



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: NOVEMBER 14, 2005

U.2a.
ITEM NUMBER:

**SUBJECT: GENERAL PLAN AMENDMENT GP-05-01 AND REZONE R-05-01
2501 HARBOR BOULEVARD**

DATE: NOVEMBER 3, 2005

**FOR FURTHER INFORMATION CONTACT: MEL LEE, AICP, SENIOR PLANNER
(714) 754-5604**

DESCRIPTION

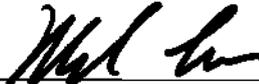
Change the General Plan land use designation from High Density Residential and Public/Institutional to Medium Density Residential, and a rezone from Planned Development Residential-High Density (PDR-HD) and Institutional & Recreational (I&R) to Planned Development Residential-Medium Density (PDR-MD), for the approximately 5-acre vacant site located at 2501 Harbor Boulevard.

APPLICANT

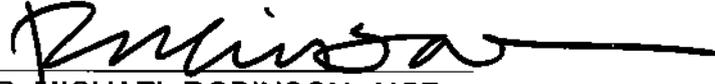
The City of Costa Mesa initiated the GPA and rezone. Richmond American Homes of California, Inc., is the authorized agent, owner, and project developer.

RECOMMENDATION

Adopt the negative declaration and recommend to City Council approval of the general plan amendment and rezone by adoption of the attached resolution.



MEL LEE, AICP
Senior Planner



R. MICHAEL ROBINSON, AICP
Asst. Development Services Director

BACKGROUND

The vacant portion of the 112-acre site was originally part of the Fairview Developmental Center, which is owned and operated by the State of California. In 1985, the City approved a change in the general plan land use designation to High Density Residential and a rezone to PDR-HD (GP-85-1A and R-85-01). The State entered 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 site was developed, which, as indicated before, is currently vacant. The eastern edge of the vacant portion of the site has approximately 812 linear feet of frontage on Harbor Boulevard, extending from the Harbor Village Apartments to the north to a private street (Shelly Circle) to the south. The average depth of the site is 250 feet.

In August 2004, at the direction of City Council, staff initiated a general plan amendment and rezone for the vacant portion of the site under GP-04-03 and R-04-05 to change the general plan designation to Public/Institutional and rezone to I&R. Planning Commission recommended approval of GP-04-03 and R-04-05 to City Council at their January 24, 2005 meeting. However, City Council, at their February 22, 2005 hearing, tabled GP-04-03 and R-04-05 and directed staff to initiate a change to the general plan designation to Medium Density Residential and a rezone to PDR-MD. At approximately the same time, the State solicited proposals to develop the property under the proposed PDR-MD zone. Planning Commission recommended approval of GP-05-01 and R-05-01 to City Council at their April 11, 2005 meeting. However, City Council, at their May 3, 2005 meeting, referred the GPA and rezone back to Planning Commission, at the request of the State, pending resolution of their negotiations to sell the property for development. The State has since entered into an agreement with Richmond American Homes of California, Inc., to sell the vacant portion of the site and develop the property. The exhibits included in this report reflect the final agreed site boundaries.

ANALYSIS

The project site currently has two general plan and zoning designations; the portion of the site north of Shelley Circle, which has a general plan designation of High Density Residential and is zoned PDR-HD; and Shelly Circle, which is proposed to be abandoned and consolidated into the project site, which has a general plan designation of Public/Institutional and is zoned I&R.

The proposed project requires the following discretionary planning approvals:

- 1) **General Plan Amendment GP-05-01** to amend the General Plan land use designation from High Density Residential and Public/Institutional to Medium Density Residential.

- 2) **Rezone R-05-01** to change the zoning from PDR-HD (Planned Development Residential – High Density) and I&R (Institutional & Recreational) to PDR-MD (Planned Development Residential- Medium Density).
- 3) **Planning Application PA-05-36¹** for a master plan amendment to construct a 37-unit, two story, detached, common interest development.
- 4) **Vesting Tentative Tract Map VT-16937¹** for a condominium map to allow the units to be sold independent of one another.

General Plan Amendment

Under High Density Residential (20 units/acre), a maximum of 100 units is allowed on the site; under Medium Density Residential (12 units/acre), a maximum of 60 units is allowed on the site. Therefore, the general plan amendment would result in an overall loss in dwelling unit potential of 40 units. 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).

In reviewing background data used in preparing the 2000 General Plan 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 contains the Fairview Developmental Center; therefore, it was not identified in the "vacant land" inventory. 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 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

¹ PA-05-36 and VT-16937 are discussed in a separate staff report.

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 from C1, 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 amend the land use designation to Medium Density Residential on this site without violating state law.

Rezone

The proposed PDR-MD zoning would be consistent with the proposed Medium Density Residential land use designation for the site. As is discussed in the general plan amendment section of this report, the rezone will result in a loss in dwelling unit potential as a result of the rezone (40 units). However, because an equivalent increase in housing is provided elsewhere in the City through other residential projects, no violation in state law will occur.

Other Issues

It is staff's opinion that the proposed general plan amendment and rezone are consistent with the following objective of the City's 2000 General Plan Land Use Element:

Objective LU-1C: Promote land use patterns and development which contribute to community and neighborhood identity.

Specifically, approval of the general plan amendment and rezone will allow the property to be developed with a project that will contribute to the surrounding community and be compatible with surrounding properties and uses. Additional discussion regarding the impacts of the proposed project on the surrounding properties is discussed in greater detail in the staff report for PA-05-36 and VT-16937.

ENVIRONMENTAL DETERMINATION

In accordance with the California Environmental Quality Act (CEQA), an Initial Study was prepared for this project. Under CEQA guidelines, if the lead agency determines that there is substantial evidence that the project may have a significant effect on the environment an Environmental Impact Report (EIR) would be required to be prepared. If

the lead agency determines that there is substantial evidence that the project could not have a significant effect on the environment, a Negative Declaration may be prepared.

An Initial Study/Negative Declaration (IS/ND) was prepared for the project. The (IS/MND) identified impacts that would be reduced to a level considered less than significant or no impact with appropriate conditions of approval and mitigation measures, if the project is approved. The Negative Declaration was made available for public review, as required by CEQA.

The Negative Declaration is a separately bound document and is not attached to this report due to its size.

ALTERNATIVES

The Planning Commission has the following alternatives:

1. Adopt the negative declaration and recommend City Council approve GP-05-01 and R-05-01, as recommended by staff; or
2. Recommend that City Council deny GP-05-01 and R-05-01. If the GPA and rezone are denied, the project as proposed under PA-05-36 and VT-16937 cannot go forward and the applicant could not submit substantially the same project for six months.

CONCLUSION

It is staff's opinion that the proposed general plan amendment and rezone will be compatible with the uses in the surrounding area. Therefore, staff recommends approval of the project.

Attachments: Draft Planning Commission Resolution
Exhibit "A" - Draft Findings
Exhibits "B" and "C" - Maps
Initial Study/ Negative Declaration (Separately Bound Document)

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

Richmond American Homes of California, Inc.
Attn: Mark Rosene
16845 Von Karman, Suite 100
Irvine, CA 92606

Richmond American Homes of California, Inc.
Attn: Jeff Stargardter
16845 Von Karman, Suite 100
Irvine, CA 92606

Richmond American Homes of California, Inc.
Attn: Pamela Y. Pullen
16845 Von Karman, Suite 100
Irvine, CA 92606

Government Solutions
Attn: Coralee S. Newman
230 Newport Center Drive, Suite 210
Newport Beach, CA 92660

Government Solutions
Attn: Stephanie Kyle
230 Newport Center Drive, Suite 210
Newport Beach, CA 92660

Adams – Streeter Civil Engineers, Inc.
Attn: Randal L. Streeter
15 Corporate Park
Irvine, CA 92606

Robert Mitchell & Associates
Attn: Robert Mitchell
22982 El Toro Road
Lake Forest, CA 92630

State of California Department of General Services
Attn: Robert McKinnon
707 Third Street, Sixth Floor
West Sacramento, CA 95605

RESOLUTION NO. PC-05-

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF COSTA MESA ADOPTING THE NEGATIVE
DECLARATION AND RECOMMENDING APPROVAL OF
GENERAL PLAN AMENDMENT GP-05-01 AND REZONE
R-05-01**

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

WHEREAS, the City Council of the City of Costa Mesa adopted the 2000
General Plan on January 22, 2002;

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

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

WHEREAS, with respect to the approximately 5-acre vacant real property
located at 2501 Harbor Boulevard, the General Plan land use designation is proposed
to be changed from High Density Residential and Public/Institutional to Medium
Density Residential and a rezone from Planned Development Residential-High
Density (PDR-HD) and Institutional & Recreational (I&R) to Planned Development
Residential-Medium Density (PDR-MD) is also proposed; and

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

WHEREAS, the project has been reviewed for compliance with the California
Environmental Quality Act (CEQA), the CEQA Guidelines, and the City
environmental procedures, and an Initial Study/Negative Declaration and a Mitigation
Monitoring Program was prepared, which reflect the independent judgment of the City
of Costa Mesa, and was available for public review from October 14, 2005, to
November 14, 2005, as required by CEQA; and

WHEREAS, the Planning Commission deems it to be in the best interest of
the City that said general plan amendment and rezone be adopted.

BE IT RESOLVED that based on the evidence in the record and the findings contained in Exhibit "A", the Planning Commission hereby **ADOPTS** the Negative Declaration and **RECOMMENDS APPROVAL** of GP-05-01 and R-05-01 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that the following general plan amendment is consistent with the Zoning Code and the General plan, as amended: Change in the 2000 General Plan land use designation from High Density Residential and Public/Institutional to Medium Density Residential, as shown in Exhibit "B".

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that the proposed rezone from Planned Development Residential-High Density (PDR-HD) and Institutional & Recreational (I&R) to Planned Development Residential-Medium Density (PDR-MD) is compatible with the surrounding land uses, as shown in Exhibit "C".

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby recommend City Council approval of GP-05-01 and first reading of the ordinance adopting R-05-01.

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 GP-05-01 and R-05-01. Should any material change occur, then this Resolution, and any recommendation for approval herein contained, shall be deemed null and void.

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

Bill Perkins, 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 November 14, 2005, by the following votes:

- AYES: COMMISSIONERS
- NOES: COMMISSIONERS
- ABSENT: COMMISSIONERS
- ABSTAIN: COMMISSIONERS

Secretary, Costa Mesa
Planning Commission

EXHIBIT "A"**FINDINGS**

- A. The proposed general plan amendment and rezone is consistent with the Zoning Code and the General Plan. Specifically, although the proposed general plan amendment and rezone will reduce the maximum allowable density for the site, an equivalent increase in residential units will be provided elsewhere in the City. Additionally, the proposal is consistent with the City's General Plan, specifically, policy LU-1C, because approval of the general plan amendment and rezone will allow a project that will be compatible and harmonious with surrounding properties and uses.
- B. An initial study was prepared, pursuant to the California Environmental Quality Act. According to the initial study and negative declaration, which reflect the independent judgment of the City of Costa Mesa, there will not be a significant effect on the environment because standard conditions of approval and mitigation measures have been added to the project.
- C. 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.
- D. The proposed general plan amendment and rezone is exempt from Chapter IX, Article 11, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

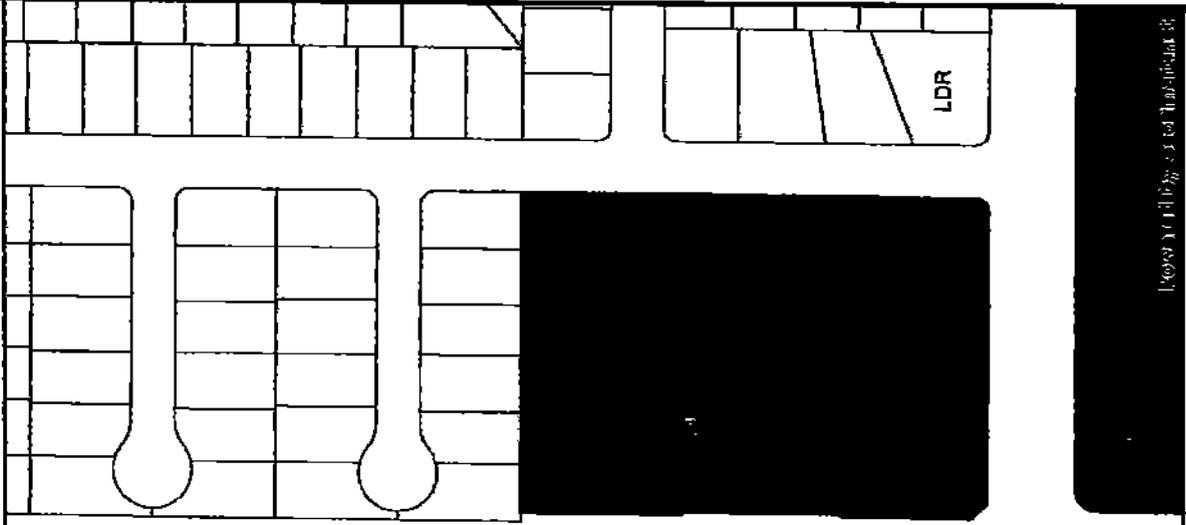
EXHIBIT "B"

PROPOSED GENERAL PLAN MAP

2501 HARBOR BLVD. - GP-05-01

PROJECT SITE
HDR AND P/I TO MDR

Legend	
	Selected Features
	Parcel Lines
	General Plan
	Other
	Cultural Arts Center
	Commercial Center
	Commercial
	Residential
	Palapoude
	Golf Course
	General Commercial
	High Density Residential
	Industrial Park
	Low Density Residential
	Light Industrial
	Medium Density Residential
	Neighborhood Commercial
	Public/Institutional
	Regional Commercial
	Urban Center Commercial
	Parcels

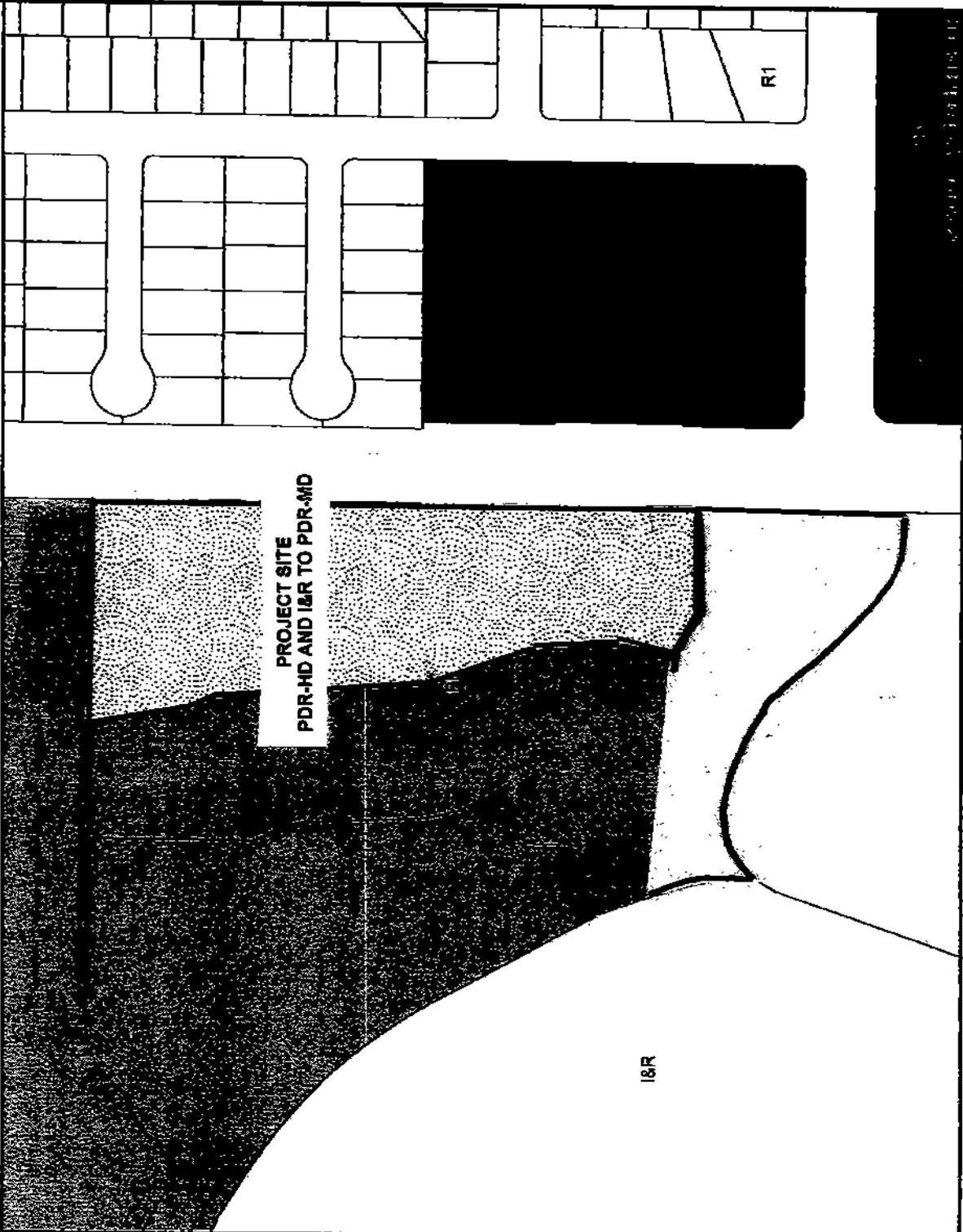


Powered by GeoSmart.net

EXHIBIT "C"

PROPOSED ZONING MAP

2501 HARBOR BLVD. - R-05-01



Legend

- Selected Features
- Parcel Lines
- Zoning
 - AP
 - C1
 - C1-S
 - C2
 - CL
 - I&R
 - I&R-S
 - MG
 - MP
 - P
 - PDC
 - PDI
 - PDR-HD
 - PDR-LD
 - PDR-MD
 - PDR-NCH
 - R1
 - R2-HD
 - R2-MD
 - R3
 - TC
- Parcels

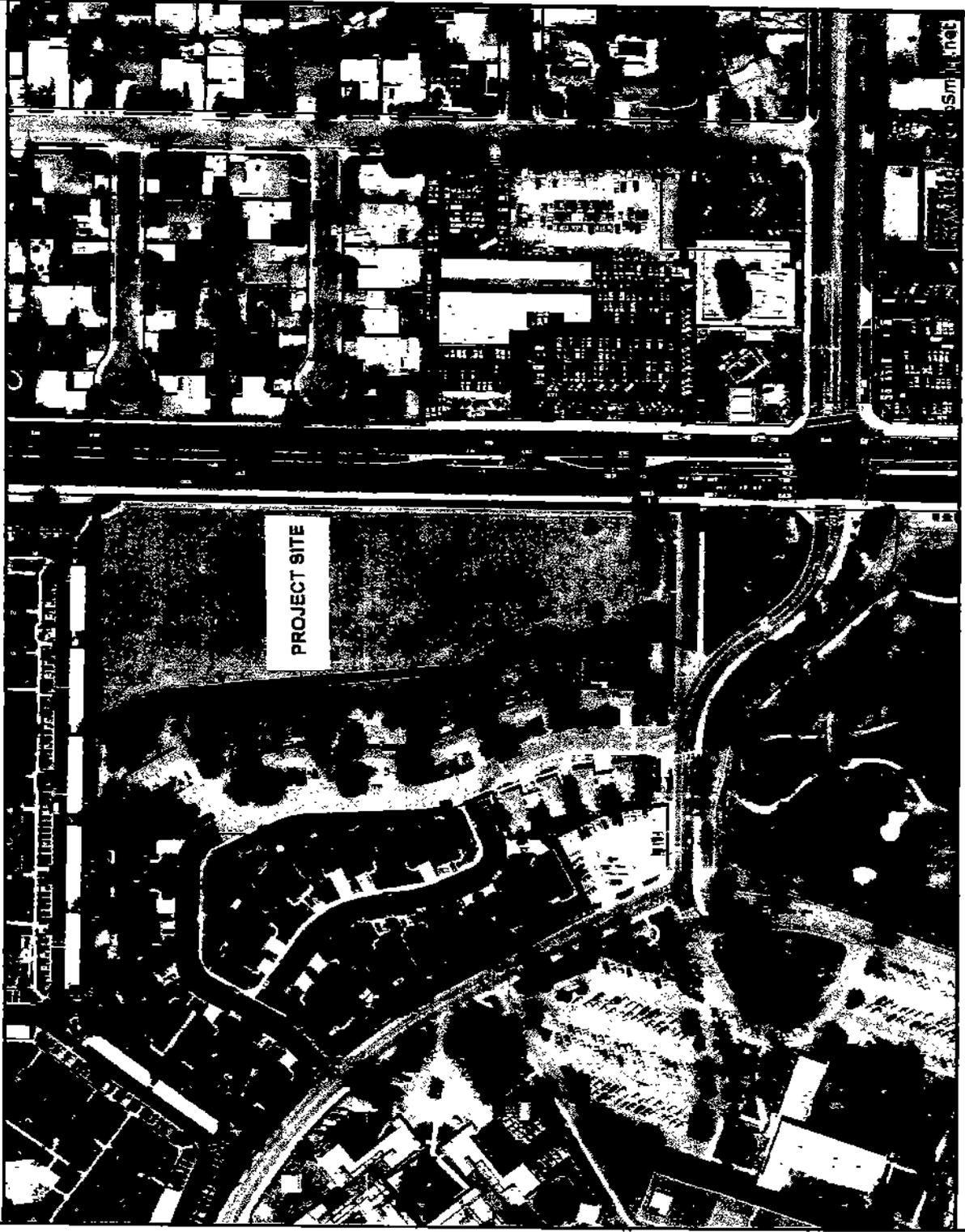


Powered By GeoSmart.net

Printed: 10/12/2005 10:52:22 AM

AIR PHOTO

2501 HARBOR BLVD.



Legend

-  Selected Features
-  Parcel Lines
- Ortho Photography
- Parcels



Powered By GeoSmart.net

Printed: 10/12/2005 10:58:01 AM