



CITY COUNCIL AGENDA REPORT

MEETING DATE: October 18, 2004

ITEM NUMBER: _____

**SUBJECT: PA-02-37 MOBILEHOME PARK CONVERSION FOR SNUG HARBOR VILLAGE
AND EL NIDO TRAILER PARKS
1626/1640 NEWPORT BOULEVARD**

DATE: OCTOBER 7, 2004

FROM: DEVELOPMENT SERVICES DEPARTMENT/PLANNING DIVISION

PRESENTATION BY: KIMBERLY BRANDT, SENIOR PLANNER

FOR FURTHER INFORMATION CONTACT: KIMBERLY BRANDT (714) 754-5604

RECOMMENDATION:

Adopt resolution approving the PA-02-37 Mobilehome Park Conversion for Snug Harbor Village and El Nido Trailer Parks located at 1626/1640 Newport Boulevard.

BACKGROUND/ANALYSIS:

In July 2002, the applicant requested approval of a mobilehome park conversion for the Snug Harbor Village and El Nido Trailer Parks (parks) located at 1626/1640 Newport Boulevard. Both parks are legal nonconforming uses that have been in existence since the 1940's. When both parks are combined, they contain a total of 117 mobilehome lots and six apartment units on 4.4 acres.

In May 2003, the applicant provided the mobilehome owners and tenants a one-year written notice of his intent to close both parks by June 1, 2004. Although, the City has an established procedure for mobilehome park conversions, the City does not have any regulations that require the park owner to obtain City approval to close the parks.

State law requires a park owner to prepare a relocation impact report prior to closing or converting the mobilehome park to another land use. The report determines the reasonable costs of relocating the mobilehome park's homeowners to another appropriate location. In March 2004, City Council approved the relocation impact report for the Snug Harbor Village and El Nido Trailer Parks. Both parks are now officially closed, and all homeowners and tenants have been relocated.

Although both parks are closed, the application for the mobilehome conversion is still appropriate. This is due to the City's nonconforming use provisions that allow nonconforming mobilehome parks to continue or re-open until no one resides onsite for a continuous period of six months (CMMC Table 13-204). Therefore, until January 2005, both parks could be re-opened.

ALTERNATIVES CONSIDERED:

The City Council may choose not to approve the mobilehome park conversion. In that case, if the parks continue to remain vacant for 6 continuous months, the City's Zoning Code provisions would prohibit the parks from re-opening after January 1, 2005.

ENVIRONMENTAL DETERMINATION:

Final EIR No. 1051 has been prepared for this project, and it has considered all the environmental effects of the proposed project and a reasonable range of alternatives. Certification of the Final EIR by the City Council is required prior to any final action on this request.

FISCAL REVIEW:

The approval of the mobilehome park conversion does not require any fiscal review.

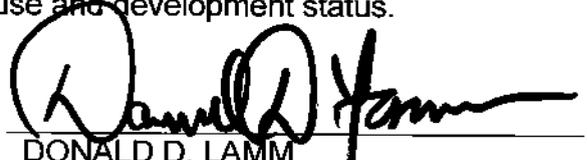
LEGAL REVIEW:

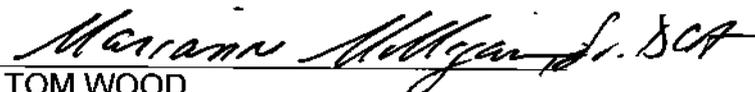
The City Attorney has reviewed the attached resolution and approved it as to form.

CONCLUSION:

The applicant has closed both parks with the intent of redeveloping the site. If the parks continue to remain vacant for 6 continuous months, then the City's Zoning Code provisions will prohibit the parks from re-opening, at which time a mobilehome park conversion permit would be unnecessary. At this time, approval of the mobilehome park conversion request will eliminate the possibility of the parks reopening prior to January 1, 2005 and terminate their legal nonconforming use and development status.


KIMBERLY BRANDT
Senior Planner


DONALD D. LAMM
Deputy City Mgr.-Dev. Svs. Director

for 
TOM WOOD
Acting City Attorney

- DISTRIBUTION:
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 - Assistant City Manager
 - Acting City Attorney
 - Deputy City Manager-Development Svs.
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 - Public Service Director
 - City Clerk (2)
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Irvine, CA 92614-4731

ATTACHMENTS: 1 Draft Resolution
 2 Planning Commission resolution and
 staff report

File Name: 101804PA0237MHP

Date: 092904

Time: 200p.m.

ATTACHMENT 1

Draft Resolution

RESOLUTION NO. 04-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, APPROVING THE MOBILEHOME PARK CONVERSION (PA-02-37) FOR THE SNUG HARBOR VILLAGE AND EL NIDO TRAILER PARKS LOCATED AT 1626 AND 1640 NEWPORT BOULEVARD.

THE CITY COUNCIL OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Coralee Newman, representing Joseph G. Brown, owner of real property located at 1626 and 1640 Newport Boulevard, requesting approval of a mobilehome park conversion for Snug Harbor Village and El Nido Trailer Parks.

WHEREAS, a duly noticed public hearing was held by the Planning Commission on September 13, 2004.

WHEREAS, the Planning Commission recommended approval of the Mobilehome Park Conversion PA-02-37 on September 13, 2004, by resolution PC-04-58.

WHEREAS, a duly noticed public hearing was held by the City Council on October 18, 2004.

WHEREAS, Final Environmental Impact Report (EIR) No. 1051 (State Clearinghouse Number 2003071089) has been prepared for the Pacific Medical Plaza project, including the requested mobilehome park conversion.

WHEREAS, the City Council certified Final EIR No. 1051 on October 18, 2004, by separate resolution.

WHEREAS the City Council has also considered and found that the benefits of the project outweigh the unavoidable adverse impacts that remain after mitigation by adoption of the Statement of Facts and Findings and Statement of Overriding Considerations by separate resolution.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", the City Council hereby **APPROVES** Mobilehome Park Conversion PA-02-37 with respect to the property described above.

BE IT FURTHER RESOLVED that the reestablishment of a mobilehome park(s) on these properties is hereby prohibited.

PASSED AND ADOPTED this 18th day of October 2004.

Mayor, City of Costa Mesa

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

I, JULIE FOLCIK, Deputy City Clerk and ex-officio clerk of the City Council of the City of Costa Mesa, hereby certify that the above and foregoing Ordinance No. 04-__ was introduced and considered section by section at a regular meeting of said City Council held on the 18th day of October, 2004, and thereafter passed and adopted as a whole at a regular meeting of said City Council held on the ____ day of _____, 2004, by the following roll call vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the City of Costa Mesa this ____ day of _____, 2004.

Deputy City Clerk and ex-officio
Clerk of the City Council of the
City of Costa Mesa

EXHIBIT "A"

FINDINGS

- A. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(7) in that impacts of relocating the El Nido and Snug Harbor Village Trailer Parks residents have been duly considered previously in conjunction with the closures of these parks consistent with State law. Although, the City of Costa Mesa did not have discretionary authority to review the closure of these parks, on March 1, 2004, the City did review and approve the relocation impact report by adoption of City Council Resolution 04-21. Both Snug Harbor Village and El Nido Trailers Parks were officially closed on June 1, 2004. Granting of this mobilehome park conversion request will discontinue a legal nonconforming use and development of the site and allow for the eventual development and use that conform to the City of Costa Mesa General Plan and Zoning Code.
- B. The proposed project complies with Costa Mesa Municipal Code Section 13-29 (e) because:
 - a. The proposed conversion will allow for the future development of a use that is compatible and harmonious with uses on surrounding properties.
 - b. 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 will be considered in conjunction with development applications for this property.
 - c. The proposed mobilehome park conversion is consistent with the City's General Plan in that it allows for conversion of legal nonconforming use and development to a use and development that conforms to the General Plan.
 - d. The mobilehome park conversion is for a project-specific case and does not establish a precedent for future conversions of other mobilehome parks in the City.
 - e. The planning application has been considered in terms of the other planning applications submitted for this property, specifically, the proposed general plan amendment, rezone, and master plan. Approval of this planning application does not necessitate approval of the requested general plan amendment, rezone, and/or final master plan.
- C. Final Environmental Impact Report (EIR) No. 1051 was prepared pursuant to the California Environmental Quality Act. Although the proposed project could have a significant effect on the environment, according to the Final EIR, which reflects the independent judgment of the City of Costa Mesa, mitigation measures have been added to the project that minimize anticipated impacts to a level of insignificance where possible.
- D. The evidence presented in the record as a whole, indicates that the project will not individually or cumulatively have an adverse effect on wildlife resources or habitat.

ATTACHMENT 2

Planning Commission resolution and staff report

RESOLUTION NO. PC-04-58

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF PA-02-37 MOBILEHOME PARK CONVERSION LOCATED AT 1626 AND 1640 NEWPORT BOULEVARD.

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

WHEREAS, an application was filed by Coralee Newman, representing Joseph G. Brown, owner of real property located at 1626 and 1640 Newport Boulevard, requesting approval of a mobilehome park conversion for Snug Harbor Village and El Nido Trailer Parks; and,

WHEREAS, a duly noticed public hearing was held by the Planning Commission of September 13, 2004; and

WHEREAS, Final Environmental Impact Report (EIR) No. 1051 (State Clearinghouse Number 2003071089) has been prepared for the Pacific Medical Plaza project, including the requested mobilehome park conversion; and

WHEREAS, the Planning Commission recommended certification of Final EIR No. 1051 on September 13, 2004, by separate resolution.

WHEREAS the Planning Commission has also considered and found that the benefits of the project outweigh the unavoidable adverse impacts that remain after mitigation and recommended to City Council adoption of the Statement of Facts and Findings and Statement of Overriding Considerations by resolution PC-04-57.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", the Planning Commission hereby recommends to City Council **APPROVAL** of Planning Application PA-02-37 with respect to the property described above.

BE IT FURTHER RESOLVED that the reestablishment of a mobilehome park(s) on these properties is hereby prohibited.

PASSED AND ADOPTED this 13th day of September 2004.



Chair, Costa Mesa Planning Commission

EXHIBIT "A"

FINDINGS

- A. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(7) in that impacts of relocating the El Nido and Snug Harbor Village Trailer Parks residents have been duly considered previously in conjunction with the closures of these parks consistent with State law. Although, the City of Costa Mesa did not have discretionary authority to review the closure of these parks, on March 1, 2004, the City did review and approve the relocation impact report by adoption of City Council Resolution 04-21. Both Snug Harbor Village and El Nido Trailers Parks were officially closed on June 1, 2004. Granting of this mobilehome park conversion request will discontinue a legal nonconforming use and development of the site and allow for the eventual development and use that conform to the City of Costa Mesa General Plan and Zoning Code.
- B. The proposed project complies with Costa Mesa Municipal Code Section 13-29 (e) because:
- a. The proposed conversion will allow for the future development of a use that is compatible and harmonious with uses on surrounding properties.
 - b. 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 will be considered in conjunction with development applications for this property.
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- C. Final Environmental Impact Report (EIR) No. 1051 was prepared pursuant to the California Environmental Quality Act. Although the proposed project could have a significant effect on the environment, according to the Final EIR, which reflects the independent judgment of the City of Costa Mesa, mitigation measures have been added to the project that minimize anticipated impacts to a level of insignificance where possible.

- D. The evidence presented in the record as a whole, indicates that the project will not individually or cumulatively have an adverse effect on wildlife resources or habitat.



CITY OF COSTA MESA

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DEVELOPMENT SERVICES DEPARTMENT

**FOR ATTACHMENTS NOT INCLUDED IN THIS REPORT,
PLEASE CONTACT THE CITY CLERK AT (714) 754-5223**