



CITY COUNCIL AGENDA REPORT

MEETING DATE: FEBRUARY 18, 2020

ITEM NUMBER: NB-2

SUBJECT: GENERAL PLAN SCREENING REQUEST GPS-19-01 FOR A 9-UNIT FOUR-STORY LIVE/WORK COMMON INTEREST DEVELOPMENT ON A 0.45-ACRE SITE AT 2648 NEWPORT BOULEVARD

DATE: JANUARY 23, 2020

FROM: PLANNING DIVISION/DEVELOPMENT SERVICES DEPARTMENT

PRESENTATION BY: KATELYN WALSH, ASSISTANT PLANNER

**FOR FURTHER INFORMATION
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RECOMMENDATION

Direct staff whether or not to process a General Plan Amendment request for the development of a 0.45-acre parcel with nine live/work units. The General Plan Screening (GPS) is a prerequisite in advance of submitting a General Plan Amendment, Rezone, Specific Plan Amendment, Master Plan, and Parcel Map applications for development of the site.

It should be noted that acceptance of the proposal for screening is not a commitment to approve the proposed General Plan Amendment. Rather it represents the City Council's determination that it is appropriate to proceed with processing and consideration of a request to amend the General Plan.

REQUEST

The applicant proposes to redevelop a site located within the Commercial Residential (CR) General Plan land use district through a General Plan Amendment, along with accompanying entitlements described in the Project Description section. This General Plan Screening is the first step in the process to allow a live/work development with a site-specific density of 20 du/acre in the Commercial Residential (CR) General Plan land use designation. This project would also require an amendment to the Newport Boulevard Specific Plan.

City Council Policy 500-2 establishes a procedure for processing privately-initiated General Plan Amendments. The procedure involves City Council screening of such requests prior to their acceptance for formal processing. The General Plan Screening is not a public hearing but requires a majority vote by the City Council in order for the application to proceed.

BACKGROUND

Project Site

The project site contains one parcel (APN: 439-081-07) located east of Newport Boulevard, between Del Mar Avenue and Mesa Drive. The 0.45-acre parcel is developed with a vacant 4,459-square-foot commercial building, formerly occupied by a piano repair business. The site is zoned Local Business District (C1) and has a General Plan Land Use designation of Commercial Residential (CR). The project site is also located within the boundaries of the Newport Boulevard Specific Plan area.

The project site is bordered to the north and south by commercial uses, to the west by Newport Boulevard, and to the east by a development in the R2-MD (Multiple Family Residential, Medium Density) zoning district. The property owner also owns the Best Western Hotel, a three-story commercial development, located directly south of the project site. The project site also borders the Star Inn Motel to the north.

Newport Boulevard Specific Plan

The subject property is located in the Newport Boulevard Specific Plan area. The City Council adopted the Newport Boulevard Specific Plan in July 1996. The land use changes and policies adopted as part of the Specific Plan included the following:

- Amended Land Use Element to include a new land use designation of Commercial Residential which allows complementary mix of residential and commercial zoning.
- Adopted development standards which restricts certain uses in the plan area, such as motels, hotels, and adult entertainment businesses.
- Adopted a development standard which encourages lot consolidation prior to rezoning to either residential or planning development zoning district and established a base density of 12 to 17.4 units per acre in the Commercial Residential land use designation.
- Identified areas in the plan area which are suited for future residential development; several properties in the plan area were rezoned to residential following the adoption of the specific plan. Private interests are not precluded from initiating a rezone on other properties in the plan area.

The Specific Plan gives preference toward ownership housing through lot consolidation. Consequently, the Specific Plan allows density increments above a site's base density for

ownership type housing developments. In this case, the applicant is proposing a nine-unit live/work condominium project which exceeds the allowable residential density range established in the Specific Plan, along with a number of requested variances described later in this report. Should the project move forward, a General Plan Amendment, Rezone, Specific Plan Amendment, Master Plan and Parcel Map application would be required, subject to review and approval by the Planning Commission.

Residential Incentive Overlay

With the 2016 General Plan Update, the City Council adopted a new overlay zone referred to as “Residential Incentive Overlay” that applied to several areas on Harbor and Newport Boulevards. The project site was originally included in the overlay that allowed up to 40 du/acre for residential development. Later in 2018, the City Council scaled down the overlay areas to four areas with only one node along Newport Boulevard that includes Ali Baba motel and properties adjacent to it. The subject property was originally included in the Residential Incentive Overlay but was removed in 2018.

Measure Y

Since the development will be fewer than 40 dwelling units and is not estimated to generate more than 200 additional trips beyond current conditions, the project will not be subject to Measure Y. In addition, the project is more than one-half mile from any major development recognized by Measure Y. Therefore, the project would not be subject to a vote under Measure Y.

PROJECT CONCEPT

Proposed Description

The proposed nine-unit live/work project involves a General Plan Amendment, Rezone, Specific Plan Amendment, Master Plan, and Parcel Map application. The proposed project includes the development of the site with two multi-family buildings, each containing multiple live/work units for a total of nine dwelling units.

As has been noted, the 0.45-acre site contains a vacant 4,459-square-foot commercial building. The proposed project would involve demolition of the existing structure and construction of nine new attached condominium units. The single parcel would be subdivided for condominium purposes via a Tentative Tract Map. Access to the proposed development would be from Newport Boulevard along the northerly property line, via a single shared drive aisle.

As proposed, the Master Plan would also require variance requests described in more detail later in the report. A Summary Sheet containing more information on the project can be found in Attachment 2.

General Plan Land Use Designation

The General Plan land use designation of Commercial Residential allows development with densities of 12 to 17.4 du/acre. Therefore, the proposed live/work development would require a General Plan Amendment, and a Specific Plan Amendment with a site specific density of 20 du/ac. The vision of the project is to create ownership housing opportunities along Newport Boulevard and to provide live/work environments that have become in demand with younger families.

The General Plan land use designation of Commercial Residential (CR) allows for development of commercial and residential uses; therefore, the proposed live/work development would be consistent with the allowed land uses but not the proposed density.

Specific Plan Amendment and Rezone

The Newport Boulevard Specific Plan applies to a limited area on the eastside of Newport Boulevard between East 19th Street and Mesa Drive. City-wide with this designation encompasses 47.9 acres (the proposed site accounts for 0.94-percent of this land area). The applicant proposes a mix of residential and commercial uses at the project site through rezoning the property to Planned Development Residential, High Density (PDR-HD), consistent with the General Plan land use designation and Specific Plan.

A mix of both commercial and residential uses on one parcel should only be allowed as a Planned Development. Therefore, the project also requires approval of a master plan, which is the mechanism to approve a planned development project.

Proposed Parking

Per residential standards of the Zoning Code (Table 13-85), a minimum of 32 parking spaces (nine covered, 18 open, and five guest parking spaces) would be required. The proposed project would provide a total of 27 covered parking spaces in the attached two-car garages (including one parking lift provided in each unit) and seven open parking spaces that would be located at the surface ground level, for a total of 34 spaces. As proposed, the nine-unit project would provide 34 parking spaces as follows:

Table 1 – Parking Standards

Unit Size	Required Parking	Provided Parking
Two-bedroom unit (Five units total)	• Covered: 1 per unit • Open: 1.5 per unit • Guest: 0.5 per unit	• Covered: 3 per unit (including parking lift) • Open: 0 per unit* • Guest: 7 total for project
Three-bedroom unit (Four units total)	• Covered: 1 per unit • Open: 2.5 per unit • Guest: 0.5 per unit	• Covered: 3 per unit (including parking lift) • Open: 0 per unit*

		• Guest: 7 total for project
Total	32 Parking Spaces (9 covered; 18 open; 5 guest)	34 Parking Spaces (27 covered including 9 lifts; 7 open/guest*)

* Per Table 13-85, open tenant parking spaces may be provided as covered parking.

The proposed project exceeds the parking requirements for a common interest development with the inclusion of parking lifts. The Zoning Code does not specify whether vehicle parking lifts can be utilized to satisfy parking in the Planned Development zones. The applicant is proposing one vehicle parking lift within the garages of each unit for a total of nine vehicle parking lifts. The proposed ceiling height would accommodate the vehicle parking lifts and the lifts would not obstruct the minimum interior dimensions of a two-car garage (20 feet by 20 feet). A four-unit mixed-use project was approved with car lifts in 2019. City Council feedback is requested regarding whether vehicle parking lifts should be counted as a means of satisfying the requirement for covered parking.

Trip Generation

The anticipated trip generation for nine live/work units is approximately 127 average daily trips (ADT), with 11 trips occurring during the AM peak hour and 14 trips occurring during the PM peak hour. The AM and PM peak hour trip estimates are less than the City's standard significance threshold of 50 peak hour trips. Because of the low volume of peak hour trips, the project would have a negligible impact on the surrounding circulation system. The City's Transportation Division has reviewed the proposal and has no concerns with the assumed trip generation. No significant traffic impacts are associated with this project and a traffic impact study is not required. A preliminary trip generation analysis is included in the General Plan Summary Sheet (Attachment 2).

Proposed Building Height and Architecture

The project proposes four stories (three stories plus a roof terrace level) at a total height of 38 feet, 4 inches. The roof terrace is considered another building story in the Planned Development zones. Notwithstanding that the Zoning Code defines an open roof terrace as a story, from a building bulk perspective the project units would resemble traditional three-story homes with a flat roof/roof terrace. In addition, there are two multiple story buildings that abut the site to the north and south; the Best Western Hotel contains three-stories and the Star Inn Motel is two-stories in height. The General Plan limits building height to four stories above grade south of the I-405 Freeway. The following building heights have been approved for multiple family residential construction south of the I-405 Freeway in recent years:

Table 2 – Building Height

Project Name	Project Address	Approved Height
Baker Block Apartments	125 E. Baker Street	5 stories – apartment building 6 stories – parking structure

Vivante	1640 Monrovia Avenue	4 stories (56 feet)
Sea House	1042 W. 18 th Street	3 stories with roof deck (37 feet, 5 inches)

The applicant has provided elevation plans that reflect a Spanish Revival architecture and include a variety of offsets, articulation and construction materials to enhance the aesthetic qualities of the buildings. The final building designs should consider the views from northbound Newport Boulevard and the adjacent motel and hotel sites. Also, the windows along the front elevation will have the most visibility from neighboring commercial uses; direct lines of sight shall be avoided and/or privacy shutters should be incorporated to minimize potential privacy impacts. Details of the architectural style, materials, and building facades, along with shade and shadow analysis, would be reviewed with the project application, if the project is accepted for processing.

ANALYSIS

General Plan Amendment Screening Criteria

City Council Policy 500-2 sets forth the criteria to evaluate General Plan Amendment requests. The City Council takes action on whether or not a proposal should be accepted for processing by using these criteria as guidance. The Policy establishes a procedure for processing privately-initiated General Plan Amendments (Attachment 3). The policy also acknowledges these criteria are only guidelines and the City Council may accept an application which does not meet the criteria if it finds there are overriding reasons to do so.

A project summary sheet is attached for the screening request. This summary sheet provides the following information:

- Aerial Photograph
- Development Concept
- General Plan Summary Sheet

Additionally, acceptance of the proposal for screening is not a commitment to approve the proposed General Plan Amendment. Rather it represents the City Council's determination to proceed with processing and full consideration of a request to amend the General Plan. If accepted for processing, public hearings will be held before the Planning Commission and City Council at future dates to determine whether to approve or deny the proposed General Plan Amendment.

The screening process also highlights requested variances so that the City Council can provide feedback. The Planned Development zone allows building spacing, setback, private yard and building height requirements to be established by the Master Plan. However, the Planned Development zone includes development standards for parking, open space, landscaping requirements, as well as other standards. The proposed Master Plan does not comply with the development standards in the PDR-HD zone as follows:

A variance would be required for the following requirements:

- Minimum lot size (required is 1.0-acre; proposed is 0.45-acre);
- Required open space (required 42 percent; proposed 20.4 percent); and
- Parkway landscaping along the common drive aisle (required 10 feet; proposed 1 foot-8 inches).

The screening process allows the applicant to consider the City Council's initial comments and to refine the development concept based on City Council feedback prior to submittal of a land use application for review. If the project is accepted for processing with the aforementioned requests, the final review authority must find that the evidence presented in the administrative record substantially meets the required findings for a variance.

Please refer to the General Plan Summary Sheet for more information regarding the requested variances (Attachment 2).

GENERAL PLAN CONFORMANCE

The General Plan goals and policies should be considered by the City Council in the context of the overall project as it considers the proposed General Plan Screening. The live/work proposal satisfies a number of General Plan goals and policies as outlined in the General Plan Summary Sheet (Attachment 2).

ENVIRONMENTAL DETERMINATION

The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA guidelines, and the City's environmental procedures, and has been found to be exempt pursuant to Section 15061(b)(3) (general rule) of the CEQA Guidelines, in that it can be seen with certainty that there is no possibility that the urban plan screening – which only requires feedback from City Council – will have a significant effect on the environment.

ALTERNATIVES

In addition to providing general feedback on the proposed project, the City Council is asked to take action on the General Plan Amendment screening request.

1. Accept the General Plan Amendment request for processing. This allow the applicant to move forward with a request to amend the General Plan to allow a higher density for this site than allowed by the General Plan land use designation.
2. Deny the General Plan Amendment request from further processing. If the application is denied, the property owner could redevelop the site at the allowable intensities allowed by the General Plan and the current commercial zone which could include a variety of retail, office and service uses.

FISCAL REVIEW

Fiscal review is not required for this item. However, with the master plan application, the applicant will be required to provide a fiscal impact analysis comparing the allowable commercial uses with the proposed land use.

LEGAL REVIEW

The City Attorney's Office has reviewed this agenda report and approves it as to form.

PUBLIC NOTICE

The screening process allows the applicant to consider the City Council's initial comments and to refine the development concept based on City Council feedback prior to submittal of a land use application for review. No decisions are made; therefore, public notice is not required. However, when the project is reviewed by the Planning Commission, appropriate public noticing will be required.

CITY COUNCIL GOALS & PRIORITIES

The proposed project is consistent with City Council Goal No. 2 (Improve our Neighborhoods and Quality of Life) and City Council Goal No. 4 (Housing).

CONCLUSION

General Plan Screening is a precondition to the entitlement process; the City Council will need to determine whether the proposal may proceed through the entitlement process. Staff believes the proposed development provides an opportunity to improve the condition of the site and provide additional housing in the City. The proposed condominiums are designed to complement the street frontage; however, the site plan will need refinement in terms of parking, design, and open space.

If the Council votes to move forward, submittal of applications for a General Plan Amendment, Rezone and Specific Plan would be required to process the necessary entitlements.

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Attachments:

1. [Location Map and Zoning Map](#)
2. [General Plan Screening Summary Sheet](#)
3. [City Council Policy 500-2](#)
4. [Applicant Letter and Conceptual Plans](#)

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