PLANNING COMMISSION AGENDA REPORT

MEETING DATE: JANUARY 24, 2005 ITEM NUMBER: III.1

SUBJECT: GENERAL PLAN AMENDMENT GP-04-03/REZONE R-04-05
2501 HARBOR BOULEVARD

DATE: JANUARY 14, 2005

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

DESCRIPTION

The City of Costa Mesa has initiated a general plan amendment to change the land use designation from High Density Residential to Public/Institutional and a rezone to change the zoning district from PDR-HD (Planned Development Residential-High Density) to I&R (Institutional and Recreational) for the approximate 5-acre vacant area located at 2501 Harbor Boulevard.

RECOMMENDATION

By adoption of the attached resolution, recommend to City Council approval of the initial study/negative declaration and adoption of the proposed general plan amendment and rezone.

Kimberly Brandt
KIMBERLY BRANDT
Principal Planner

R. Michael Robinson/KB
R. MICHAEL ROBINSON
Assistant Development Svs. Director

BACKGROUND

On June 7, 2004, City Council considered various surplus properties in the City that are owned by other governmental agencies. Of the ten properties considered, Council directed staff to provide additional information for this 5-acre site that is owned by the State of California.

This vacant site is part of the Fairview Developmental Center that is owned and operated by the State of California. Originally, this property was designated as Public Use on the City's General Plan. However, in 1985 the State applied for and the City granted a general plan amendment and rezone to high density residential on 54 acres (GP-85-1A and R-85-01). The State then proceeded to enter into long-term lease agreements for the construction of 563 rental units (attached and detached) that were targeted to low-income households, Fairview Developmental Center patients and employees, or workers in the City of Costa Mesa. All but approximately 5 acres of the 54 acres were developed. The State currently is seeking to dispose of this residual undeveloped area. The maximum residential development potential for the site is 100 units (maximum 20 units/acre).

Government Code Sections 54220-54232 mandate the procedures for a governmental agency to dispose of any surplus property. The first right of refusal of an offer to buy the property is given to local agencies, with priority given to offers that will result in the development of low- and moderate-income housing, park and recreation purposes, or higher-density, transit-oriented development. Since this site is presently designated High Density Residential in the City's General Plan, the State is required to give preference to proposals for affordable housing if competing offers are received. Recent state legislation (SB 1102) also stipulates that any transfer of state surplus property to a local agency shall be at fair market value, with some exceptions.

On August 2, 2004, City Council directed staff to amend the General Plan designation from High Density Residential to Public/Institutional. Staff has also included a corresponding rezone to I&R in order to maintain general plan and zoning consistency on the project site.

On September 27, 2004, Planning Commission continued this item for 3 months to allow staff sufficient time to work with the State Department of General Services regarding the disposition of this property.

In the intervening time, the Parks and Recreation Commission identified this site, as well as several others, for further study as a potential site for active recreational uses. On December 6, 2004, Council concurred with Parks and Recreation Commission's recommendations and directed staff to conduct an acceptability study to determine if active recreational uses are appropriate for the identified sites.

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ANALYSIS

Site and Project Description: As shown on Figure 1, the site is located on the west side of Harbor Boulevard with Fair Drive providing access. Apartment units (Harbor Village) are located directly north and west of the site, single-family detached units (rental) abut the site to the west, and to the south is the City's golf course. Across Harbor Boulevard are commercial uses and single-family detached units. Site photographs are provided in Attachment 2. Figures illustrating the proposed general plan amendment and rezone are attached to the resolution (Attachment 1).

Staff notes that land uses allowed under the Public/Institutional land use designation are not limited to public parkland and recreational uses. For example, this designation allows churches, day care, educational facilities, senior congregate facilities, and other types of institutional uses. Therefore, the Public/Institutional designation will allow development of the site by either public or private entities. The only way the City can ensure that this property is preserved for public parkland/recreational uses is to acquire the property. The City has no specific plans to purchase the property or develop it at this time, but as mentioned previously, Council directed staff to conduct an acceptability study to determine if active recreational uses are appropriate for this site.

Consistency of General Plan Amendment with State Law: A recently enacted state law prohibits the City from reducing the maximum allowable density on residentially-zoned property unless an equivalent increase in density is provided elsewhere in the City (Government Code Section 65863). Since this proposal would involve changing the land use designation from High Density Residential to Public/Institutional on approximately 5 acres, the overall loss in dwelling unit potential is 100 units.

In reviewing background data used in preparing the 2000 General Plan (i.e., the Housing Element), staff noted that this site was inadvertently left off the City's list of vacant and suitable sites available for future housing construction. This omission is due to the fact this vacant land is part of a larger parcel (112 acres) that is developed with the Fairview Developmental Center. Therefore, it was not identified in the "vacant land" inventory, and the 100 units that may be developed on this site were never included in the City's future housing construction estimates and consequently in the certification process of the City's Housing Element (certified by the Department of Housing and Community Development on November 19, 2001).

Additionally, since certification of the City's Housing Element, the City has taken the following actions that have increased the City's housing projections:

1. Approved general plan and zoning code amendments and a master plan for the development of 145 condominiums at 1901 Newport Boulevard. This approval includes the provision of 12 affordable units (7 low- to moderate-income units on site, and 5 very-low-income units off site) (2004);

2. Approved of a rezone and conditional use permit to allow a 20-unit expansion to a senior citizen single-room occupancy (SRO) hotel at 2072/2080 Newport Boulevard (2001). This expansion is currently under construction.

3. Approved general plan and rezone amendments to change the General Plan designation from General Commercial to Medium Density Residential with the appropriate zoning to allow the construction of single family housing at 330/340 West Bay Street. This amendment allows a maximum of 44 units (2004).

4. Approved a residential development at 23rd Street and Orange Avenue for the construction of 25 dwelling units. This property was assumed as a church use in the future land use inventory used in the 2000 General Plan update. (2004)

5. Approved a rezone Local Business to Medium Density Residential to allow the development of 10 residential units maximum at 2436 Newport Boulevard (2004).

These five actions increased the City's potential housing stock by 244 units beyond the future inventory assumed in the City's current Housing Element. Therefore, staff believes that the City may remove the High Density Residential land use designation from this site without violating state law.

ALTERNATIVES

Commission may recommend that no action be taken on the proposed general plan amendment and rezone and that the existing High Density Residential designation and zoning be retained on the site. This would allow for the eventual construction of approximately 100 units on the property.

Other land use designation and zoning alternatives such as commercial or low- or medium-density residential cannot be recommended for adoption at this time, because the necessary environmental analyses have not been completed. If Commission was interested in another land use designation, the Commission may forward that recommendation to Council.

ENVIRONMENTAL DETERMINATION

An initial study was prepared, pursuant to the California Environmental Quality Act (CEQA). According to the initial study and negative declaration, which reflect the independent judgment of the City of Costa Mesa, the proposed project would not have a significant effect on the environment. Commission previously received copies of the Initial Study. The State did submit a comment letter on the adequacy of the Initial Study during the public review period. Responses to that comment letter are included in Attachment 4. It is important to note that further environmental review will be required for any future development proposal to identify any new, significant

environmental effects or substantial increase in the severity of previously determined effects, where applicable.

CONCLUSION

The proposed general plan amendment and rezone will provide for more public and quasi-public uses in the City. The City may amend the designation from High Density Residential to Public/Institutional and still have adequate land available to meet the objectives stated in the City's Housing Element.

Staff has received a correspondence from the State's Department of General Services stating their opposition to the proposed general plan amendment and rezone (Attachment 3).

Attachments:
1. Draft Planning Commission Resolution
2. Figures, Site Photographs
3. Correspondence
4. Responses to Comments on the Initial Study

Distribution:

Deputy City Manager - Dev. Svcs. Director
Deputy City Attorney
Public Services Director
City Engineer
Fire Protection Analyst
Staff (4)
File (2)

Paula Gutierres
Supervising Real Estate Officer
Department of General Services
707 Third Street, Suite 6-130
West Sacramento, CA 95798-9052

Robert Sterling
Staff Services Manager
Department of Developmental Services
Fairview Developmental Center
Mail Box #1
2501 Harbor Boulevard
Costa Mesa, CA 92626

ATTACHMENT 1

DRAFT RESOLUTION

RESOLUTION NO. PC-05-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA, RECOMMENDING APPROVAL OF GENERAL PLAN AMENDMENT GP-04-03 FROM HIGH DENSITY RESIDENTIAL TO PUBLIC/INSTITUTIONAL AND REZONE R-04-05 FROM PDR-HD (PLANNED DEVELOPMENT RESIDENTIAL-HIGH DENSITY) TO I&R INSTITUTIONAL AND RECREATIONAL) FOR A PORTION OF 2501 HARBOR BOULEVARD.

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, the City Council of the City of Costa Mesa adopted the 2000 General Plan on January 22, 2004; and

WHEREAS, the General Plan is a long-range, comprehensive document that serves as a guide for the orderly development of Costa Mesa; and

WHEREAS, the State Department of Housing and Community Development certified the City's Housing Element on November 19, 2001; and

WHEREAS, by its very nature, the General Plan needs to be updated and refined to account for current and future community needs; and

WHEREAS, General Plan Amendment GP-04-03 amends the 2000 General Plan land use map as shown in Exhibit "A" from High Density Residential to Public/Institutional for a portion of 2501 Harbor Boulevard; and

WHEREAS, the approximate 5-acre site was not included in the City's Housing Element "Vacant Land Inventory" as a suitable site for future housing construction; and

WHEREAS, since the adoption of the City's General Plan, the City has taken several actions that have increased the City's potential housing stock by 244 units, as documented in the Planning Division staff report for GP-04-03 and R-04-05; and

WHEREAS, Rezone R-04-05, which changes the zoning district from PDR-HD (Planned Development Residential-High Density) to I&R (Public and Institutional) will

allow for the development of a variety of public and quasi-public uses on a portion of 2501 Harbor Boulevard; and

WHEREAS, the Planning Commission held public hearings on September 27, 2004 and January 24, 2005 in accordance with Section 65355 of the Government Code of the State of California, with all persons having been given the opportunity to be heard both for and against said Amendment GP-04-03 to the General Plan and Rezone R-04-05; and

WHEREAS, the environmental review for the project was processed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the City of Costa Mesa Environmental Guidelines, and an Initial Study/Negative Declaration was prepared and available for public review from August 26, 2004 to September 24, 2004; and

WHEREAS, written responses to the comments received on the Initial Study/Negative Declaration were prepared, and the Planning Commission considered the responses to comments; and

WHEREAS, this Commission deems it to be in the best interest of the City that said Amendment to the General Plan and rezone be adopted.

BE IT RESOLVED, an initial study was prepared, pursuant to the California Environmental Quality Act. According to the Initial Study/Negative Declaration, which reflects the independent judgment of the City of Costa Mesa, the proposed project would not have a significant effect on the environment. Additionally, the evidence in the record as a whole indicates that the project will not or cumulatively have an adverse effect on wildlife resources or habitat; and

BE IT FURTHER RESOLVED that the adoption of GP-04-03 does not affect the future housing inventory in the City's Housing Element, which was used in its certification by the State of California Department of Housing and Community Development in November 2001; and

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby recommend to the City Council approval/adoption of the following: (1) Initial Study/Negative Declaration; General Plan Amendment GP-04-03, to change the land use designation to High Density Residential as shown in Exhibit "A"; and (3) Rezone R-04-05 to change the zoning district to I&R as shown in Exhibit "B".

PASSED AND ADOPTED this 24TH day of January, 2005.

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Chair, Costa Mesa
Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, R. Michael Robinson, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on January 24, 2005, by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

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Secretary, Costa Mesa
Planning Commission

EXHIBIT "A"

Land Use Map Amendment

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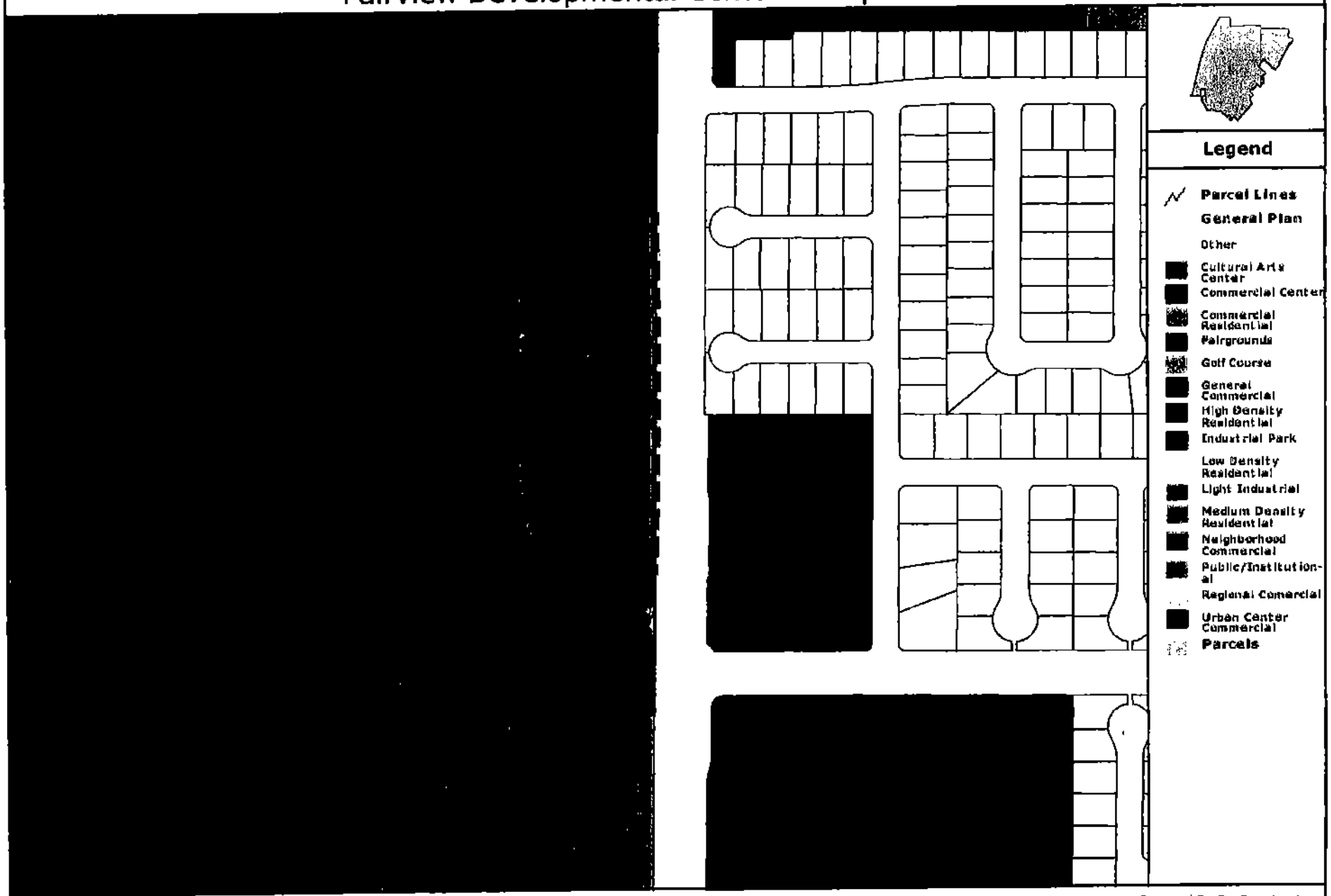
Proposed General Plan Map

Fairview Developmental Center - Surplus Site



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CITY OF COSTA MESA

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

DEVELOPMENT SERVICES DEPARTMENT

FOR ATTACHMENTS NOT INCLUDED IN THIS REPORT,

PLEASE CONTACT THE PLANNING DIV. AT (714)754-5245.