEL CONCRETE BOLLARDS
- ⑪ (N) AIR & WATER UNIT
- ⑫ (N) AREA LIGHTS
- ⑬ FIRE TRUCK PATH OF TRAVEL
- ⑭ FUEL TANKER/TRAFFIC PATH OF TRAVEL
- ⑮ (N) BIKE PARKING RACK
- ⑯ (N) PARKING STRIPING AS PER CITY STANDARDS (WITH WHEELSTOP WHERE REQUIRED)
- ⑰ (N) ACCESSIBLE PARKING STRIPING (WITH WHEELSTOP WHERE REQUIRED)
- ⑱ (N) ACCESSIBLE PARKING SIGN
- ⑲ (N) ACCESSIBLE RAMP
- ⑳ (N) ACCESSIBLE TRUNCATED DOME PAVEMENT
- ㉑ (N) ACCESSIBLE PATH STRIPING (2% MAX CROSS SLOPE)
- ㉒ (N) DRIVE WAY
- ㉓ (E) DRIVE WAY
- ㉔ (E) WATER METER
- ㉕ (E) METER BOX
- ㉖ (E) TRAFFIC SIGNAL
- ㉗ (E) TREE
- ㉘ (N) CONCRETE PAVING AREA FOR UNDERGROUND STORAGE TANKS
- ㉙ (E) FUELING STATION TO REMAIN

PROJECT DATA

ZONING	GENERAL COMMERCIAL
LAND USE	GENERAL COMMERCIAL
AREA OF SITE	± 13,882 S.F. (0.314 ACRE)
BLDG SETBACKS	REQUIRED PROPOSED
FRONT	20'-0" 20'-0"
REAR	0'-0" 0'-0"
SIDE OR REAR	
ABUTTING A SECONDARY	
PRIMARY OR MAJOR ST.	20'-0" 69'-0"
ALL OTHER STREETS	15'-0" -

LANDSCAPE AREA	MIN 150 SQ. FT. (25 SQ. FT./1 PKG)	1,245 SQ. FT.
FLOOR AREA RATIO	0.30	
	1,497 S.F. (C-STORE) + 2,506 S.F. (EX GAS CANOPY) = 4,003 S.F.	
	4,003 S.F. / 13,882 = 0.29 < 0.30	

MAXIMUM HEIGHT	2 STORIES / 30' 2 STORY / 25'
PARKING	6 6
(SEE PARKING COMPUTATION BELOW)	

BUILDING DATA

C-STORE (NEW)	1,447 SF
C-STORE	M
OCCUPANCY	V-B
TYPE OF CONST	2
NUMBER OF STORY	25'-0"
BLDG HEIGHT	
CANOPY (EXISTING)	+/- 2,506 SF
AREA	M
OCCUPANCY	II-B
TYPE OF CONST	1
NUMBER OF STORY	+/- 16'-0"
BLDG HEIGHT	

PARKING COMPUTATION

PARKING STANDARDS

TYPE	SIZE
REGULAR	9'-0" X 18'-0"
VAN ACCESSIBLE	17'-0" X 16'-0"

PARKING REQUIREMENTS

USE	FORMULA	REQUIRED	PROVIDED
C-STORE	(4/1000 S.F.)	6	6
	MIN 6		(8 TEMP. PARKING @ FUEL STAND)

HANDICAP PARKING REQUIREMENTS	FORMULA	REQUIRED	PROVIDED
1-25 PARKING SPACES		(1)	(1)

ASSESSOR'S PARCEL NUMBER

419-112-02

LEGAL DESCRIPTION

THAT PORTION OF LOT 8 OF TRACT NO. 156, IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE(S) 47, OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTER LINE OF FAIRVIEW ROAD (FORMERLY SANTA ANA ROAD) 66.00 FEET WIDE, DISTANT NORTH 0° 22' 30" EAST 422.71 FEET FROM THE INTERSECTION OF SAID CENTER LINE WITH THE NORTHWESTERLY LINE OF THE SOUTHERN PACIFIC RAILROAD RIGHT OF WAY AS SHOWN ON SAID MAP; THENCE SOUTH 88° 37' 30" EAST 30.00 FEET TO THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE PARALLEL WITH SAID CENTER LINE NORTH 0° 22' 30" EAST 129.87 FEET; THENCE AT RIGHT ANGLES TO SAID CENTER LINE NORTHWESTERLY 205.00 FEET, MEASURED AT RIGHT ANGLES FROM THAT CERTAIN SOUTHEAST LINE OF SAID LOT 8 SHOWN ON SAID MAP AS HAVING A LENGTH OF 360.58 FEET; THENCE ALONG SAID PARALLEL LINE SOUTH 40° 38' 10" WEST 191.92 FEET; THENCE NORTH 69° 29' 38" WEST 48.18 FEET TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM ALL MINERAL, OIL, GAS AND OTHER HYDROCARBONS BY WHATEVER NAME KNOWN, THAT MAY BE WITHIN OR UNDER SAID LAND, WITHOUT, HOWEVER, THE RIGHT TO DRILL, DIG OR MINE THROUGH THE SURFACE THEREOF, AS RESERVED IN THE DEEDS FROM THE STATE OF CALIFORNIA RECORDED JANUARY 4, 1962 IN BOOK 5964 PAGE 988 OF OFFICIAL RECORDS AND RECORDED APRIL 19, 1992 IN BOOK 6590 PAGE 906, OFFICIAL RECORDS.

SCOPE OF WORK

DEMOLISH EXISTING MINI-MART AND BUILD A NEW SMALL 2-STORY COINCIDENCE STORE. EXISTING FUEL CANOPY & STANDS ARE REMAIN.

 1 PROPOSED SITE PLAN
 SCALE: 3/32" = 1'-0"

33



FAIRVIEW RD.

NEWPORT BLVD.

SUBMITTAL		
NO.	DESCRIPTION	BY DATE
1		
2		
3		
4		
REVISIONS		
NO.	DESCRIPTION	BY DATE
Δ		
Δ		
Δ		
Δ		



OWNER NAME & ADDRESS
 COSTA MESA INVESTMENTS LLC
 c/o KARAKI-WESTERN STATES
 4887 E. LA PALMA AVE STE 707
 ANAHEIM CA 92807

PROJECT NAME & ADDRESS
 76 GAS STATION

2281 NEWPORT BLVD.,
 COSTA MESA, CA 92627

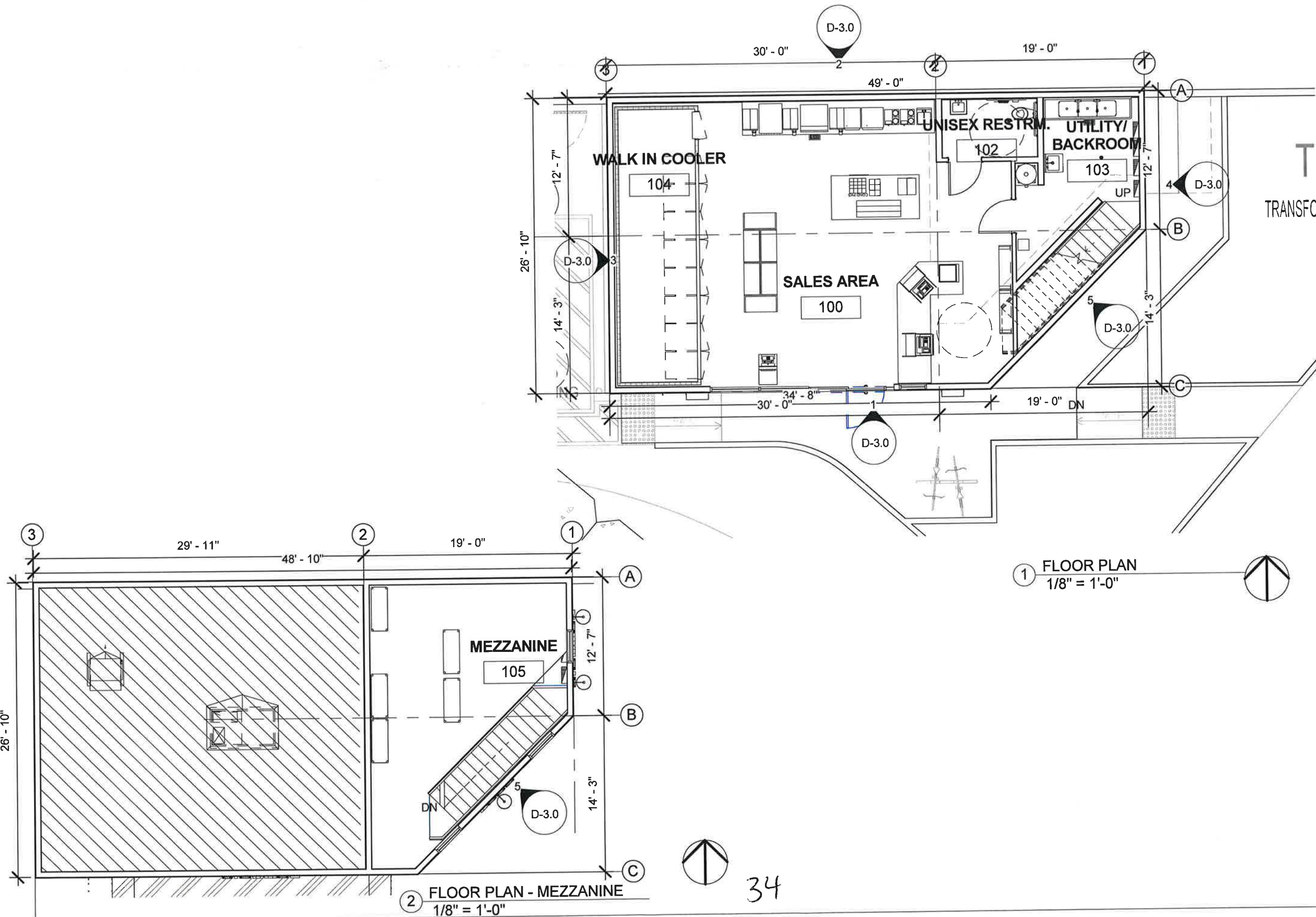
NOTE TO CONTRACTOR
 CONTRACTOR TO VERIFY LOCATION AND DEPTH OF ALL UTILITIES ON-SITE AND OFF-SITE PRIOR TO START OF CONSTRUCTION.

CONFIDENTIALITY STATEMENT
 THESE DRAWINGS, WITH ITS ACCOMPANYING CONTRACT DOCUMENTS, ARE THE EXCLUSIVE PROPERTY OF KARAKI-WESTERN STATES. NO PART OF THESE DRAWINGS OR ANY INFORMATION CONTAINED HEREIN IS TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT THE WRITTEN PERMISSION OF KARAKI-WESTERN STATES. ANY UNAUTHORIZED REPRODUCTION OR TRANSMISSION OF THESE DRAWINGS IS SOLELY THE RESPONSIBILITY OF THE USER AND KARAKI-WESTERN STATES SHALL NOT BE LIABLE FOR ANY DAMAGES OR LOSSES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING OUT OF OR FROM THE USE OF THESE DRAWINGS. THESE DRAWINGS ARE NOT TO BE USED FOR ANY OTHER PROJECT OR PURPOSE WITHOUT THE WRITTEN PERMISSION OF KARAKI-WESTERN STATES.

DESIGNED BY: WS
DRAWN BY: WS
CHECKED BY: JK
DATE DRAWN: 02.07.19
SCALE:
SHEET TITLE

SITE PLAN

SHEET NUMBER
AS-1.0
JOB No E97717
CUP No CUP#



Project Owner:
76
COSTA MESA INVESTMENT
2281 NEWPORT BLVD.
COSTA MESA, CA 92627

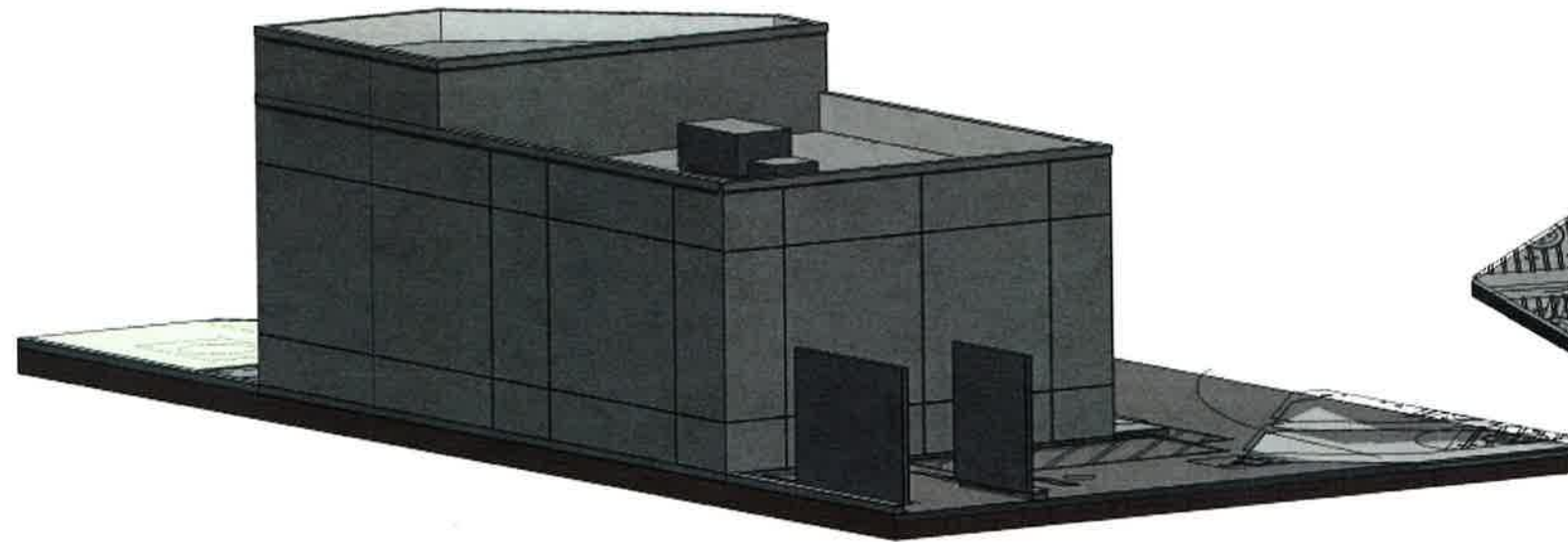
Design-Builder:
KARAKI
WESTERN STATES
4887 E. LA PALMA AVE. #707
ANAHEIM, CA 9208
714.695.9300
www.karakiws.com

Project Address:
2281 NEWPORT BLVD.
COSTA MESA, CA 92627

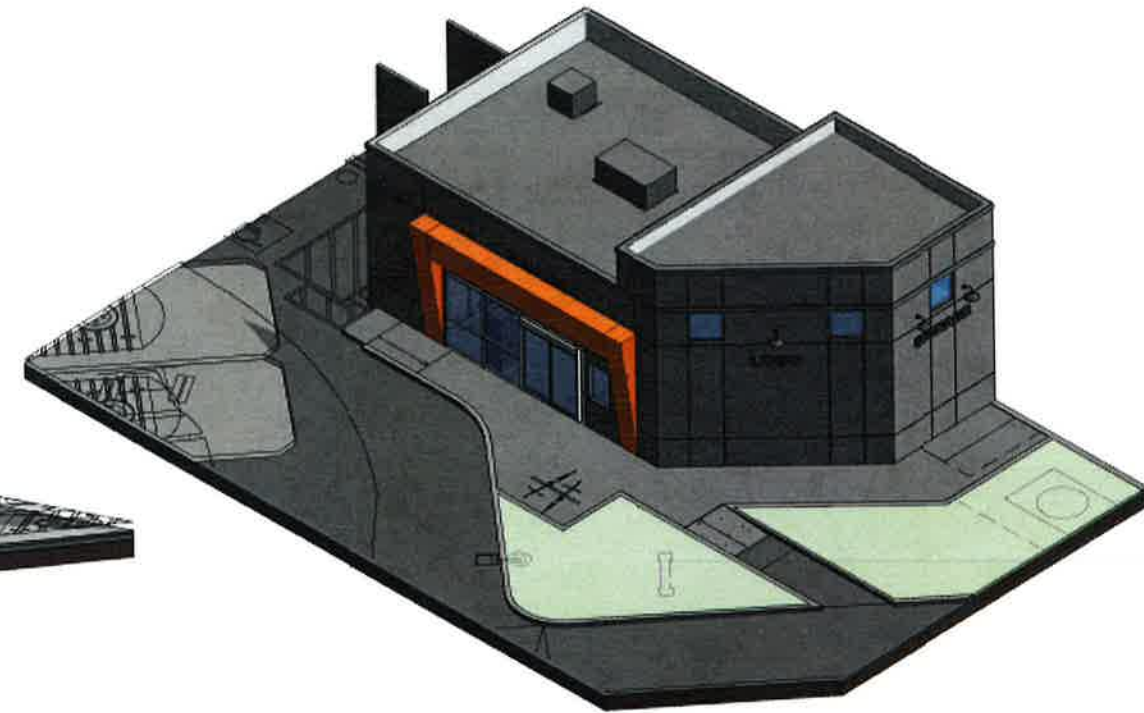
Date:
12.03.18

Sheet Title:
FLOOR PLAN

Sheet:
D-1.0



③ {3D}2



② {3D}1



④ 3D View 5



① 3D View 6

Ⓐ



STUCCO - LIGHT GREY
MATCH SW1001
"SILVERPLATE"

Ⓑ



STUCCO - GREY
MATCH SW1005
"SILVERADO"

35

Ⓒ



SATIN NICKEL

Ⓓ



EXTERIOR PANEL -
STONEWOOD ARCH
PANEL - MONTANA
WALNUT

Project Owner:



COSTA MESA
INVESTMENT

2281 NEWPORT BLVD.
COSTA MESA, CA 92627

Design-Build:



KARAKI
WESTERN
STATES

4887 E. LA PALMA AVE. #707
ANAHEIM, CA 9208

714.695.9300
www.karakiws.com

Project Address:

2281 NEWPORT BLVD.
COSTA MESA, CA 92627

Date:

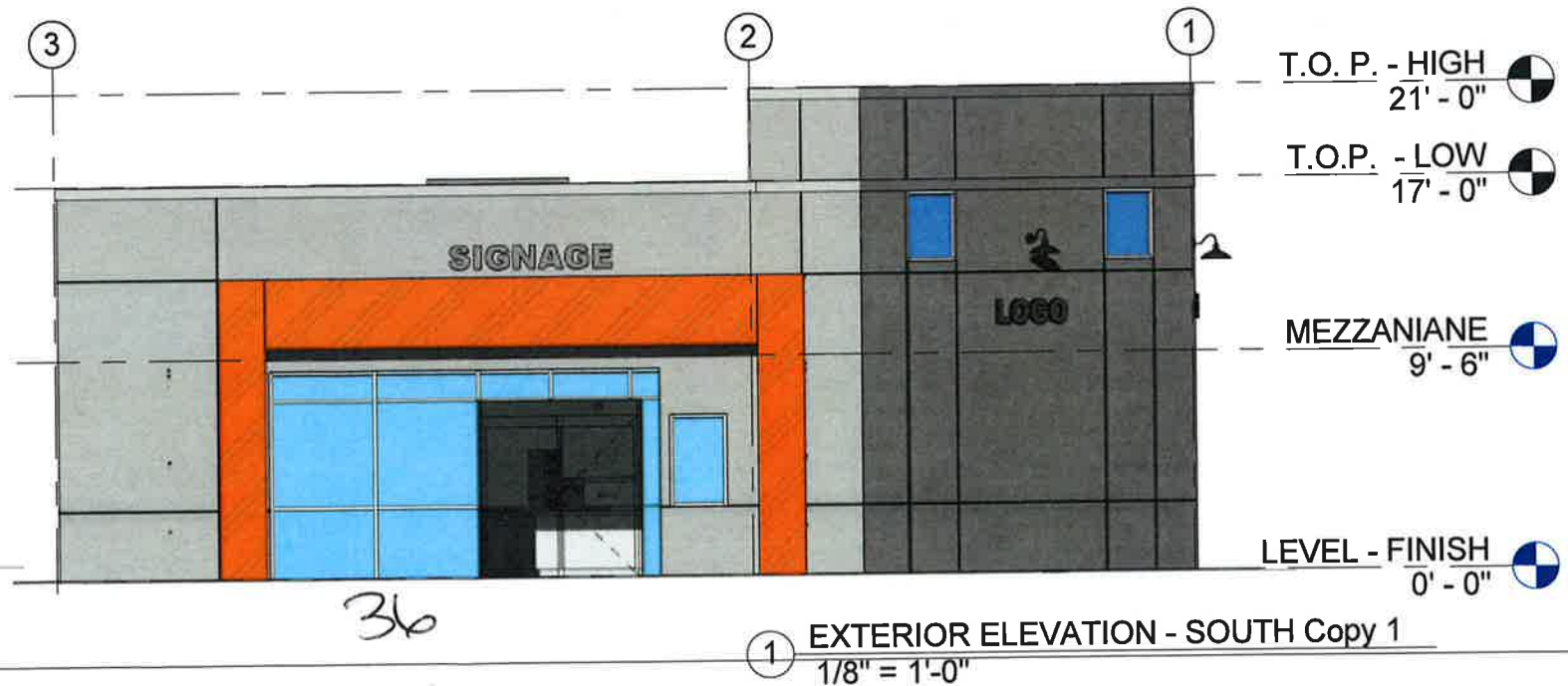
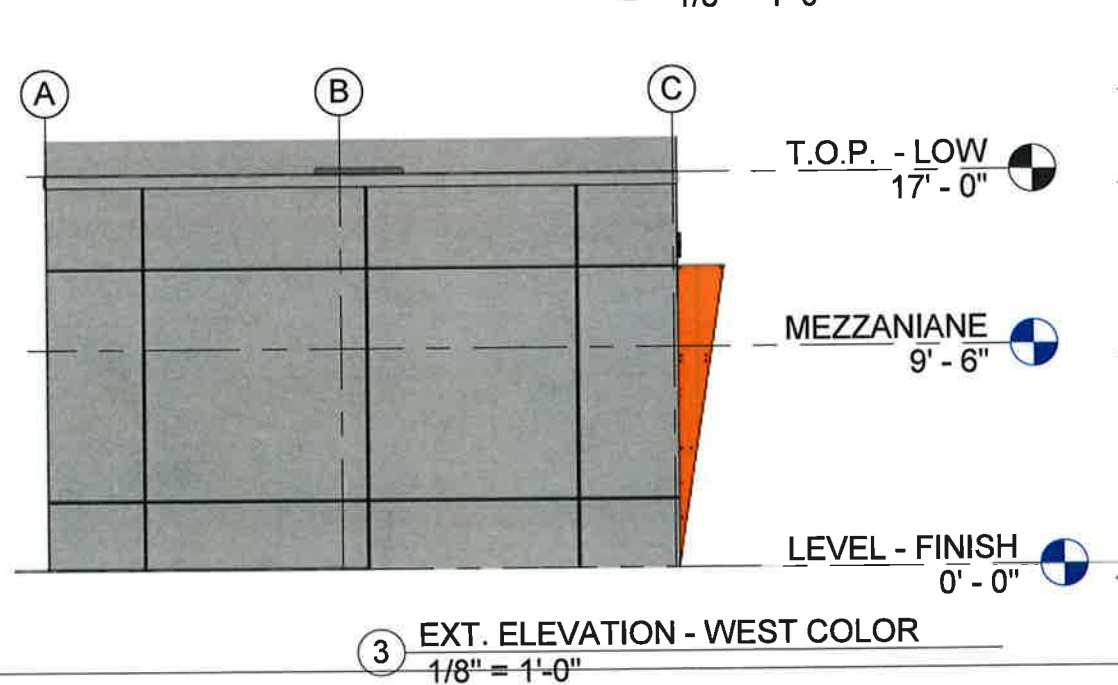
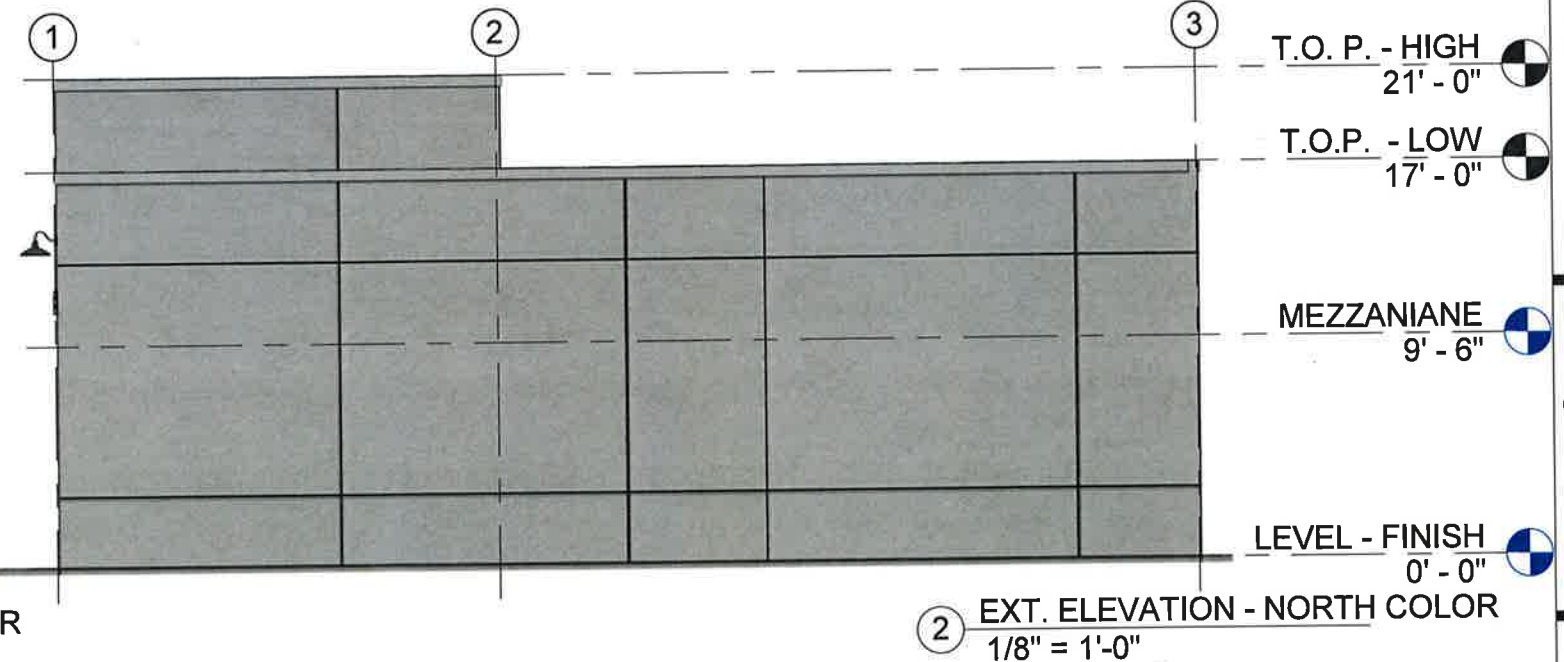
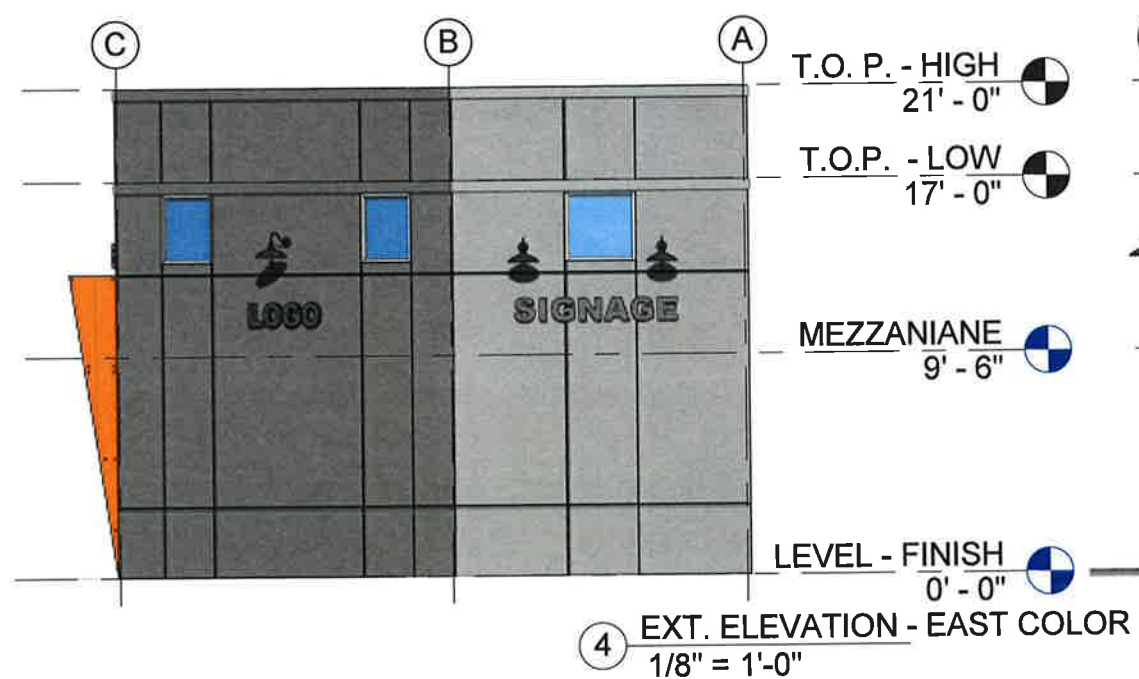
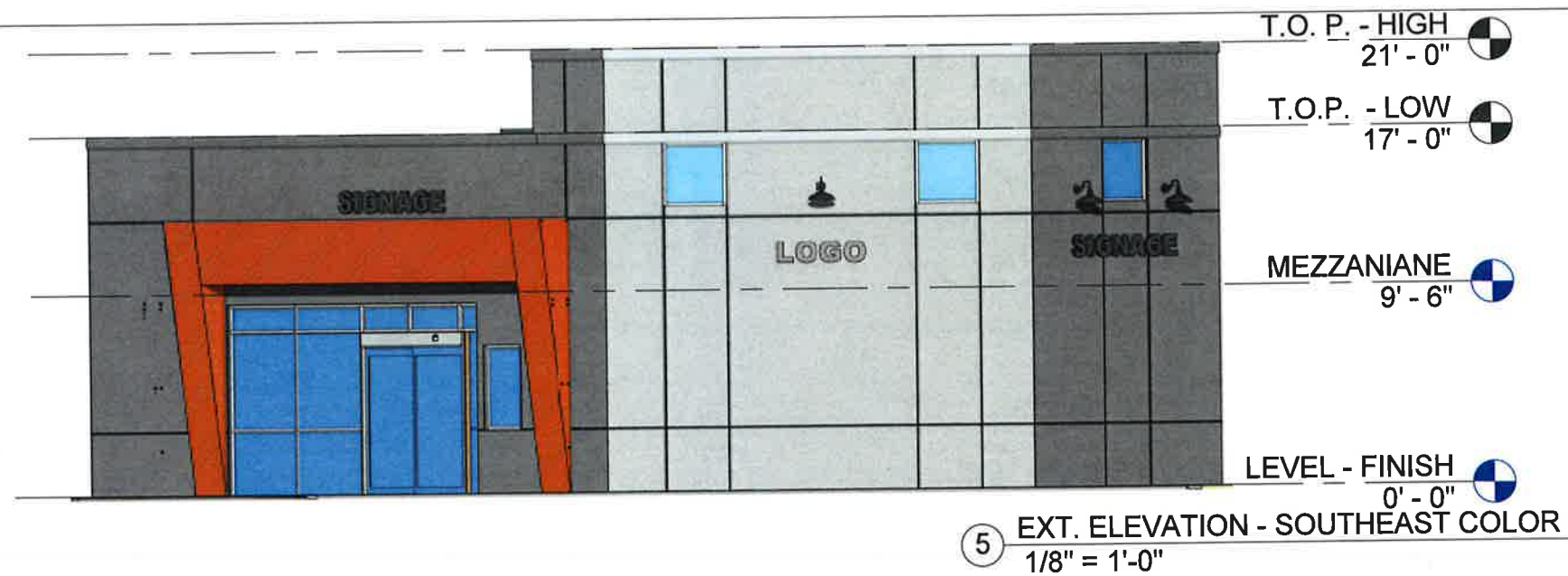
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3D VIEWS

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Project Owner:

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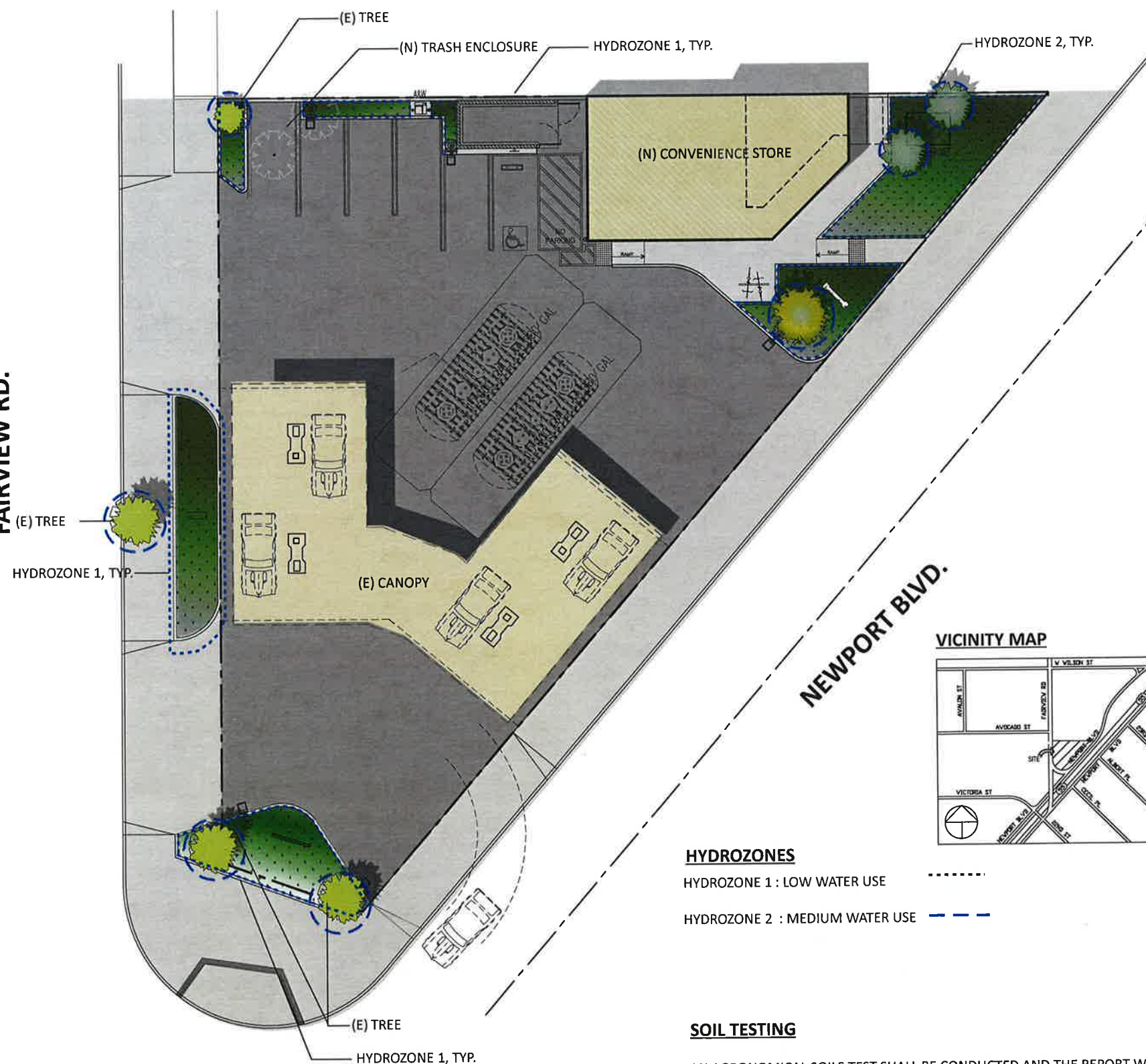
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COLOR ELEVATIONS

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FAIRVIEW RD.



HYDROZONES

HYDROZONE 1 : LOW WATER USE

HYDROZONE 2 : MEDIUM WATER USE

SOIL TESTING

AN AGRONOMICAL SOILS TEST SHALL BE CONDUCTED AND THE REPORT WITH RECOMMENDED AMENDMENTS SHALL BE INCLUDED ON THE FINAL LANDSCAPE PLANS (CD'S) AND PRIOR TO INSTALLATION. THE CONTRACTOR SHALL TAKE ONE ADDITIONAL SOILS TEST AND REPORT AT COMPLETION OF LANDSCAPE INSTALLATION TO VERIFY THE RECOMMENDED SOIL AMENDMENTS HAVE BEEN INSTALLED PER SOILS REPORT.

*AN AGRONOMICAL SOILS TEST SHALL BE TAKEN AND FINAL REPORT TO BE INCLUDED ON FINAL LANDSCAPE PLANS.

PLANTING LEGEND

	BOTANICAL NAME (COMMON NAME)	SIZE	QTY.
TREES:	HYMENOSPORUM FLAVUM (SWEET SHADE TREE)	24" BOX	1
	LAGERSTROEMIA INDICA (CRAPE MYRTLE)	24" BOX	2
	EXISTING TREE		
SHRUBS:	ARCTOTIS HYBRIDS (AFRICAN DAISY)	5 GAL	
	ALYOGYNE HUEGELII (BLUE HIBISCUS)	5 GAL	
	CEANO THUS X PALLIDUS CEANOTHUS	5 GAL	
	GREVILLEA (GREVILLEA)	5 GAL	
	KNIPHOFIA UVARIA (RED HOT POKER)	5 GAL	
	LANTANA MONTIVIDENSIS (LATANA)	5 GAL	
	LAVANDULA ANGUSTIFOLIA (ENGLISH LAVENDER)	5 GAL	
	LEUCOPHYLLUM LANGMANIAE (TEZAS SAGE)	5 GAL	
	ROSMARINUS OFFICINALIS (ROSEMARY)	5 GAL	
	TEUCRIUM FRUTICANS (BUSH GERMANDER)	5 GAL	
	ZAUSHNERIA CALIFORNIA (CALIFORNIA FUCHSIA)	5 GAL	
GROUND COVER:	3" MULCH BED		
	REDWOOD MULCH		

IRRIGATION & PLANTING NOTES:

1. ALL LANDSCAPE AREAS SHALL RECEIVE A WATER CONSCIOUS AUTOMATIC IRRIGATION SYSTEM. DRIP IRRIGATION SHALL BE UTILIZED WHERE EVER APPROPRIATE.
2. ALL ON - SITE PALNTING AND IRRIGATION SHALL BE MAINTAINED TO ENSURE WATER EFFICIENCY AND HEALTH APPREARANCE.
3. ALL UNSIGHTLY SITE APPARATUS SHALL BE SCREEDNED WITH 5 GALLON SHRUBS OR GREATER (BACK FLOW PREVENTERS, TRANSFORMERS, GAS METERS AC UNITS ETC.).
4. THE CRITERIA OF CALIFORNIA MODEL WATER EFFICIENT LANDSCAPE ORDINANCE WILL BE CALUCLATED & PROVIDED TO ASSURE COMPLIANCE OF EFFICIENT USE OF WATER WITHIN THE NEW DESIGNED LANDSCAPE PLAN.
5. IRRIGATION SYSTEM TO BE A SUB-SURFACE DRIP IRRIGATION SYSTEM WITH 'SMART CONTROLLER'.
6. PROPOSED IRRIGATION SYSTEM SHALL PROVIDE A SEPERATE BUBBLER SYSTEM, TWO (2) PER STREET TREES WOTH PC SCREENS.
7. NO NEW WALLS OR FENCES ARE TO BE CONSTRUCTED. ALL PROPERTY LINES CLEARLY IDENTIFIED BY EXISTING WALLS AND EDGE OF SIDEWALKS, NO CONCRETE MOWSTRIPS REQUIRED

PROPOSED IRRIGATION SYSTEM

THE NEWLY PROPOSED IRRIGATION SYSTEM SHALL CONSIST OF A SUBSURFACE DRIP/EMITTER IRRIGATION SYSTEM, WITH MASTER VALVE, FLOW AND RAIN SENSOR AND A 'SMART' CONTROLLER TO ASSURE A WATER EFFICIENT IRRIGATION SYSTEM PER MAWA REQUIREMENTS AND CALCULATIONS. THE IRRIGATION SYSTEM SHALL BE DESIGNED TO PROVIDE SEPARATE BUBBLER HEADS TO ALL TREES

VICINITY MAP

