



CITY COUNCIL AGENDA REPORT

MEETING DATE: DECEMBER 6, 2004

ITEM NUMBER:

**SUBJECT: GENERAL PLAN SCREENING REQUEST GPS-04-02
2218 CANYON DRIVE**

DATE: NOVEMBER 10, 2004

FROM: PLANNING DIVISION/DEVELOPMENT SERVICES DEPARTMENT

PRESENTATION BY: CLAIRE L. FLYNN, AICP, ASSOC. PLANNER

**FOR FURTHER INFORMATION CONTACT: CLAIRE L. FLYNN, AICP, ASSOC. PLANNER
(714) 754-5278**

RECOMMENDATION

Reject proposed General Plan amendment, based on inconsistency with the acceptance criteria specified in City Council Policy 500-2.

BACKGROUND

On August 27, 2004, the applicant submitted a General Plan screening request for processing. Pursuant to the City's submittal deadlines for applications received in Fall 2004, this request was scheduled for the December 6th Council meeting.

ANALYSIS

Project Description

The applicant is requesting a General Plan amendment to change the land use designation of 2218 Canyon Drive from Medium Density Residential to High Density Residential. The singular purpose of this request is to allow increased density on the property to accommodate a four-unit residential development. The existing zoning allows a maximum of three dwelling units. (Vicinity Map and Site Photos, Attachments 1-2.)

Summary Table

Site Address:	2218 Canyon Drive
Lot Area:	14,398 square feet (0.33 acre)
Existing General Plan Designation:	Medium Density Residential, maximum buildout potential: three (3) dwelling units
Proposed General Plan Designation:	High Density Residential, max. four (4) dwelling units
Existing Zoning	R2-MD (1 dwelling unit/3,630 sq.ft. of lot area)

General Plan Screening Criteria

City Council Policy 500-2 establishes a procedure for processing privately initiated General Plan amendments. This procedure involves a City Council screening of these requests prior to their acceptance for formal processing. The policy includes three criteria for accepting requests and two criteria for rejecting requests. The acceptance criteria are as follows:

1. A General Plan amendment is necessary to resolve inconsistency between the General Plan designation and zoning of a parcel.
2. A General Plan amendment is necessary to provide a uniform land use designation on a single parcel.
3. A General Plan amendment would result in decreased traffic impacts from the property.

The criteria for rejecting an application are as follows:

1. The request applies to a single small lot or a small area, especially if the change would make the property inconsistent with surrounding properties.
2. The property is located in the Redevelopment Area and requires action by the Redevelopment Agency to amend the Redevelopment Plan.

In addition to the above criteria, the policy also states that no request shall be accepted that would increase the overall, citywide development cap. It does, however, allow amendments that would result in development exchanges or transfers to be considered. The policy also acknowledges that these criteria are only guidelines and City Council may accept an application which does not meet the criteria if it finds there are overriding reasons to do so.

Existing General Plan Designation: Medium Density Residential

The subject property is developed with one single-family residence and is designated Medium Density Residential and zoned R2-MD. The current General Plan/zoning allows a maximum of three dwelling units on the property (one dwelling unit per 3,630 sq.ft. of lot area). Since the lot size is 13,398 sq.ft., it is 122 square feet short of the required 14,520 sq.ft. for a four-unit development. The proposed High Density Residential land use designation and concurrent rezone of the property to R2-HD would allow a four-unit development.

Surrounding Development

The General Plan designation for the subject property and immediately surrounding properties on Canyon Drive (south of Fairview Park, north of Victoria Street) has

historically been "Medium Density Residential" since adoption of the City's first General Plan in 1970. However, the maximum allowable density within this designation was reduced from 15 to 12 units per acre upon adoption of the 1990 General Plan. This reduction resulted in existing properties being classified as nonconforming due to maximum allowable densities being *lower than* those of the existing developments. Thus, similarly-sized properties on Canyon Drive, which have four or more existing units, are considered legal nonconforming properties in terms of density.

As redevelopment of nonconforming properties occurs over time, there will be an eventual transition to the densities that are more in line with the 2000 General Plan. Excluding two properties that participate in the Density Bonus Program, immediately surrounding properties on Canyon Drive developed after 1990 have a density of 12 dwelling units per acre. Properties developed before 1990 range from 12 to 15 dwelling units per acre. The applicant is requesting a density of 15 dwelling units/acre under the High Density Residential land use/R2-HD zone. An exhibit showing existing development on Canyon Drive is attached (Attachment 3).

Traffic Analysis

The City's traffic analysis indicates that there is a modest increase in trip generation with the proposed General Plan amendment compared to the existing trips under the Medium Density Residential designation.

Under the proposed four-unit development scenario, a total of 38 average daily trips are projected. The increased traffic generation would result in an increase of one vehicle trip at the a.m. peak hour and p.m. peak hour. Although this modest increase is still within the development capacity of the General Plan, the proposed project is inconsistent with the General Plan acceptance criteria in that it does not decrease vehicle trips.

Trip Generation

	DEVELOPMENT POTENTIAL	AM PEAK	PM PEAK	AVG DAILY TRIPS	ZONING
EXISTING GENERAL PLAN Medium Density Residential	Max. 3 dwelling units allowed	2	3	29	R2-MD (12 du/ac)
PROPOSED GENERAL PLAN High Density Residential	Max. 4 dwelling units allowed	3	4	38	R2-HD (20 du/ac)

Justification for Denial

Staff recommends denial of the General Plan screening request for the following reasons:

- *Proposal is inconsistent with GPA screening acceptance criteria.* In terms of the acceptance criteria, this proposal would not meet any of the three acceptance criteria. The proposal does not achieve the following objectives: (a) resolve a General Plan/zoning inconsistency, (b) provide a uniform land use designation on a single parcel, nor (c) decrease vehicle trips.
- *GPA screening denial criteria are satisfied.* The proposed project satisfies one of the denial criteria in that the request applies to a single lot along Canyon Drive (north of Victoria Street) that is predominately designated as medium density residential (over 15 acres). Approval of a High Density Residential designation would create an inconsistent General Plan land use designation on a single parcel in this area of Canyon Drive. Staff is concerned about setting a precedent for allowing a higher density classification on an individual parcel in an area with a predominant medium density designation.
- *Nonconforming properties built prior to 1990 are not a justification for General Plan amendment.* In his letter of justification, the applicant indicates that some properties on Canyon Drive contain nonconforming dwelling units that exceed the maximum density allowed under the existing R2-MD zone (Attachment 4). However, these properties were developed prior to 1990, before the density reduction to 12 dwelling units per acre occurred. Excluding two properties that participate in the Density Bonus Program, immediately surrounding properties on Canyon Drive developed after 1990 have a density of 12 dwelling units per acre.

The applicant is seeking increased density at 15 dwelling units per acre which was formerly allowed in the 1970 and 1980 General Plan. However, the City's 1990 and 2000 General Plans have set forth the overall land use vision for this area as medium density residential, and staff cannot justify an amendment to strictly allow increased density on a single parcel. As redevelopment of nonconforming properties occurs over time, there will be an eventual transition to the densities that are more in line with the 2000 General Plan.

- *Variance is not appropriate to allow for increased density.* As discussed previously, under the current zoning classification, the lot size (13,398 sq. ft.) is 122 sq. ft. short of the required 14,520 sq. ft. for a four-unit development. It is not appropriate to apply a variance from lot size requirements for two reasons: (1) State law requires that variances be approved based on the physical limitations of the property, unique size, shape, or topography and (2) The General Plan does not allow the maximum density to be exceeded except in limited instances.

ALTERNATIVES CONSIDERED

City Council has the following alternatives available for consideration:

1. Deny the screening request. As recommended by staff, Council may deny the screening request. If the request is denied, the applicant would only be able to build a three-unit residential development, as allowed under the existing General Plan land use designation and zoning. This action is consistent with the City's 2000 General Plan which sets forth the overall vision for medium-density residential development along Canyon Drive (south of Fairview Park/north of Victoria Street, excluding the northwest corner of Victoria/Canyon).
2. Accept the screening request. Pursuant to Council Policy 500-2, Council may acknowledge that the General Plan screening criteria are only guidelines and that City Council may accept an application that does not meet the criteria based on other considerations. Council may also need to restrict any subsequent rezone application to an R2-HD zone to limit the maximum development potential to four dwelling units. There are no other alternative land use designations to the High Density Residential designation.

FISCAL REVIEW

Fiscal review is not required for this item.

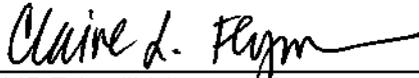
LEGAL REVIEW

Legal review is not required for this item.

CONCLUSION

Based on the proposal's failure to meet the acceptance criteria specified in City Council Policy 500-2 and satisfaction of a General Plan denial criteria, staff recommends denial of the applicant's request for a General Plan amendment. Specifically, the proposal satisfies the denial criteria in that the requested GPA applies to a single parcel and would result in a land use inconsistency with adjacent properties. However, pursuant to City Council Policy 500-2, City Council may accept an application that does not meet the criteria if it finds there are overriding reasons to do so. If accepted and contingent upon the timely submittal of a completed planning application, the General Plan amendment will be scheduled for Planning Commission review in February 2005 and forwarded for City Council consideration in March 2005. A rezone application will also be processed concurrently with the General Plan amendment.

It is important to note that acceptance of this screening request does not set precedent for approval, but does allow the opportunity to review the request and it's relative merits and compatibility in greater detail prior to final action.



CLAIRE L. FLYNN, AICP
Associate Planner



DONALD D. LAMM, AICP
Deputy City Mgr. – Dev. Svcs. Director

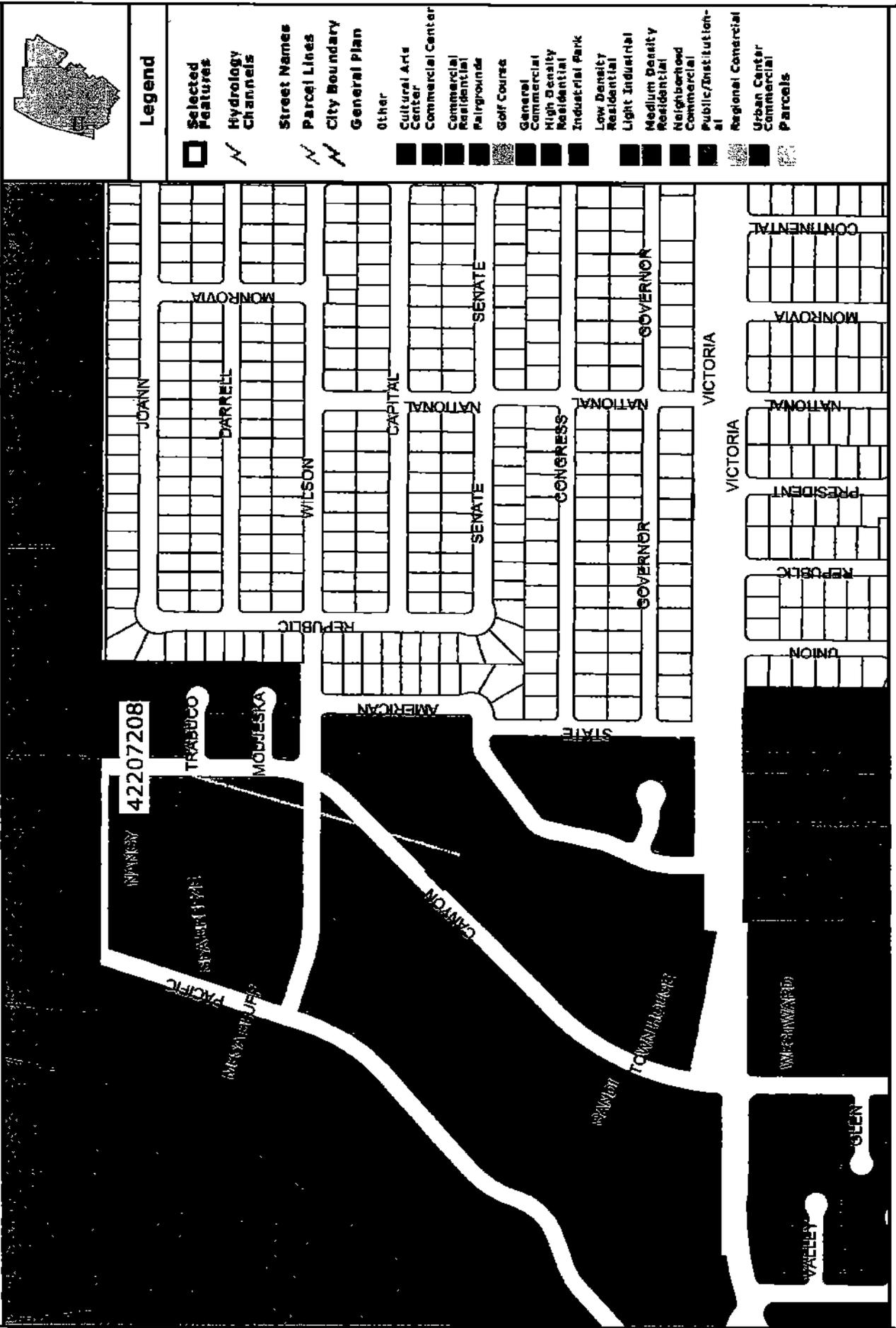
- Attachments:
1. General Plan Map
 2. Site Photographs
 3. Exhibit of Existing Developments on Canyon Drive
 4. Applicant's Letter of Justification

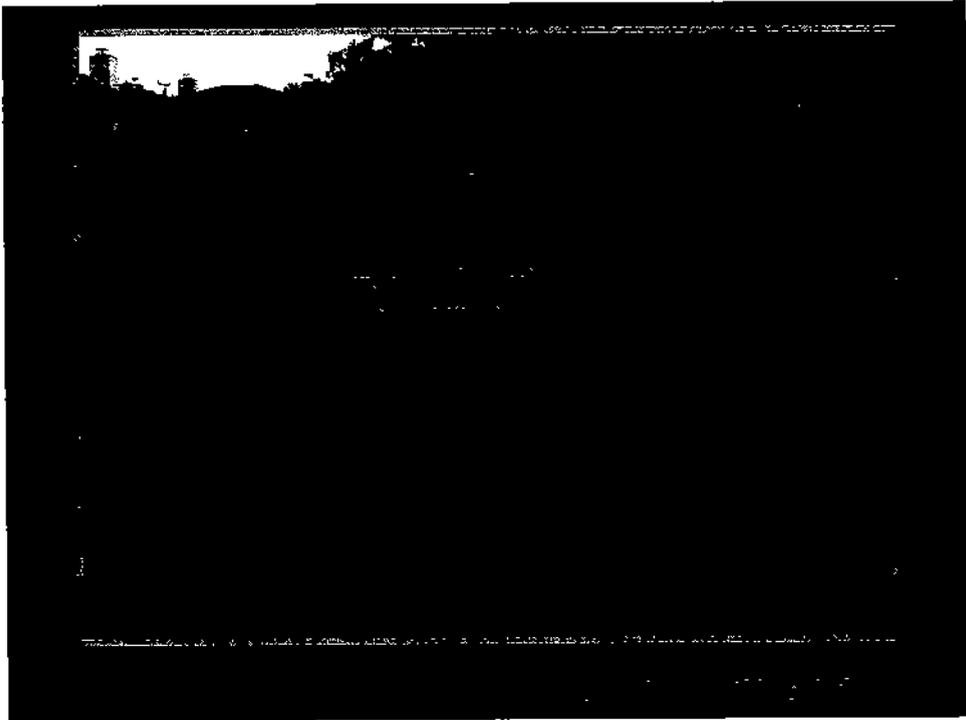
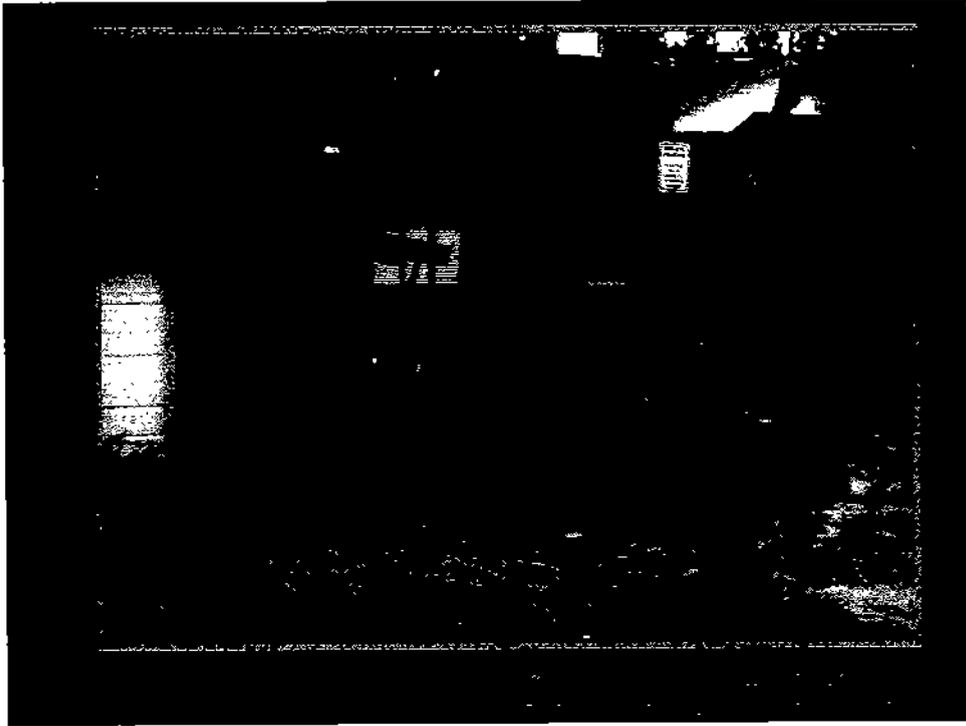
cc: City Manager
Assistant City Manager
City Attorney
Assistant City Attorney
Public Services Director
City Clerk
Staff (4)
File (2)

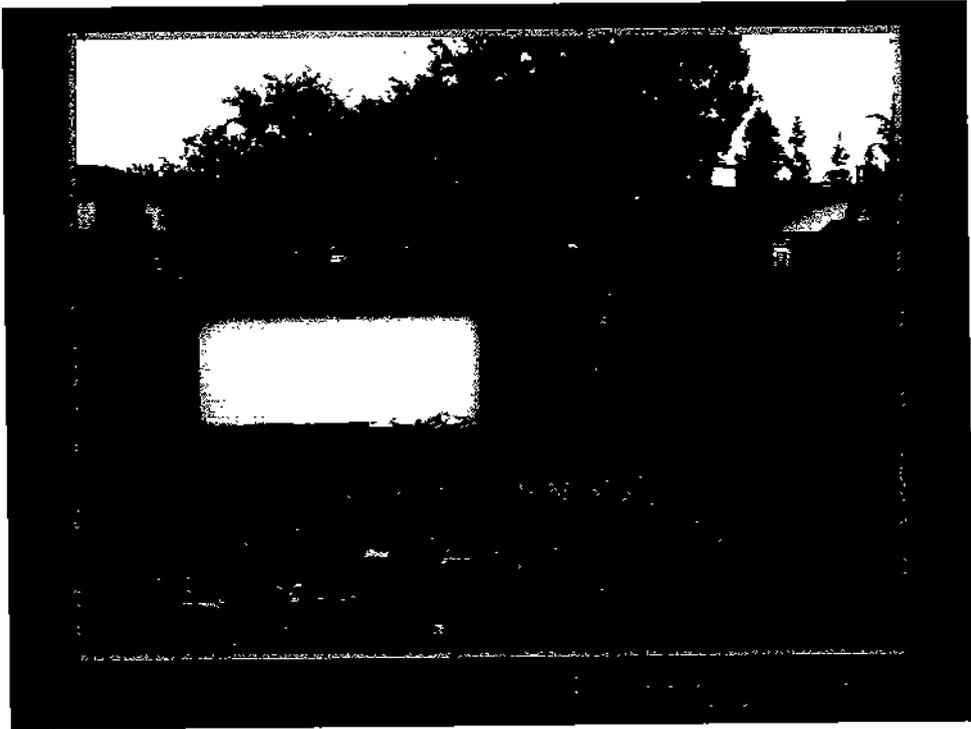
File: 120904GPS0402	Date: 111704	Time: 830a.m.
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2218 CANYON DRIVE

GENERAL PLAN MAP

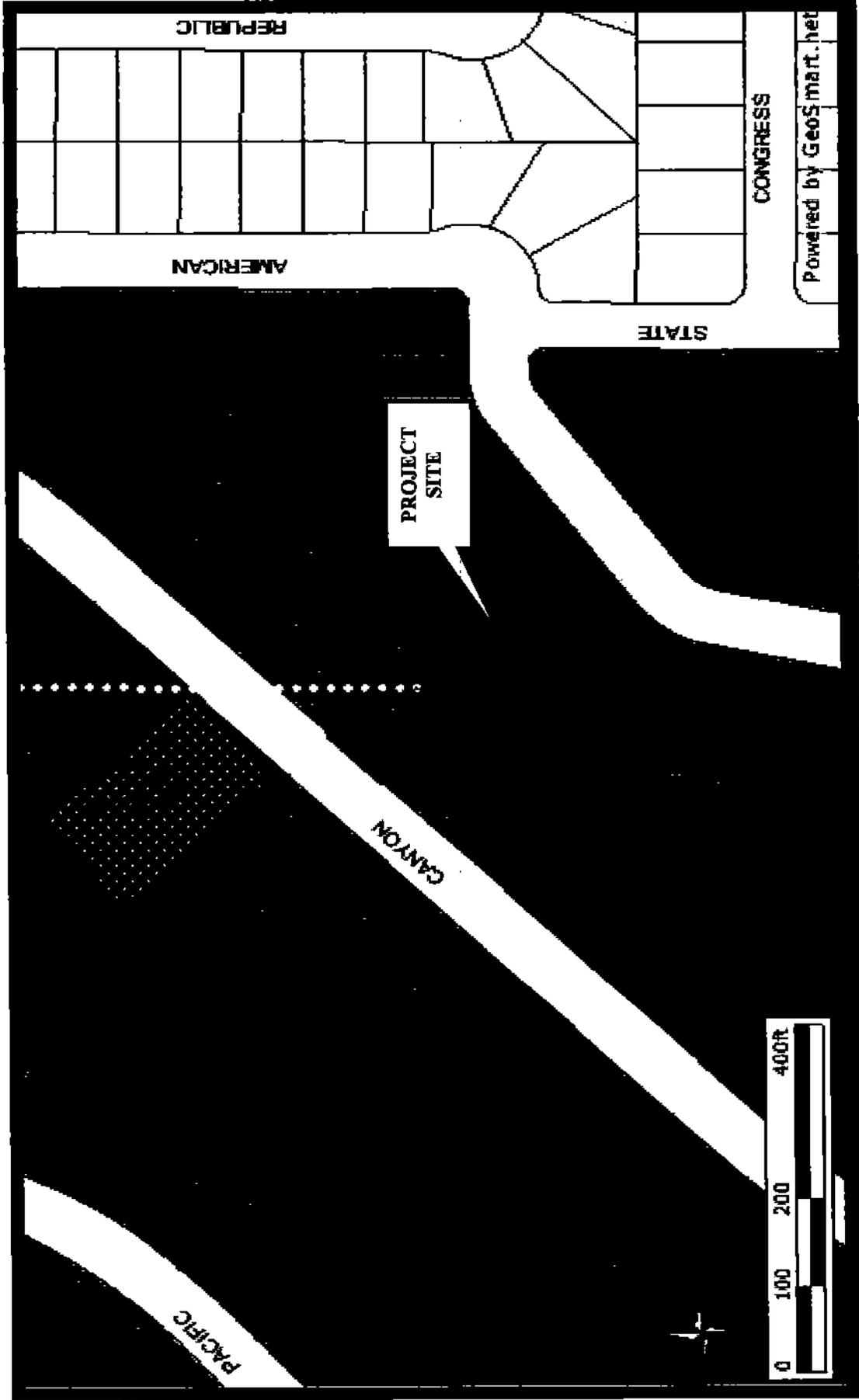








Existing Residential Development on Canyon Drive



TJ Design
5215 River Avenue
Suite A
Newport Beach, CA 92663
(949) 515-3713
timjdesign@sbcglobal.net

9/23/2004

Ms. Claire Flynn
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92628

Re: General Plan Screening Request GPS-04-02 at 2218 Canyon Drive
Dear Ms. Flynn,

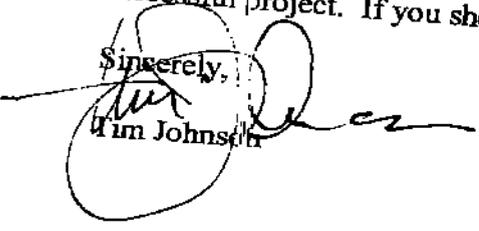
Per our direction we are submitting this letter as a supporting document for justification to proceed with this request.

The subject property is currently zoned as being medium density (R2MD), under the current standards we are allowed (1) unit per 3630 square feet. With that square feet number we would be allowed to construct (3) units on this property, and, as the application indicates, we fall short by 100+ square feet from being allowed to construct (4) units. Our request is to reclassify this property to high density (R2HD) which would allow for (1) unit per 3000 square feet. Note this would prevent for no more than (4) units to be constructed.

On both sides of our property there are existing multiple unit complex's each containing between 6 to 7 units and are legal non-conforming under the current standards.

Not only regarding the above information the architecture we are proposing is tasteful and in keeping with the area. Our idea is to provide a town home type atmosphere with each of the units having their own street presence.

Thank you for your consideration of our application, we are looking forward to work the Planning and Development Departments within the City of Costa Mesa to make this a successful project. If you should have any questions, please feel free to call.

Sincerely,

Tim Johnson