



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: FEBRUARY 14, 2005

VII.3
ITEM NUMBER:

SUBJECT: TENTATIVE PARCEL MAP PM-04-287
2955, 2975, AND 2995 RED HILL AVENUE, COSTA MESA

DATE: FEBRUARY 2, 2005

FOR FURTHER INFORMATION CONTACT: MEL LEE, SENIOR PLANNER (714) 754-5611

DESCRIPTION

The applicant requests approval of a tentative parcel map to subdivide an existing 11-acre industrial property into three lots, and a minor conditional use permit and conditional use permit for shared driveway access and parking, respectively.

APPLICANT

The applicant is Danjon Engineering, representing the owner of the property, Scripps Redhill Associates, LLC.

RECOMMENDATION

Approve by adoption of Planning Commission resolution, subject to conditions.

Handwritten signature of Mel Lee in blue ink.

MEL LEE
Senior Planner

Handwritten signature of R. Michael Robinson in blue ink.

R. MICHAEL ROBINSON
Asst. Development Services Director

PLANNING APPLICATION SUMMARY

Location: 2955, 2975, and 2995 Red Hill Avenue Application: PM-04-287

Request: Tentative parcel map to subdivide an existing 11-acre industrial property into three lots, and a minor conditional use permit for shared driveway access and parking

SUBJECT PROPERTY:

SURROUNDING PROPERTY:

Zone: MP (Industrial Park) North: Surrounding properties
 General Plan: Industrial Park South: are all industrially zoned
 Lot Dimensions: Irregular East: and developed.
 Lot Area: 11 acres West:
 (Before subdivision)
 Existing Development: Three (3) industrial buildings and surface parking.

DEVELOPMENT STANDARD COMPARISON

Dev. Standard	Required/Allowed	Proposed/Provided		
Lot Size:		Parcel 1	Parcel 2	Parcel 3
Lot Width	120 ft.	236 ft.	322 ft. min.	362 ft. min.
Lot Area	30,000 sq.ft.	192,971 sq.ft.	176,853 sq.ft.	125,017 sq.ft.
Floor Area Ratio: (Moderate Traffic)	.30	.46 (230,196 sq.ft.)*		
Setbacks:				
Front	20 ft.	210 ft.	90 ft.	80 ft.
Side	10 ft.	50 ft.	30 ft.	70 ft.
Rear	0 ft.	20 ft.	170 ft.	30 ft.
Parking (Industrial):				
Standard	385	358		
Compact	NA	546*		
Handicapped	10	12		
TOTAL:	395 Spaces	916 Spaces		
Final Action:	Planning Commission			
Environmental determination:	Exempt, Class 15			

*Legal, nonconforming. See staff report discussion.

BACKGROUND

The subject site contains a 230,196 square foot office complex (Scripps Center) in three separate buildings. The property is zoned MP (Industrial Park) and has a General Plan designation of Industrial Park.

At the time the complex was constructed, the project provided parking that exceeded the parking ratio for industrial uses (395 spaces required; 916 spaces provided). As indicated in the table on the previous page, the excess parking is due to the number of compact parking spaces, which exceeds the 40% allowed under code at the time the site was developed. As a result, the parking does not comply with the number of required parking spaces for general office uses and is legal nonconforming in terms of the amount of compact parking.

DISCUSSION

The applicant is proposing to subdivide the property into three independent parcels (one for each building). The tentative parcel map meets or exceeds most Code requirements for the MP zone, including minimum lot size and lot width. Lot sizes range from approximately 125,017 square feet to 192,971 square feet; 30,000 square feet minimum is required. Code required building setbacks from the proposed property lines will be exceeded.

At the time this project was developed, certain office uses were permitted to be parked at the industrial parking ratio (versus the office parking ratio). The following uses may continue to be permitted without requiring additional parking due to the legal nonconforming nature of the site:

- Computer/Data Processing;
- Engineering, Architectural, and Surveying Services;
- Research and Development; and
- Services to Industrial and other Buildings.

However, additional parking spaces would be required for other types of office uses (some additional conforming parking is available). Notification of this limitation will be required to be included in the conditions of approval and the Conditions, Covenants, and Restrictions (CC&Rs) for the project.

In addition, since the complex is designed to function as a single project with common driveways and parking areas, a minor conditional use permit for shared access and a conditional use permit for shared parking is required. Staff has included a condition requiring recordation of a document to ensure reciprocal ingress and egress as well as parking. The CC&Rs will also be required to be prepared and recorded prior to recordation of the final map to provide future owners with notification of the shared parking and access between the lots, as well as to ensure common maintenance for the landscaping, driveways and parking spaces.

In addition to parking, the site is legal nonconforming with regard to Floor Area Ratio (FAR). Staff is including a condition of approval requiring recordation of a land use restriction stating that the three lots shall be considered as one for purposes of

calculating FAR. A notice of this land use restriction will be required to be included in the CC&Rs.

It is staff's opinion that approval of the applicant's request, subject to the recommended conditions of approval, will not intensify existing uses on the properties. The subdivision complies with the State Subdivision Map Act. Approval of the conditional use permit and minor conditional use permit, with the appropriate conditions, will retain the project's shared ingress, egress, parking, and on-site circulation.

ALTERNATIVES

If the map were denied, the applicant would not be able to file a similar request for six months. The development would not change, but would be limited to a single ownership.

CONCLUSION

Staff does not anticipate that the subdivision will generate any significant land use impacts, provided the conditions of approval are complied with.

Attachments: Draft Planning Commission Resolution
 Exhibit "A" – Draft Findings
 Exhibit "B" – Draft Conditions of Approval
 Assistant City Engineer's Letter
 Applicant's Project Justification Form
 Zoning/Location Map
 Plans

cc: Dep. City Mgr. - Dev. Svcs. Director
 Sr. Deputy City Attorney
 City Engineer
 Fire Protection Analyst
 Staff (4)
 File (2)

Danjon Engineering
Attn: Andrea Saenz
895 E. Yorba Linda Boulevard, #202
Placentia, Ca 92870

Scripps Redhill Associates LLC
Attn: Cathryn DeFazio
2915 Redhill Avenue, Suite C106
Costa Mesa, CA 92626

RESOLUTION NO. PC-05-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA APPROVING TENTATIVE PARCEL
MAP PM-04-287**

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

WHEREAS, an application was filed by Danjon Engineering, representing Scripps Redhill Associates, LLC, owner of real property located at 2955, 2975, and 2995 Red Hill Avenue, requesting approval of a of a tentative parcel map to subdivide an existing 11-acre industrial property into three lots, and a conditional use permit and minor conditional use permit for shared driveway access and parking, located at in an MP (Industrial Park) zone; and,

WHEREAS, a duly noticed public hearing was held by the Planning Commission on February 14, 2005;

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", subject to the conditions in Exhibit "B," the Planning Commission hereby **APPROVES** Tentative Parcel Map No. PM-04-287 with respect to the property described above.

BE IT FURTHER RESOLVED that the Planning Commission does hereby find and determine the adoption of this Resolution is expressly predicated upon the activity as described in the staff report for Tentative Parcel Map No. PM-04-287 and upon the applicant's compliance with each and all of the conditions contained in Exhibit "B." 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.

PASSED AND ADOPTED this 14th day of February, 2005.

Chair, Costa Mesa Planning Commission

EXHIBIT "A"

FINDINGS

- A. The information presented substantially complies with Section 13-29(g)(2) of the Costa Mesa Municipal Code for the conditional use permit and minor conditional use permit in that 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. Granting the conditional use permit and minor conditional use permit, as conditioned, will not be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity. Specifically, the complex is designed to function as a single project with common driveways and parking areas, shared parking and access between the lots, and has provisions to ensure common maintenance for the landscaping, driveways and parking spaces. Granting the conditional use permit and minor conditional use permit, as conditioned, will not allow a use, density or intensity which is not in accordance with the general plan designation for the property.
- B. The proposed project complies with Costa Mesa Municipal Code Section 13-29 (e) because:
- The proposed development and use is compatible and harmonious with uses both on-site as well as those on surrounding properties.
 - Safety and compatibility of the design of the buildings, parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.
 - The project is consistent with the General Plan.
 - The planning application is for a project-specific case and does not establish a precedent for future development.
 - The cumulative effects of all planning applications have been considered.
- B. The creation of the subdivision for three parcels and related improvements is consistent with the General Plan and the Zoning Code.
- C. The proposed use of the subdivision is for industrial and office uses, which is compatible with the objectives, policies, general plan land use designation, and programs specified in the City of Costa Mesa 2000 General Plan.
- D. The subject property is physically suitable to accommodate Tentative Parcel Map PM-04-287 in terms of type, design, and density of development, and will not result in substantial environmental damage nor public health problems, based on compliance with the City's Zoning Code and General Plan.
- E. The design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision, as required by Government Code Section 66473.1.
- F. The subdivision will not unreasonably interfere with the free and complete

exercise of the public entity and/or public utility rights-of-way and/or easements within the subdivision.

- G. The discharge of sewage from this subdivision into the public sewer system will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000 of the Water Code).
- H. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA.
- I. The project is exempt from Chapter IX, Article 11, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT "B"

CONDITIONS OF APPROVAL

- Ping. 1. The three parcels shall be considered as one for purposes of calculating floor area ratio (FAR) allowance. A land use restriction holding the three parcels together as one for purposes of calculating FAR, executed by and between the applicant and the City of Costa Mesa, shall be recorded prior to map recordation, to inform future property owners of the restrictions contained in this condition. Applicant shall submit to the Planning Division a copy of the legal description for the property, and either a lot book report or current title report identifying the current legal property owner so that the document may be prepared.
2. The CC&Rs and articles of incorporation and bylaws shall be reviewed and approved by the Planning Division prior to recordation. The CC&Rs shall include a provision as to use and maintenance of all parking spaces, driveways and landscaping. A copy of the recorded CC&Rs shall be submitted prior to map recordation.
3. The CC&Rs shall include a notice that the three parcels be considered as one for purposes of calculating FAR allowance as well as the shared parking, access, and limitations on office uses.
4. The CC&Rs shall include a requirement for the common maintenance of parking spaces, driveways, and landscaping for all lots.
5. The following office uses are permitted without having to provide additional standard parking spaces:
- Computer/Data Processing;
 - Engineering, Architectural, and Surveying Services;
 - Research and Development; and
 - Services to Industrial and other Buildings.
- Parking shall be allocated for additional office uses, on a first come, first serve, basis. When the additional parking has been exhausted, only non-office uses permitted in the MP zone shall be permitted.
- Trans. 6. Reciprocal ingress and egress easements for shared access and parking shall be recorded prior to the recordation of the final map.

PLANNING DIVISION - CITY OF COSA MESA

DESCRIPTION/JUSTIFICATION

Application #: (P.H-04-06)
Address: 2955, 2975, 2995 Red Hill

Environmental Determination: EXEMPT

1. Fully describe your request:

Subdividing parcel into three separate parcels for investment purposes.

2. Justification

A. For a Conditional Use Permit or Minor Conditional Use Permit: Describe how the proposed use is substantially compatible with uses permitted in the same general area and how the proposed use would not be materially detrimental to other properties in the same area.

N/A

B. For a Variance or Administrative Adjustment: Describe the property's special circumstances, including size, shape, topography, location or surroundings that deprive the property of privileges enjoyed by other properties in the vicinity under the identical zoning classification due to strict application of the Zoning Code.

N/A

3. This project is: (check where appropriate) N/A

- In a flood zone. In the Redevelopment Area.
Subject to future street widening. In a Specific Plan Area.

4. I have reviewed the HAZARDOUS WASTE AND SUBSTANCES SITES LIST published by the office of Planning and Research and reproduced on the rear of this page and have determined that the project:

- [X] Is not included in the publication indicated above.
[] Is included in the publication indicated above.

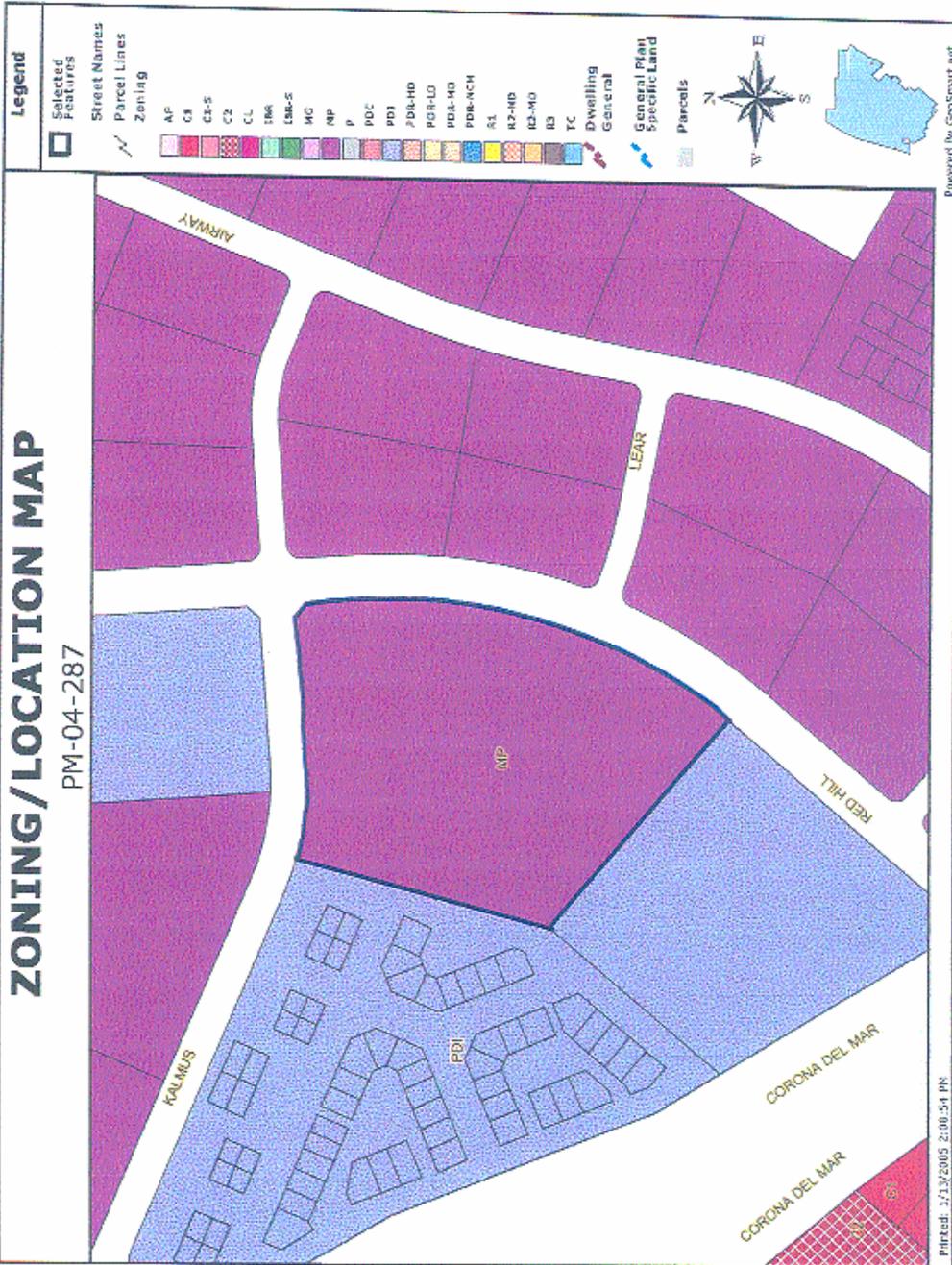
Signature [Handwritten Signature]

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Date 08/09/04

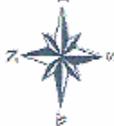
ZONING/LOCATION MAP

PM-04-287



Legend

- Selected Features
- Street Names
- Parcel Lines
- Zoning
- AP
- CB
- CS-S
- C2
- CL
- EMR
- EMR-S
- MG
- MP
- P
- PDC
- PDI
- PDI-HD
- PGR-LO
- PDS-MD
- PDS-NCH
- R1
- R2-HD
- R3-HD
- R3
- TC
- Dwelling General
- General Plan Specific Land
- Parcels



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2955, 2975, AND 2995 RED HILL

Legend

- Selected Features
- Street Names
- Parcel Lines
- Dwelling
- General
- General Plan
- Specific Land
- Ortho
- Photography
- Parcels



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