



# PLANNING COMMISSION AGENDA REPORT

VI.1

MEETING DATE: JUNE 25, 2007

ITEM NUMBER

**SUBJECT: ONE-YEAR TIME EXTENSION FOR VESTING TENTATIVE PARCEL MAP VPM-03-250 AND FINAL MASTER PLAN PA-02-33 FOR PACIFIC ARTS PLAZA AT 3200 BRISTOL STREET, 3180-3210 PARK CENTER DRIVE, AND 601-675 ANTON BOULEVARD**

**DATE: JUNE 13, 2007**

**FOR FURTHER INFORMATION CONTACT: REBECCA ROBBINS, ASSISTANT PLANNER  
(714) 754-5609**

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## PROJECT DESCRIPTION

The proposed request is for a time extension for the time period beginning July 12, 2007 through July 12, 2008 for the following:

1. ***Vesting Tentative Parcel Map VPM-03-250*** to subdivide 3 existing parcels at Pacific Arts Plaza into 14 parcels (10 for existing structures, 4 for parking and common areas); and
2. ***Final Master Plan PA-02-33*** for the construction of a new 18-story office building and five level parking structure.

## APPLICANT

Mark Lammas is the authorized agent for Maguire Properties.

## RECOMMENDATION

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

Handwritten signature of Rebecca Robbins in black ink.

REBECCA ROBBINS  
Assistant Planner

Handwritten signature of R. Michael Robinson in black ink.

R. MICHAEL ROBINSON, AICP  
Asst. Development Services Director

## **BACKGROUND**

Pacific Arts Plaza is an approximately 18-acre site within the South Coast Plaza Town Center. It is generally bound by Anton Boulevard (north), I-405 Freeway (south), Bristol Street (west), and Avenue of the Arts (east). (Vicinity Map, Attachment 1.)

On July 16, 2001, the City entered into Development Agreement DA-00-04 which conferred development rights and interests of the Pacific Arts Plaza site.

On October 26, 2006, Planning Commission approved a time extension for the following previously-approved applications (Attachment 4):

- *Vesting Tentative Parcel Map VPM-03-250* to subdivide 3 existing parcels at Pacific Arts Plaza into 14 parcels (10 for existing structures, 4 for parking and common areas).
- *Final Master Plan PA-02-33* for the construction of a new 18-story office building and five level parking structure. This includes a variance for a zero street setback at Bristol Street.

## **DISCUSSION**

### ***Time Extension Request***

This is a second request for a time extension.

Pursuant to the Subdivision Map Act, the City requires that the applicant submit a time extension request each year (as needed) for both the vesting parcel map and final master plan. Pacific Arts Plaza is subject Development Agreement DA-00-04.

State Law allows extension requests to be approved by the Planning Commission on an annual basis through the life of the development agreement (Government Code Section 22452.6(a)(1) of the Subdivision Map Act). In this case, the Planning Commission may approve time extension requests for both the VPM-03-250 and PA-02-33 through July 16, 2021.

Final Master Plan PA-02-33 is associated with the vesting parcel map. Therefore, the recordation of the final map will vest development rights for the 18-story high-rise building. The vesting tentative parcel map is subject to a development agreement, and therefore may be extended for the period of time provided for in the development agreement, but not beyond the duration of the agreement.

It should be noted that the final master plan for the 18-story high-rise building shall expire within one year of the final map recordation unless the applicant applies for and is granted a one-year extension of time for the final master plan for every year thereafter.

### ***Vesting Tentative Parcel Map VPM-03-250***

The proposed subdivision of the Pacific Arts Plaza property is for financing/leasing purposes only and will not affect the development or operation of the center. The recorded reciprocal access and parking documents required as a part of the original application will ensure that all parcels function together as a single project. In addition, the subdivision of the property into 14 lots allows individual ownership of each of the buildings.

As provided for by the State Subdivision Map Act, the approval of Vesting Tentative Parcel Map VPM-03-250 confers a vested right to proceed with development in substantial compliance with the ordinances, policies, and standards in effect at the time the vesting map is approved. For instance, if Planning Commission approves the one-year time extension, the code requirements applicable at the time of the original filing in July, 2004, including development standards and fees, will be applicable to the project.

The vesting parcel map is shown as Exhibit "A" of the Planning Commission Resolution.

### ***Final Master Plan PA-02-33 for 18-story Office High-rise***

Final Master Plan PA-02-33 involves the construction of a new, 400,000 sq.ft., 18-story office building and five level parking structure at Pacific Arts Plaza. This development project also includes an amendment to South Coast Plaza Town Center Preliminary Master Plan PA-00-38 and variance from the Bristol Street setback requirement for the proposed parking structure.

The final master plan is shown as Exhibit "B" of the Planning Commission Resolution.

### ***Justification for Approval of Time Extension Request***

Staff supports the request for the time extension for the vesting parcel map and final master plan for the following reasons:

- The previously-approved parcel map is in substantial compliance with the requirements of the Subdivision Map Act, the North Costa Mesa Specific Plan, final Master Plan approval PA-02-33, and Chapter XI (Subdivision) of the Zoning Code.
- The previously-approved master plan for the 18-story high-rise office building has not changed. The proposed project will allow the applicant to proceed with approved development pursuant to Development Agreement DA-00-04 and Final Master Plan PA-02-33. Consequently, the City would realize public benefits in the form of a world-class destination center within a cohesive and pedestrian-friendly mixed-use development. Along with the Performing Arts Center and Concert Hall, the well-designed, 18-story high rise will serve as one of the signature buildings in the City's cultural arts center. Project implementation will contribute to the creation/enhancement of a world-class performing arts district in Costa Mesa.

## ENVIRONMENTAL DETERMINATION

The proposed request is in compliance with the California Environmental Quality Act (CEQA), CEQA Guidelines, and the City's environmental procedures. Specifically, a Final Program Environmental Impact Report (EIR No 1047) and project-specific mitigated negative declaration were certified for the proposed office development at Pacific Arts Plaza. The vesting parcel map request is exempt from the provisions of the California Environmental Quality Act, under Class 15, Minor Land Divisions.

## CONCLUSION

Because there is a major entitlement implication related to the time extension, Planning staff supports the time extension request. Approval of the time extension request will allow the following: (a) the applicant will proceed with recordation of the final vesting parcel map and obtain building permits for the proposed 18-story high rise and thereby commence the overall Pacific Arts Plaza Master Plan project; and (b) the applicant will implement development that has been approved pursuant to Development Agreement DA-00-04.

Attachments:      1. Vicinity Map  
                         2. Draft Planning Commission Resolution  
                         3. Applicant's Letter  
                         4. PC Approval Resolution of Time Extension dated 10/26/2006

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

cc:                    Mark Lammas  
                         Maguire Properties  
                         1733 Ocean Avenue, Suite 400  
                         Santa Ana, CA 90401

                         Paul Julian  
                         Maguire Properties  
                         333 South Grand Ave, Suite 400  
                         Los Angeles, CA 90071

File: 062507PA0233TimeExt	Date: 06:1407	Time: 11:00 a.m.
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## **ATTACHMENT 2**

### **PLANNING COMMISSION RESOLUTION**

**RESOLUTION NO. PC-07-**

**A RESOLUTION OF THE PLANNING COMMISSION OF  
THE CITY OF COSTA MESA APPROVING A ONE-YEAR  
TIME EXTENSION FOR VESTING TENTATIVE PARCEL  
MAP VPM-03-250 AND FINAL MASTER PLAN PA-02-33**

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

WHEREAS, an application was filed by Mark Lammas, authorized agent for Maguire Properties, owner of the Pacific Arts Plaza property located at 3200 Bristol Street, 3180-3210 Park Center Drive, and 601-675 Anton Boulevard;

WHEREAS, the applicant requests approval of a one-year time extension to be applied for the time period beginning on July 12, 2007 to July 12, 2008 for the following applications: (1) Vesting Tentative Parcel Map VPM-03-250 for the subdivision of 3 existing parcels into 14 lots (10 for existing structures, 4 for parking and common area) and (2) Final Master Plan PA-02-33 for the construction of a new 18-story office building, five level parking structure, variance from Bristol Street setback requirements, and an amendment to the South Coast Plaza Town Center Preliminary Master Plan;

WHEREAS, the Costa Mesa City Council approved Development Agreement DA-00-04 for Pacific Arts Plaza on July 16, 2001 for a twenty-year period through July 16, 2021;

WHEREAS, City Council adopted Resolution No.02-78 for Final Master Plan PA-02-33 for the 18-story high-rise office building subject to conditions/mitigation measures on October 21, 2002;

WHEREAS, Planning Commission adopted the following: Commission Resolution No. PC-04-47 for the approval of vesting tentative parcel map VPM-03-250 on July 12, 2004 and Commission Resolution No. PC-06-81 for a one-year time extension for VPM-03-250/PA-02-33 on October 26, 2006;

WHEREAS, the Subdivision Map Act authorizes approval of time extensions associated with development agreements through the life of the development agreement. In this case, the Planning Commission may approve one-year time extensions for VPM-03-250/PA-02-33 through July 16, 2021;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on June 25, 2007;

WHEREAS, the extension request is subject to the following additional condition of approval (Condition 1A): The applicant is required to obtain a Federal Aviation Administration (FAA) determination of No Hazard for the 18-story high-rise office building prior to final map recordation and that determination shall be valid at the time of building permit issuance. The applicant is also required to submit the project to the Airport Land Use Commission for review for informational purposes only prior to final map recordation;

WHEREAS, PA-02-33 for the 18-story high-rise building shall expire within one year of the final map recordation unless the applicant applies for and is granted a one-year extension of time for the final master plan for every year thereafter;

WHEREAS, approval of the time extension will provide sufficient time for recordation of the vesting parcel map as shown in Exhibit "A" and for development of Final Master Plan PA-02-33 as shown in Exhibit "B";

BE IT RESOLVED that the Planning Commission hereby **APPROVES** a one-year time extension for the time period beginning on July 12, 2007 through July 12, 2008 for Vesting Tentative Parcel Map VPM-03-250 and Final Master Plan PA-02-33 with respect to the property described above.

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 Reports for Vesting Tentative Parcel Map VPM-03-250 and Master Plan PA-02-33 and upon applicant's compliance with each and all of the conditions and/or mitigation measures as referenced herein and in Commission Resolution PC-04-47 and PC-

06-81 and Council Resolution Nos. 02-78 and 03-79, respectively. 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 25th day of June, 2007.**

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Donn Hall, Chair, Costa Mesa  
Planning Commission



**EXHIBIT "A"**

**VESTING PARCEL MAP VPM-03-250**



**EXHIBIT "B"**

**MASTER PLAN PA-02-33**





**ATTACHMENT 3**

**APPLICANT'S LETTER**

# Maguire

April 11, 2007

RECEIVED  
CITY OF COSTA MESA  
DEVELOPMENT DEPARTMENT

City of Costa Mesa  
Planning Commission  
77 Fair Drive  
P.O. Box 1200  
Costa Mesa, CA 92628-1200

APR 24 2007  
Fed Ex Delivered

Re: **Pacific Arts Plaza/Vesting Parcel Map VPM-03-250 for  
3200 Bristol Street/3180-3210 Park Center Drive/  
601-675 Anton Boulevard/Planning Commission Approval  
July 15, 2004**

PJM-04-02

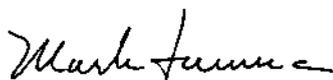
Ladies and Gentlemen:

By this letter, we are respectfully requesting a 12-month extension of the above-referenced VPM-03-250 initially approved by the Planning Commission on July 15, 2004. We request an extension of that map until July 15, 2008.

Enclosed is a check in the amount of \$400.00 to cover the processing costs.

Thank you for your assistance.

Very truly yours,



Mark Lammas  
Executive Vice President  
Maguire Properties

Maguire Properties

355 South Grand Avenue  
Suite 3300  
Los Angeles, California 90071

213 626 3300 Main  
213 687 4758 Fax  
www.maguireproperties.com

**ATTACHMENT 4**

**PC RESOLUTION DATED 10/26/2006**

RESOLUTION NO. PC-06- 81

**A RESOLUTION OF THE PLANNING COMMISSION OF  
THE CITY OF COSTA MESA APPROVING A ONE-YEAR  
TIME EXTENSION FOR VESTING TENTATIVE PARCEL  
MAP VPM-03-250 AND FINAL MASTER PLAN PA-02-33**

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

WHEREAS, an application was filed by Mark Lammas, authorized agent for Maguire Properties, owner of the Pacific Arts Plaza property located at 3200 Bristol Street, 3180-3210 Park Center Drive, and 601-675 Anton Boulevard;

WHEREAS, the applicant requests approval of a one-year time extension to be applied for the time period beginning on July 12, 2006 to July 12, 2007 for the following applications: (1) Vesting Tentative Parcel Map VPM-03-250 for the subdivision of 3 existing parcels into 14 lots (10 for existing structures, 4 for parking and common area) and (2) Final Master Plan PA-02-33 for the construction of a new 18-story office building, five level parking structure, variance from Bristol Street setback requirements, and an amendment to the South Coast Plaza Town Center Preliminary Master Plan;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on October 23, 2006;

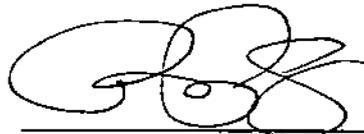
WHEREAS, approval of the time extension will provide sufficient time for recordation of the vesting parcel map as shown in Exhibit "A" and for development of Final Master Plan PA-02-33 as shown in Exhibit "B";

BE IT RESOLVED that the Planning Commission hereby **APPROVES** a one-year time extension for the time period beginning on July 12, 2006 through July 12, 2007 for Vesting Tentative Parcel Map VPM-03-250 and Final Master Plan PA-02-33 with respect to the property described above.

BE IT FURTHER RESOLVED that the following condition of approval is hereby added to Vesting Parcel Map VPM-03-250 and Final Master Plan PA-02-33: Condition of Approval No. 1A – The applicant shall obtain a Federal Aviation Administration (FAA) determination of No Hazard for the 18-story office building prior to final map recordation and that determination shall be valid at the time of building permit issuance. Furthermore, the applicant shall also submit the project to the Airport Land Use Commission for review for informational purposes only prior to final map recordation.

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 Reports for Vesting Tentative Parcel Map VPM-03-250 and Master Plan PA-02-33 and upon applicant's compliance with each and all of the conditions and/or mitigation measures as referenced in the Commission Resolution PC-04-47 and Council Resolution Nos. 02-78 and 03-79, respectively. 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 23rd day of October, 2006.**



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Bill Perkins, Chair, Costa Mesa  
Planning Commission

