



# **PLANNING COMMISSION AGENDA REPORT**

VI. 6

MEETING DATE: NOVEMBER 26, 2007

ITEM NUMBER:

SUBJECT: REZONE R-07-09 FOR BRENTWOOD PARK LOCATED AT 265 MONTE VISTA AVENUE

DATE: NOVEMBER 14, 2007

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

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## **DESCRIPTION**

Rezone Petition R-07-09 involves a rezone of Brentwood Park, a 1.4-acre property located at 265 Monte Vista Avenue from R1 (Single-Family Residential) to I&R (Institutional and Recreational).

## **RECOMMENDATION**

Recommend that City Council give first reading to the Ordinance approving Rezone R-07-09 by adoption of Planning Commission resolution.

REBECCA ROBBINS  
Assistant Planner

KIMBERLY BRANDT, AICP  
Asst. Development Svs. Director

## **BACKGROUND**

On June 5, 2007, Council enacted a zoning ordinance to rezone the Park Day School site at 261 Monte Vista Avenue from R1 to I&R. This parcel was rezoned to resolve a zoning inconsistency and to ensure the preservation of future, passive recreational uses. The proposed rezone would achieve the same objectives of Brentwood Park.

## **ANALYSIS**

### ***Project Location***

Brentwood Park at 265 Monte Vista Avenue is a 1.4-acre property in an R1 zone (Single-Family Residential). The public park abuts the recently acquired and rezoned Park Private Day School at 261 Monte Vista Avenue to the north and west. (Vicinity Map, Attachment 1).

This area is primarily a single-family residential neighborhood in the Eastside. (Site Photos, Attachment 2).

### ***Project Description***

The 2000 General Plan designates the property as Public/Institutional. The R1 zone is not a compatible zoning district within the Public/Institutional General Plan designation. Therefore, a rezone of the property to I&R (Institutional & Recreational) is required.

This City-initiated rezone resolves the inconsistency between the General Plan and zoning classification. The proposed rezone is consistent with General Plan objective OSR-1A to "preserve the City's open space lands and provide additional neighboring parkland." This 1.4-acre property is already included as part of the City's 410.35-acre open space inventory.

The acquisition of the Park Day School property allows the expansion of Brentwood Park to a 2.6-acre neighborhood park.

## **ENVIRONMENTAL DETERMINATION**

The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), CEQA Guidelines, and the City's environmental processing procedures. Pursuant to Section 15061 of the CEQA Guidelines, this project is exempt from CEQA. Section 15061 consists of activities covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The proposed project qualifies for this exemption because it involves the preservation of an existing use as open space and/or lands for park purposes.

**ALTERNATIVES**

1. Recommend that City Council give first reading to ordinance for Rezone R-07-09. The proposed rezone would resolve an inconsistency with the General Plan designation and zoning classification of the property.
  
2. Recommend that City Council deny Rezone R-07-09. If the rezone is denied, the City would retain the existing R1 zoning designation for the property. This action does not resolve the zoning inconsistency.

**CONCLUSION**

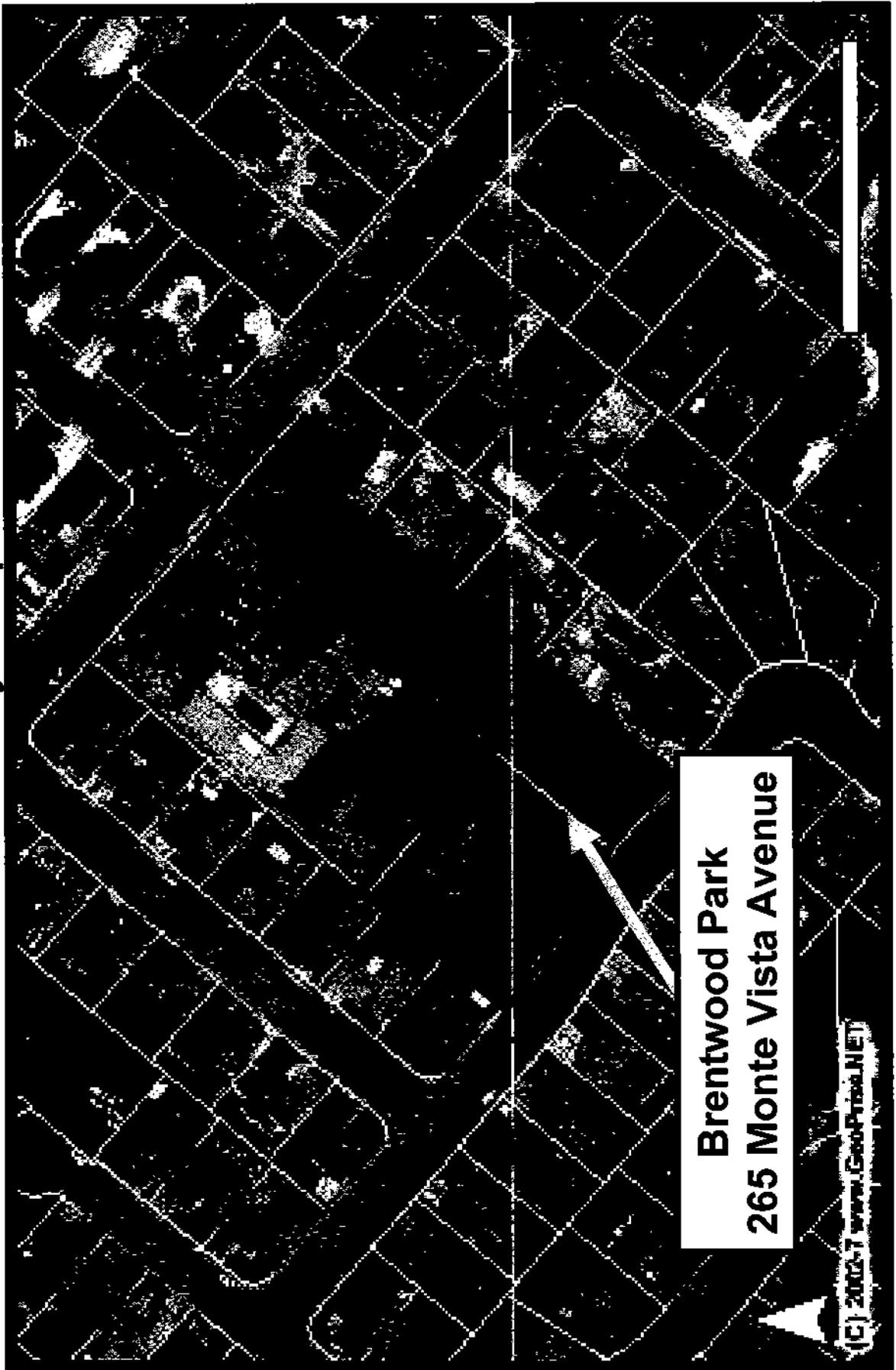
The proposed City-initiated rezone resolves an inconsistency between the General Plan and zoning classification. Staff recommends approval of the proposed rezone.

Attachments:           1. Vicinity Map  
                              2. Site Photos  
                              3. Planning Commission Resolution

cc:   Asst. City Manager  
      Deputy City Manager - Dev. Svs. Director.  
      Assistant City Attorney  
      City Engineer  
      Staff (4)  
      File (2)

File: 112607R0709	Date: 110807	Time: 9:00 a.m.
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Vicinity Map



SITE PHOTOS  
265 MONTE VISTA AVE



SURROUNDING PROPERTIES



**RESOLUTION NO. PC-07-****A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA RECOMMENDING CITY COUNCIL GIVE FIRST READING TO REZONE R-07-09 TO REZONE BRENTWOOD PARK AT 265 MONTE VISTA AVENUE FROM R1 (SINGLE-FAMILY RESIDENTIAL) TO I&R (INSTITUTIONAL AND RECREATIONAL).**

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

WHEREAS, the City of Costa Mesa, property owner of the 1.4-acre Brentwood Park located at 265 Monte Vista Avenue, is initiating a rezone of the property from R1 (Single-Family Residential) to I&R (Institutional and Recreational);

WHEREAS, a duly noticed public hearing was held by the Planning Commission on November 26, 2007 to allow for public comment on the proposed rezone and with all persons having been given the opportunity to be heard both for and against the proposed rezone;

WHEREAS, the Planning Commission deems it to be in the best interest of the City that said rezone be adopted to resolve an inconsistency with the General Plan land use designation;

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", the Planning Commission hereby recommends that City Council **GIVE FIRST READING** of the Ordinance for Rezone R-07-09, as shown in Exhibit "B".

**PASSED AND ADOPTED this 26th day of November, 2007**

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Donn Hall, Chair  
Costa Mesa Planning Commission



**EXHIBIT "A"**

**FINDINGS**

- A. Rezone R-07-09 is consistent with the 2000 General Plan adopted in January, 2002 and Costa Mesa Zoning Code.
- B. Rezone R-07-09 will resolve the inconsistency between the City of Costa Mesa 2000 General Plan land use designation of Public/Institutional and existing R1 zoning classification. The rezone will also maintain the institutional/recreational use on the subject property ensuring the life of the open space for the public.
- C. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City's environmental processing procedures. Pursuant to Section 15061 of the CEQA Guidelines, this project is exempt from CEQA. Section 15061 consists of activities covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The proposed project qualifies for this exemption because it involves the preservation of an existing use as open space and/or lands for park purposes.

**EXHIBIT "B"**

**ORDINANCE NO. 07-\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, TO REZONE A 1.4-ACRE PROPERTY FROM R1 (SINGLE-FAMILY RESIDENTIAL) TO I&R (INSTITUTIONAL AND RECREATIONAL) AT 265 MONTE VISTA AVENUE.**

THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEARBY ORDAIN AS FOLLOWS:

WHEREAS, Rezone R-07-09 is consistent with the 2000 General Plan adopted in January, 2002 and Costa Mesa Zoning Code;

WHEREAS, Rezone R-07-09 of the subject property from R1 (Single-Family Residential) to I&R (Institutional and Recreational) will meet the central objective for continued use and development of the subject property for parkland purposes;

WHEREAS, Rezone R-07-09 will resolve an existing inconsistency between the General Plan land use designation of Public/Institutional and the current R1 zoning classification;

WHEREAS, Rezone R-07-09 included an analysis of the interface and compatibility between the existing residential neighborhood and existing use for parkland purposes, and the land use analysis concluded that the continued use of the property as parkland would be a compatible amenity to the area;

**SECTION 1. REZONE PETITION.** The City of Costa Mesa Official Zoning Map is hereby amended as follows:

a. There is hereby placed and included in the I&R zone all the real property shown on attached Exhibit 1 and described as 265 Monte Vista Avenue, Assessor Parcel Number 439-333-02 and 439-333-03, situated in the City of Costa Mesa, County of Orange, State of California and as shown in attached Exhibit 1.

b. Pursuant to the provisions of Section 13-22 of the Costa Mesa Municipal Code, the Official Zoning Map of the City of Costa Mesa is hereby amended by the

change of zone described in subsection a hereof and in the respective exhibit. A copy of the Official Zoning Map is on file in the office of the Planning Division.

**SECTION 2. ENVIRONMENTAL DETERMINATION.** Rezone R-07-09 has been reviewed for compliance with the California Environmental Quality Act (CEQA), CEQA Guidelines, and the City's environmental processing procedures. Pursuant to Section 15061 of the CEQA Guidelines, this project is exempt from CEQA. Section 15061 consists of activities covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The proposed project qualifies for this exemption because it involves the preservation of an existing use as open space and/or lands for park purposes.

**SECTION 3. INCONSISTENCIES.** Any provision of the Costa Mesa Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to affect the provisions of this Ordinance.

**SECTION 4. SEVERABILITY.** If any provision or clause of this ordinance or the application thereof to any person or circumstances is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions or clauses or applications of this ordinance which can be implemented without the invalid provision, clause or application; and to this end, the provisions of this ordinance are declared to be severable.

**SECTION 5. PUBLICATION.** This Ordinance shall take effect and be in full force thirty (30) days from and after the passage thereof, and, prior to the expiration of fifteen (15) days from its passage, shall be published once in the ORANGE COAST DAILY PILOT, a newspaper of general circulation, printed and published in the City of Costa Mesa or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the office of the City Clerk five (5) days prior to the date of adoption of this Ordinance, and within fifteen (15) days after adoption, the City Clerk shall cause to be published the aforementioned summary and shall post in the office of the City Clerk a certified copy of

this Ordinance together with the names of the members of the City Council voting for and against the same.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_ 2007.

\_\_\_\_\_  
Mayor of the City of Costa Mesa

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
City Clerk of the City of Costa Mesa

\_\_\_\_\_  
City Attorney



Exhibit 1

