



PLANNING COMMISSION

AGENDA REPORT

VII.2

MEETING DATE: JANUARY 12, 2009

ITEM NUMBER

SUBJECT: ONE-YEAR TIME EXTENSION FOR PLANNING APPLICATION PA-07-29, FOR PROPERTY LOCATED AT 531 ANTON BOULEVARD

DATE: DECEMBER 26, 2008

**FOR FURTHER INFORMATION CONTACT: MINOO ASHABI, AIA, SENIOR PLANNER
(714) 754-5610**

DESCRIPTION

The proposed request is a time extension request for Planning Application PA-07-29 for the proposed Symphony Towers Parking Structure project which included the following entitlements:

- **Final Master Plan** for a three-level parking structure (total 342 parking spaces) at South Coast Metro Center, 531 Anton Boulevard in a PDC zone.
- **Minor Conditional Use Permit** for a deviation from shared parking requirements and maximum number of compact parking requirement.

APPLICANT

Patrick B. Tooley is the authorized agent for Wilson Meany Sullivan.

RECOMMENDATION

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

Handwritten signature of Minoo Ashabi in black ink.

MINOO ASHABI, AIA
Senior Planner

Handwritten signature of Kimberly Brandt in black ink.

KIMBERLY BRANDT AICP
Asst. Development Svs. Director

BACKGROUND

This is a time extension request for the parking structure related to development of the Symphony Towers project. The parking structure site is located at 531 Anton Boulevard, just south and east of existing parking structures. The parking site is within a larger project site owned by RREEF America / REIT II Corporation, which includes three 12-story office buildings, 24-hour Fitness Health Club, two restaurant buildings, and a 4,000 square foot retail center. The two vacant restaurant buildings totaling 17,529 square feet are proposed to be demolished to accommodate the Symphony Towers high-rise residential project.

On October 8, 2007, Planning Commission approved final master plan PA-07-18 for the Symphony Towers high-rise residential project. This final master plan consists of a maximum of 484 residential condominiums within a 26-story (Tower I) and 16-story high-rise building (Tower II), two six-level parking structures containing a total of 1,040 parking stalls, and an additional 6,000 square feet of ancillary retail in Tower II.

On January 14, 2008, Planning Commission approved Final Master Plan and a Minor Conditional Use Permit for development of a three-story parking structure that will replace surface parking spaces that are eliminated with construction of the Symphony Towers High-Rise residential project at 585/595 Anton Boulevard and a deviation from shared parking requirements and 10% maximum compact spaces to allow 34 compact spaces in the new structure.

DISCUSSION

Time Extension Request

The applicant has requested a time extension for financing of the project. The project entitlements include the following:

- Final Master Plan for a three-level parking structure containing a total of 342 parking spaces at 531 Anton Boulevard. The structure will replace surface parking spaces that are eliminated due to construction of the Symphony Towers High-Rise residential project at 585/595 Anton Boulevard.
- Minor Conditional Use Permit for a deviation from shared parking requirements and also for the provision of a maximum 10 percent of compact parking (34 compact spaces) in the new structure.

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 Planning Application PA-07-29 is in substantial compliance with the requirements of the North Costa Mesa Specific Plan, and the Zoning Code.
- The previously-approved master plan and minor conditional use permit has not changed. The proposed time extension will allow the applicant to proceed with the project implementation of the Symphony Towers project that has been on hold because of the current housing market.

Alternatives:

If the time extension is not approved, the applicant would not be able to obtain building permits to proceed with construction of the project.

ENVIRONMENTAL DETERMINATION

Final Program EIR No. 1052 was prepared in accordance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the City of Costa Mesa Environmental Guidelines. The Final Program EIR analyzed the Symphony Towers high-rise residential project along with four other development projects. Council certified the Program EIR on November 21, 2006. The proposed time extension is within the scope of the EIR analysis.

CONCLUSION

The applicant is interested in developing the subject property as a three-story parking structure to replace surface parking that will be eliminated when the Symphony Towers project is implemented. Since the Symphony Towers project has been delayed due to the housing market, the parking structure does not need to be constructed at this time. The time extension will allow the applicant to maintain the approval of this project consistent with the Symphony Tower approval. The approval for the Symphony Towers project is valid for two-years until October 8, 2010 (Vesting Tentative Tract Map VT-17207).

- Attachments:
1. Planning Commission Resolution
 2. Applicant's Letter
 3. Vicinity Map
 4. Approved Plans

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

RESOLUTION NO. PC-09-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING TIME EXTENSION FOR PLANNING APPLICATION PA-07-29, INCLUDING A MASTER PLAN AND A MINOR CONDITIONAL USE PERMIT, FOR CONSTRUCTION OF A THREE-STORY PARKING STRUCTURE WITH 34 COMPACT PARKING SPACES AT 531 ANTON BOULEVARD

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

WHEREAS, an application was filed by Patrick B. Tooley of Wilson Meany Sullivan for a time extension of Planning Application PA-07-29 with respect to the real property located at 531 Anton Boulevard;

WHEREAS, the proposed project involves: (1) Final Master Plan for a three-level parking structure (total 342 parking spaces); (2) Minor Conditional Use Permit for a deviation from shared parking requirements and the maximum 10 percent compact parking provision to allow 34 compact parking spaces;

WHEREAS, the Planning Commission approved Planning Application PA-07-29 on January 14, 2008, by adoption of Resolution No. PC-08-03 which is hereby incorporated by reference;

WHEREAS, the applicant will implement the project with development of the Symphony Towers project;

WHEREAS, the applicant requests approval of a one-year time extension to be applied from January 14, 2009 to January 14, 2010 for the Planning Application PA-07-29;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on January 12, 2009, to allow for public comments on the proposed time extension and

with all persons having been given the opportunity to be heard both for and against the proposed project;

WHEREAS, Final Program EIR No. 1052 was prepared in accordance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the City of Costa Mesa Environmental Guidelines. The Final Program EIR analyzed the Symphony Towers high-rise residential project along with four other development projects. Council certified the Program EIR on November 21, 2006. The proposed time extension is within the scope of the Program EIR analysis;

WHEREAS, the time extension does not change the previously-adopted findings and conditions of approval for Planning Application PA-07-29, as specified in Exhibits "A" and "B", respectively, of Resolution No. PC-08-03. These findings and conditions of approval in their entirety are still applicable to the proposed project;

BE IT RESOLVED that the Planning Commission hereby **APPROVES** a one-year time extension for the time period from January 14, 2009 to **January 14, 2010** for Final Master Plan PA-07-29 and Minor Conditional Use Permit with respect to the property described above.

BE IT FURTHER RESOLVED that the 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 Planning Application PA-07-29. This action is also based on the evidence in the record and findings and subject to applicant's compliance with each and all conditions of approval, as specified in Resolution No. PC-08-03.

PASSED AND ADOPTED this 12th day of January, 2009.

Donn Hall, Chair, Costa Mesa
Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, Kimberly Brandt, 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 12, 2009, by the following votes:

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

Kimberly Brandt, Secretary, Costa Mesa
Planning Commission

WILSON
MEANY
SULLIVAN

NOV 12 2008
Received by Fred Ex.

November 6, 2008

Minoo Ashabi, AIA
Senior Planner
City of Costa Mesa
77 Fair Drive
P.O. Box 1200
Costa Mesa, CA 92628

RE: Approval for PA-07-29 Final Master Plan for Parking Structure B at 531 Anton Boulevard

Dear Minoo:

Thank you for taking the time earlier this week to discuss the upcoming expiration of the approved planning application for the above-captioned project. We greatly appreciate your efforts to guide us through this process. As you know, we received approval for PA-07-29 on January 14, 2008, and it is currently set to expire on January 14, 2009. By transmittal of this letter, we hereby request a formal extension of this approval for a period of one (1) year pursuant to Section 13-29(k)(2)(b) of the Costa Mesa Municipal Code, which provides that a final review authority may extend a planning application for successive periods of one (1) year upon showing of good cause by the applicant. I have also enclosed a completed Design Review Application and a check in the amount of \$400.00 for this extension request.

As discussed, the current volatile financial market environment has caused a delay to our project schedule and this delay is the basis for our extension request.

Please do not hesitate to contact me should you have any questions about this matter. I may be reached at 310-382-9040.

Cordially,



Patrick B. Tooley

Enclosures

CC: John Cheung, P.E.
George M. K. Sakioka
Amy R. Forbes, Esq.
Douglas M. Champion, Esq.
Brian Harnetiaux

**CITY OF COSTA MESA PLANNING APPLICATION
FINAL MASTER PLAN FOR PARKING STRUCTURE B**

PROJECT DESCRIPTION

Parking Structure B is a new three-level above-grade garage development at the South Coast Metro Center. The new structure is intended to replace parking stalls displaced by the proposed Symphony Towers development. The parking structure will have approximately 344 total parking stalls. The existing site consists of an at-grade asphalt parking lot that is south of an existing three-level parking garage (527 Anton Blvd.) and east of another existing three-level parking garage (525 Anton Blvd.). When completed, Parking Structure B will connect to the west structure at all levels, and to the north structure at the ground floor level. The existing parking gate on the east side of the west parking structure will be relocated to the south east corner. A new parking gate will be added to the north entrance of the north parking structure. Prior to construction, the existing surface parking lot will continue to operate according to its approved use.

Vicinity Map

531 Anton Blvd.



Project Site

PROJECT:
Symphony Towers
Replacement Parking Structure 'B'
 531 Anton Boulevard, Costa Mesa, CA

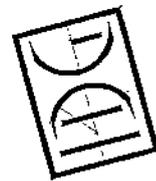
Developer

Wilson Meany Sullivan
100 Wilshire Boulevard, Suite 640
Santa Monica, CA 90401

Land Owner

FREEF AMERICA REIT II CORP. CCCC
174 Anton Boulevard, Suite 550
Costa Mesa, CA 92626

PROJECT TEAM:



Architect

Innovative Design Group, Inc.

17449 Sky Park Circle, Suite D
Irvine, California 92614
949.263.8070



BPA Group

Structural Engineer

BPA Group, Inc.

18371 McBurnett Street West, Suite A
Irvine, California 92614
949.858.0011



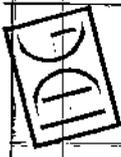
Civil Engineer

Fusco Engineering

Suite 100 - 18795 Von Karman
Irvine, CA 92606
949.474.1900

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DEVELOPMENT SERVICES DEPARTMENT

DEC 27 2007



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 www.wms.com

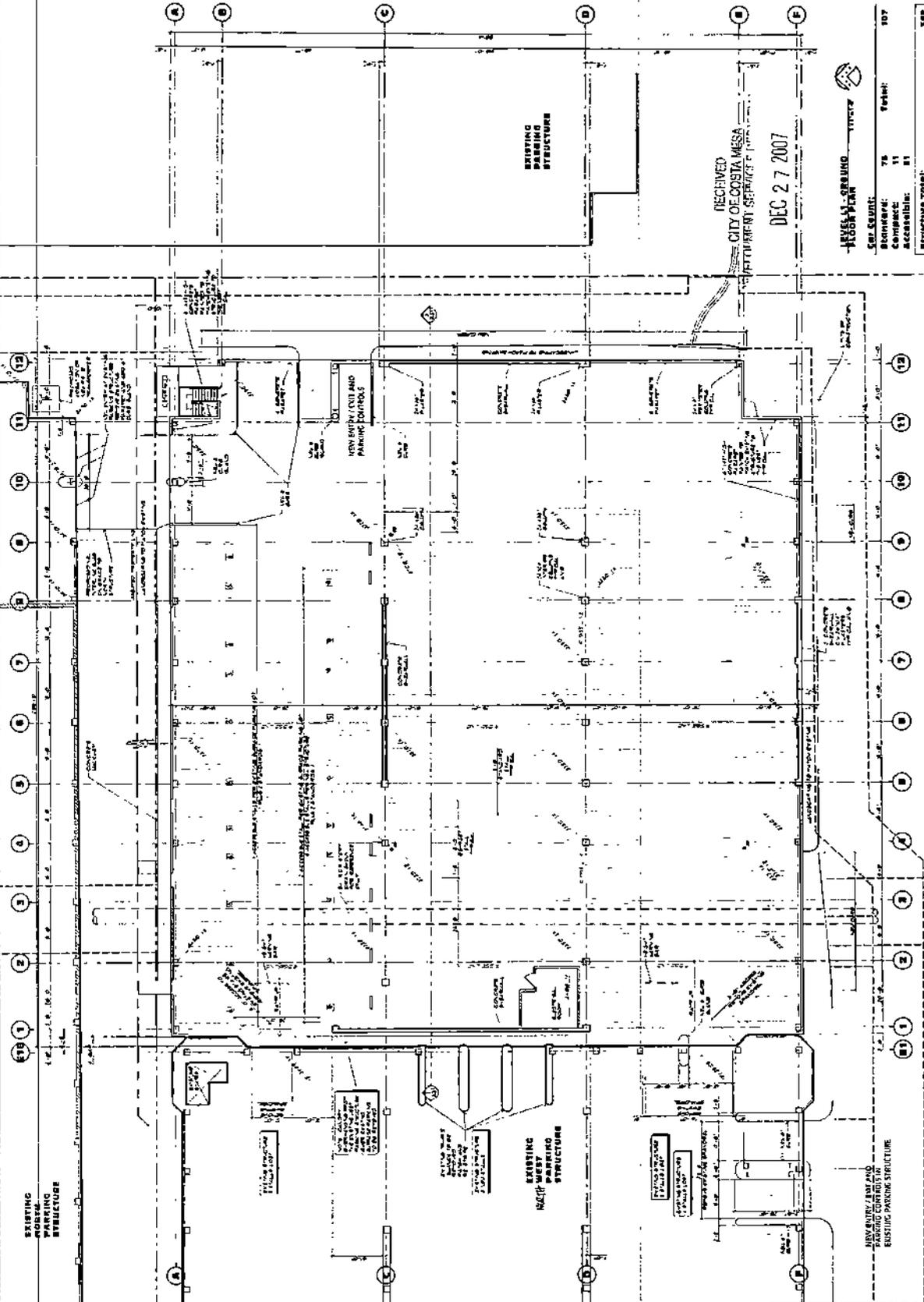
**BREEF America
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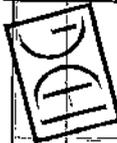
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**LEVEL 11 - GROUND
FLOOR PLAN
A2.1**



SCF COUNT:	78	96th:	107
Boys:	11	97th:	107
Compact:	11	98th:	107
Accessible:	11	99th:	107
Structure's Total:	11	100th:	107
Compact Ratio:	11	101st:	107
102nd:	107	103rd:	107
104th:	107	105th:	107
106th:	107	107th:	107
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576th:	107	577th:	107
578th:	107	579th:	107
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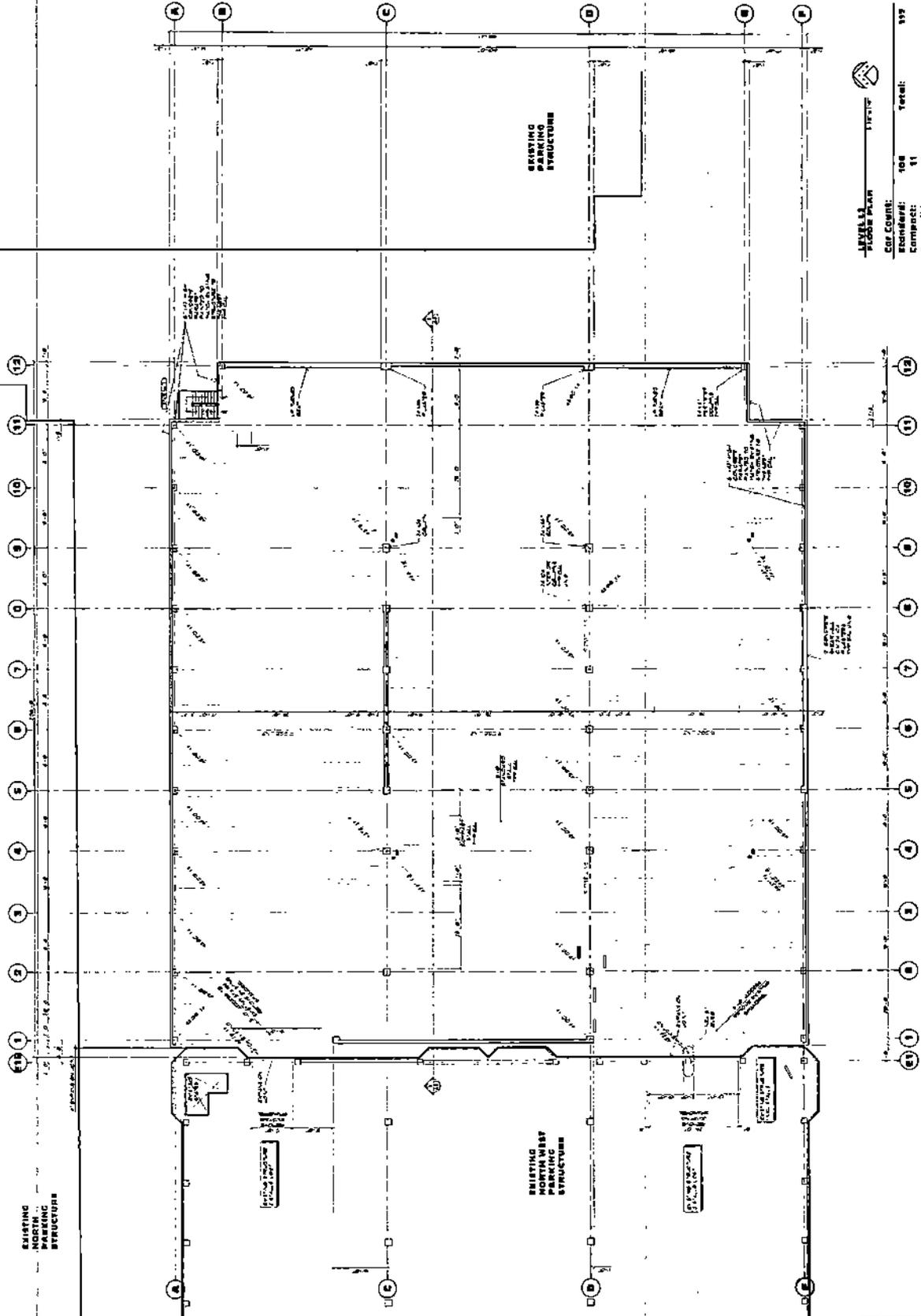
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REIT II Corp.
CCCC**
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**Symphony
Towers
Parking
Structure 'B'**
 Replacement Structure,
 531 Anton Boulevard
 Costa Mesa, CA

ARCHITECT
 1000 Wilshire Blvd., Suite 1000
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 Fax: (310) 277-1001
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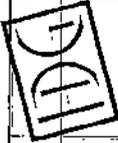
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 Fax: (310) 277-1001
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**LEVEL 12
FLOOR PLAN**
A2.2



**LEVEL 12
FLOOR PLAN**

Car Count:	106	Total:	117
Standard:	94		
Accessible:	0		



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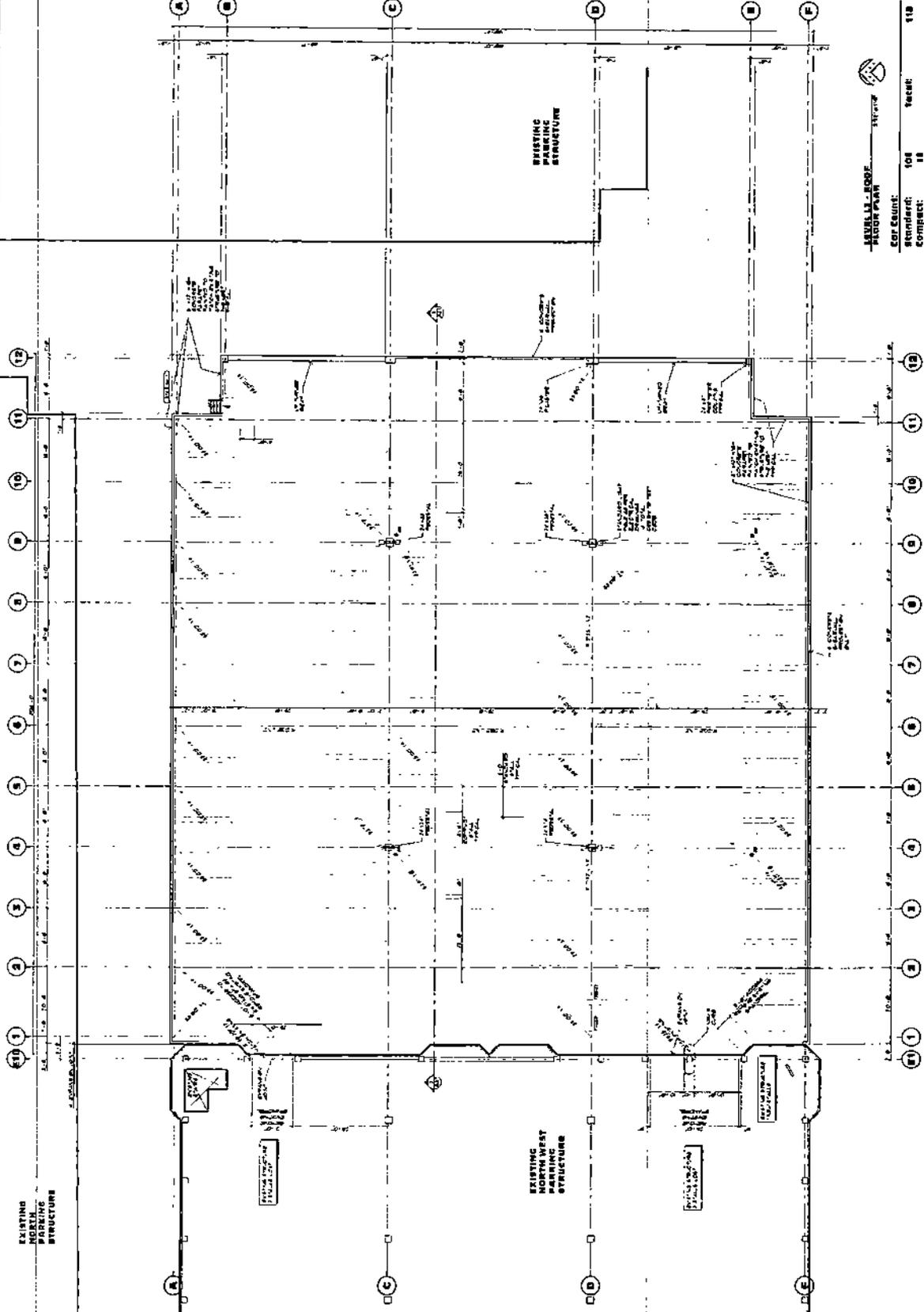
Symphony Towers Parking Structure 'B'
 Replacement Structure
 333 Mission Boulevard
 Emeryville, CA 94608
 Tel: 925.437.1000
 Fax: 925.437.1001
 www.symphonytowers.com

333 Mission Boulevard Emeryville, CA
 333 Mission Boulevard
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 Tel: 925.437.1000
 Fax: 925.437.1001
 www.symphonytowers.com

LEVEL 11 - ROOF FLOOR PLAN
 SHEET 110

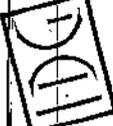
LEVEL 13 - ROOF FLOOR PLAN
 SHEET 112

A2.3



LEVEL 11 - ROOF FLOOR PLAN
 SHEET 110

CON COUNT: 108
 Standard: 11
 Compact: 11
 Accessible: 0



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Parking
Structure 'B'**
 (Replacement Structure)
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NO. 1	DATE	DESCRIPTION
1	11/11/77	ISSUED FOR PERMITTING
2	11/11/77	ISSUED FOR CONSTRUCTION
3	11/11/77	ISSUED FOR RECORD
4	11/11/77	ISSUED FOR RECORD
5	11/11/77	ISSUED FOR RECORD
6	11/11/77	ISSUED FOR RECORD
7	11/11/77	ISSUED FOR RECORD
8	11/11/77	ISSUED FOR RECORD
9	11/11/77	ISSUED FOR RECORD
10	11/11/77	ISSUED FOR RECORD

DATE: 11/11/77
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT NO.: [Number]

A2.4
 EXISTING NORTH
 LEVEL GROUND
 FLOOR PLAN

