



**PLANNING APPLICATION SUMMARY**

<b>Location:</b>	1711 Pomona Ave; APN: 424-081-21 1719 Pomona Ave; APN: 424-081-22	<b>Application No:</b>	PA-22-30 T-23-01 (19244)
<b>Request:</b>	Master Plan for the construction of eight, three-story, live/work units on a 20,160 square foot parcel, a deviation request from the minimum lot size for live/work developments, and a tentative tract map to establish a common interest development.		

<b>SUBJECT PROPERTY:</b>		<b>SURROUNDING PROPERTY:</b>	
<b>Zone:</b>	General Industrial (MG)	<b>North:</b>	MG
<b>General Plan:</b>	Light Industrial	<b>South:</b>	MG
<b>Lot Dimensions:</b>	160 FT x 126 FT	<b>East:</b>	MG (Pomona Avenue)
<b>Lot Area:</b>	20,160 SF	<b>West:</b>	MG
<b>Existing Development:</b>	Multiple industrial buildings proposed to be demolished.		

**DEVELOPMENT STANDARDS COMPARISON**

Development Standard	Mesa West Bluffs Stds.	Proposed/Provided
<b>Lot Size</b>		
Lot Width	N/A	160 FT
Min. Lot Area	1 acre	0.46 acres <sup>1</sup>
Min. Work Space	250 SF (each unit)	250 SF (each unit)
<b>Density/Intensity</b>		
FAR	1.0	0.996
Density (du/acre)	15-20	17
<b>Building Height</b>		
	4 stories / 60 FT	3 stories <sup>2</sup> / 42 FT
<b>Building Coverage</b>		
Max. Development Lot Coverage	90%	72%
Min. Open Space	30%	34%
<b>Development Lot Building Setbacks</b>		
Min. Front	15 FT	15 FT
Side (left / right)	0 FT	10 FT / 10 FT
Rear	0 FT	5 FT
Min. Distance Between Main Buildings	10 FT	31 FT
<b>Parking</b>		
Tenant Space	1.5 per unit (12 required)	12
Guest Space	1.5 per unit (12 required)	12
<b>TOTAL:</b>	<b>24</b>	<b>24</b>
<b>Final Action</b>	Planning Commission	
<b>CEQA Review</b>	Exempt per CEQA Guidelines Section 15332 (Infill Development)	

<sup>1</sup> Deviation Required - Developments of less than one acre may be allowed as a deviation from this requirement provided that all other development standards are met.

<sup>2</sup> Roof gardens/terraces are not considered a story pursuant to the Mesa West Bluffs Urban Plan

## **BACKGROUND**

The subject development site is 20,160 square feet (0.46 acre) in size and is located on the west side of Pomona Avenue between West 17<sup>th</sup> Street and Park Drive. The property is zoned “General Industrial” (MG) and has a General Plan land use designation of “Light Industrial”. The site is located within the boundaries of the Mesa West Bluffs Urban Plan Area that provides for specific overlay provisions for live/work and residential loft development.

The site consists of two properties (1711 and 1719 Pomona Avenue) that are under common ownership, and proposed to be combined for the subject live/work development. The 1711 Pomona Avenue site is developed with an existing industrial building that is currently vacant and was previously used for automotive repair. The 1719 Pomona Avenue site also includes an industrial building, and is currently being used by a tenant for office/storage use. The existing development on both sites would be demolished.

The proposed site abuts existing industrial and commercial uses. The adjacent properties are zoned “General Industrial” including the properties across Pomona Avenue. The use immediately to the north is an existing mini-storage facility, the use to the west is a vehicle repair facility, the use to the south is a classic vehicle workshop, and the uses located across Pomona Avenue (to the east) include multi-tenant industrial spaces, and a multi-tenant commercial center. Several existing residential uses are also located within close proximity of the site and include “17 West” (approximately 220 feet from the proposed development site), a mobile home park (approximately 170 feet from the proposed development site) and residential developments on Shalimar Drive (approximately 330 feet from the proposed development site).

The proposed project is located within a half-mile from bus stops for the 47 Line (Fullerton-Balboa), 55 line (Santa Ana – Newport Beach), and the 71 Line (Yorba Linda – Newport Beach). The Circulation Element of the Costa Mesa General Plan identifies the adjacent section of Pomona Avenue to include a proposed Class II Bikeway.

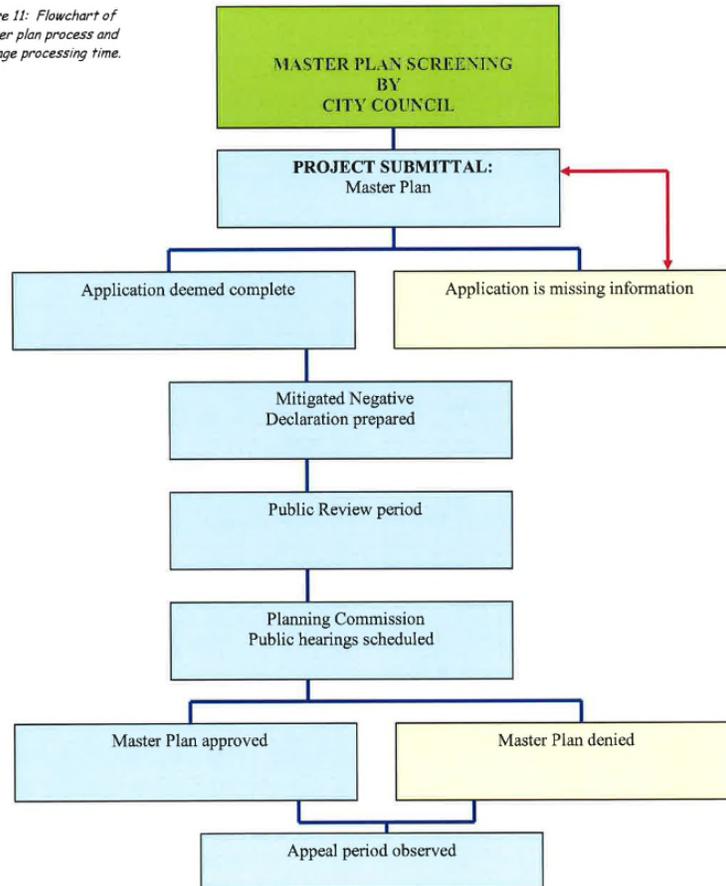
## **PROJECT HISTORY**

As required by the Mesa West Bluffs Urban Plan, all proposed mixed-use projects (including live/work development) utilizing the Urban Plan are required to obtain a Master Plan. Exhibit 1, below, is a diagram of the City’s required Master Plan review process for the proposed live/work development:

## Exhibit 1 – Master Plan Process

### Master Plan for Mixed-Use Overlay Project

Figure 11: Flowchart of master plan process and average processing time.



As shown above, the first step in obtaining a Master Plan is to apply for a “Master Plan Screening” which is considered by the City Council at a public meeting. On November 16, 2021, the project screening was presented to City Council for comments on the merits and appropriateness of the proposed development. Project exhibits for the screening included a conceptual site plan, floor plan, and renderings. Additional information regarding the Master Plan Screening can be found below.

Agenda Report:

<https://costamesa.legistar.com/LegislationDetail.aspx?ID=5213180&GUID=D8B19A6F-5BF5-42FE-A457-694D37659AA7&Options=&Search=>

Minutes:

<https://costamesa.legistar.com/View.ashx?M=M&ID=893616&GUID=1277670D-DB1F-492F-9624-37671A6E7A89>

Video:

[https://costamesa.granicus.com/player/clip/3799?view\\_id=14&redirect=true&h=9d1590edcd330666512377b15dd3eb03](https://costamesa.granicus.com/player/clip/3799?view_id=14&redirect=true&h=9d1590edcd330666512377b15dd3eb03)

During the November 2021 screening of the project, the City Council was generally in support of the proposed development and provided feedback to the applicant in regards to the proposed design. The City Council feedback included interest in the actual marked demand of the live/work units, the City Council encouraged the potential use of the work spaces as retail (such as “bodegas”), the City Council believed that the proposed project location was appropriate for a live/work development, the City Council appreciated the aesthetics of the project design, and the City Council was concerned that the Code required parking may be more than necessary. The applicant has re-designed several components of the project based on the City Council comments as indicated below (City Council comments shown in bold italics):

- ***“Orient more units to face Pomona Avenue to activate the street.”***

The applicant has revised the layout of the work space of the northeasterly unit to front Pomona Avenue, which results in half of the units including storefronts facing the street. Large windows and storefronts (including conceptual signage) have also been designed into the units facing Pomona Avenue (see Images 1 and 2 below).

**Image 1 – Elevation Facing Pomona Avenue**



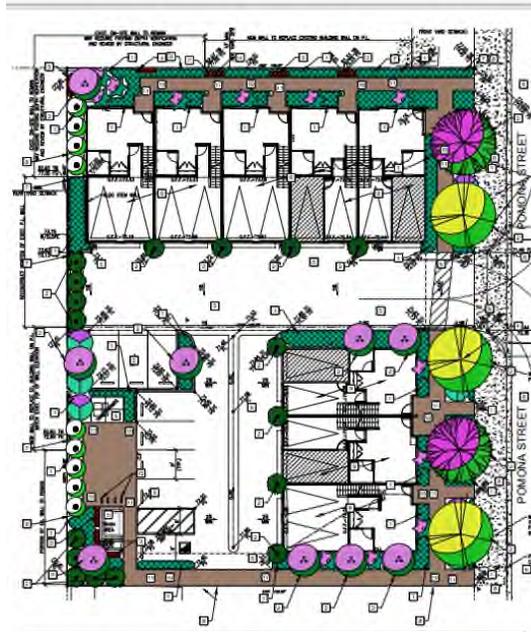
**Image 2 – Elevation Facing Neighbor**



- ***“Trees on the sidewalk should be provided as an off-site amenity.”***

The applicant has revised the layout of the Pomona Avenue adjacent sidewalk to include additional landscaping, including trees adjacent to the sidewalk. In addition, additional landscaping was provided on the northern walkway located between the live/work units and the existing mini-storage facility (see Images 3 and 4 below).

**Image 3 - Landscaping**



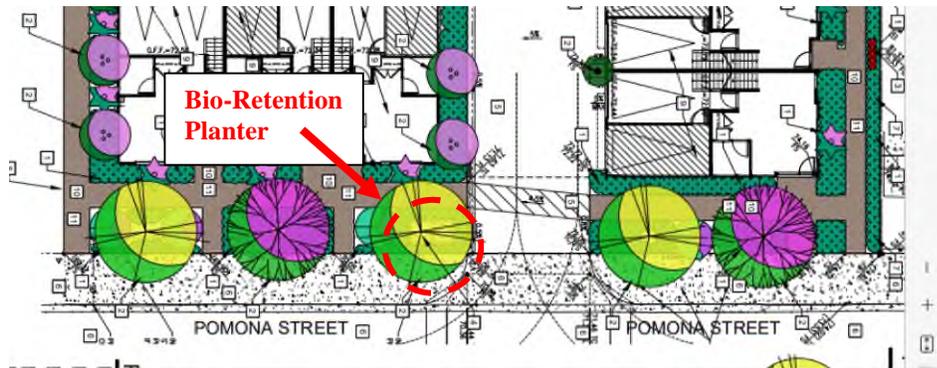
**Image 4 – Building Elevation/Sidewalk Landscaping**



- “Flooding should be minimized through permeable pavement and/or bio-swales”

At the front center of the property, within the planter area that is located adjacent to the Pomona Avenue sidewalk, the applicant is proposing the installation of a “bio retention planter” area (see Image 5 below).

**Image 5 – Bio Retention Planter**



## **DESCRIPTION**

The project proposes a Master Plan to demolish the existing development, and to construct eight live/work units with attached garages and additional on-site parking. The project proposes a Tentative Tract Map to subdivide the property for individual ownership (“common interest development”).

The overall height of the proposed buildings is three floors with a roof deck (maximum height of 42 feet). The maximum height permitted by the Urban Plan is 60 feet and four floors. The total floor area ratio (FAR) proposed for the project is 0.99 (1.0 maximum permitted per the Urban Plan). The exterior elevations are proposed to be comprised of modern materials and finishes (see Image 6 below).

**Image 6 – Elevation on Pomona Avenue**



The proposed parking complies with the minimum standards pursuant to the Urban Plan and includes 24 off-street parking spaces (proposed project parking is described further under the “Parking and Circulation” section of this report).

With the exception of minimum lot size (although two lots are being combined into one as part of the project), the project is designed in compliance with the Mesa West Bluffs Urban Plan development standards. The applicant is requesting a deviation from the minimum lot size standard, which is conditionally permitted and further discussed below under “Requested Deviations from the Urban Plan”. The Table 1 below shows the Urban Plan development standard requirements compared to the proposed project.

**Table 1 – Development Standards**

Development Standard	Mesa West Bluffs	Proposed/Provided
Min. Lot Area	1 acre	<b>0.46 acres<sup>1</sup></b>
Min. Work Space	250 SF (each unit)	<b>250 SF (each unit)</b>
Max. Development Lot Coverage	90%	<b>72%</b>
Min. Open Space	30%	<b>34%</b>
Front Setback	15 FT	<b>15 FT</b>
Side (left / right) Setbacks	0 FT	<b>10 FT / 10 FT</b>
Rear Setback	0 FT	<b>5 FT</b>
Min. Distance Between Buildings	10 FT	<b>31 FT</b>

## **ANALYSIS**

### ***Mesa West Bluffs Urban Plan***

The Mesa West Bluffs Urban Plan includes an overlay zoning district which applies generally to Westside Costa Mesa properties that are zoned industrial and commercial, and located south of West 19<sup>th</sup> Street and west of Superior Avenue. The Urban Plan also applies to portions of Placentia Avenue north of West 19<sup>th</sup> Street.

The intent of the Mesa West Bluffs Urban Plan is to allow opportunities for live/work and residential development in the Urban Plan area. The Urban Plan does not include any major intensification of land uses, ensuring that the development of live/work units or residential development can be adequately supported by the existing roadway network. The emphasis of the Plan is to improve the area by providing visual enhancement and encouraging the development of live/work units or residential loft development. A live/work unit is a mixed-use development composed of commercially or industrially oriented joint-work and living quarters in the same building, where typically the primary use is a place of work and where there are separately designated residential areas for each unit.

The land use regulations within the Urban Plan may only be processed (“activated”) through a “Master Plan” entitlement. The first-step in the review process is the “Master Plan Screening”, which was conducted by City Council on November 16, 2021, as noted above. Pursuant to CMMC Table 13-29(c), the final review authority for Master Plans and Tentative Tract Maps is the Planning Commission.

Live/work units feature a building type that provides both employment and housing within an integrated unit. As a hybrid of living and working quarters, live/work development contributes to the diversity of land uses. The Urban Plan offers flexible development standards and allows for deviations from the requirements to encourage live/work units (the applicant is proposing a deviation from minimum lot size). To promote this type of urban housing, live/work units will typically not feature the same extent of open space amenities (pools, picnic areas, etc.), as those amenities in strictly residential development. Increased densities of up to 20 units per acre, and up to 1.0 FAR are permitted in live/work developments.

As permitted in the Urban Plan, land use regulations of the base zoning district are superseded by the regulations contained in the Mesa West Bluffs Urban Plan. Deviations to specific requirements are permitted if the property is greater than one-acre in size. Since the property is 0.46 acres, the project must comply with all development standards and is not eligible to request any additional deviations, with the exception of allowing for a lot size less than one-acre.

**Floor/Site Plans**

The proposed project consists of two buildings featuring three and five live/work units. The three-unit building proposes all storefronts facing Pomona Avenue with parking and garages located at the rear of the buildings. The five-unit building’s end unit features an additional storefront facing Pomona Avenue with the four remaining units facing a walkway at the north portion of the property.

The project includes two unit models each with 1,817 square feet of living area. Each unit is proposed with a ground floor workspace ranging from 250 to 265 square feet and an accessible restroom. The Urban Plan requires that the minimum size of work space is 250 square feet and excludes bathroom, kitchen, balcony/mezzanines and hallways. The residential space is located above the proposed work areas and includes a second-floor living area featuring a kitchen, living space, half bathroom, study, and outdoor deck. The third floor is proposed to include three bedrooms, and two full bathrooms. All units are proposed to be constructed with private open space consisting of a second-floor deck and a fourth-floor roof deck with a total open space square footage of 600 square feet. The fourth floor is also proposed to include a mechanical area for the placement of HVAC and other mechanical equipment which is located behind a screening parapet (per Costa Mesa Municipal Code requirements). Table 2 below provides a summary description of the two proposed unit types.

**Table 2: Unit Characteristics**

Unit Number	Floor Area (Excluding Garage)	Bedroom Count	Bathrooms (Full/Half)	Parking (Garage/Open)	Work Area
Unit A1	1,817 SF	3	2/2	1/1	265 SF
Unit A2	1,817 SF	3	2/2	2/0	250 SF

**Parking and Circulation**

Vehicular access would be provided via a single drive aisle on Pomona Avenue. The project proposes to remove one of the two existing driveways. The proposed drive approach would provide access to all garages, the trash enclosure, and the open parking lot in the rear of the property

The Urban Plan indicates that live/work units up to 2,000 square feet are required to provide 1.5 tenant parking spaces and 1.5 guest parking spaces per unit. As proposed, the project would require 12 tenant and 12 guest parking spaces, which complies with the Urban Plan parking requirement. In order to provide the required parking, four of the units have two-car garages, and the other four units are provided with a one-car garage and an open carport. Eight additional open guest parking space are proposed in a communal parking lot at the rear of the property. The enclosed garages are intended for the tenant parking spaces, and the carports and open parking lot are to be used as guest spaces.

The proposed site plan includes two pedestrian walkways accessing the property – one on the north-end of the project which provides access to the five northerly units, and a second walkway on the south-end of the project which provides access to the parking lot. Four units include storefronts oriented toward Pomona Avenue with direct access to the existing sidewalk. The project also includes four bike racks located at the rear of the property.

**Traffic Evaluation**

The City’s Transportation Division completed a preliminary trip-generation analysis for the proposed eight-unit project. The total daily trip projections (114 daily trips) indicate that the proposed development would generate more trips compared to the existing light industrial uses. The average daily trips for the light industrial building (assuming a 0.25 FAR for the 0.46-acre site) equates to 34 daily trips (average daily rate for light industrial is 6.97 trips per 1,000 square feet of gross building area). A transportation impact study is required for all development projects that generate 50 or more vehicle trip ends during a peak hour. As indicated in Table 3 below, the proposed project does not meet the peak hour trip criteria that requires a transportation impact study; however, the project will be subject to traffic impact fee to account for the proposed increase in total daily trips.

**Table 3: Trip Generation Analysis**

Land use	Units	Peak Hour Trips		
		AM	PM	Daily
Proposed Live/Work	8	10	13	114

## **Requested Deviations from the Urban Plan**

As previously indicated, an approved Master Plan will allow new construction that does not comply with all applicable standards of the Zoning Code and the Urban Plan. Deviations may be granted through the approval process with consideration to the existing development configurations and compatibility of adjacent uses. A deviation has been proposed to allow for the project on a lot that is less than the minimum one-acre lot size. The Urban Plan specifically allows for this deviation provided that all other development standards are in compliance. The minimum lot requirement of one-acre has been challenging to meet for developers since it can be difficult to assemble smaller parcels – as is the case at this location. Because the minimum lot size deviation has been requested, no additional deviations are permitted per the Urban Plan.

Pursuant to the Urban Plan, in order for a deviation to be approved, the project must provide quality environments and substantial amenities. As proposed, the project includes 50 percent of the units with storefronts facing the street. In addition, high quality, drought tolerant and native landscaping is proposed throughout the project. The total number of proposed trees and shrubs exceeds the code minimum as discussed further below. Finally, the street facing landscaping is enhanced with flowering trees and will provide visual interest and shade along Pomona Avenue. In addition, and as required by the code, all utilities will be undergrounded. Additional discussion regarding the required findings for the deviation pursuant to CMMC Section 13-83.52 is provided below under the “Findings” section of this staff report.

### ***Design Guidelines***

The proposed live/work project has been designed with contemporary design features including modern elements such as large windows, a mixture of exterior building materials, and a variety of vertical and horizontal articulations. The immediately surrounding neighborhood features a diverse collection of architectural styles including other live/work residences with contemporary influences, and multi-family residences with more traditional architecture. The Urban Plan Live/Work “architectural design guidelines” include the following design recommendations:

- ***“Building elevations should feature stepping forms both horizontally and vertically to soften and provide appropriate transitions among second-story, third-story and fourth-story elevations.”***

The proposed development has been designed with articulation, and off sets on the various elevations to provide transitions among the different units. Although the building articulation is mostly vertical with limited stepping, staff believes appropriate design compliance is provided.

- ***“Building elevations should incorporate enhanced detailing, which may include articulations, projections and use of varied building materials.”***

A variety of building materials, vertical articulations, insets, and textures are utilized throughout the project design.

- ***“Architectural projections are encouraged to provide visual focus and emphasize some aspect of design such as an entryway or major windows.”***

The elevations facing Pomona Avenue include second story balcony insets, large second and third-story windows, and large open storefronts on the ground (pedestrian) level.

- ***“Long, unbroken building faces should be avoided, and variety should be accomplished through variation in building and forms.”***

Long, unbroken building facades have been avoided through the provisions of projections and articulations at different floor levels and various building materials. The development features a variety of projections and feature articulation on each wall plane, as well as using a variety of materials. Building materials include stucco, multiple colored horizontal and vertical synthetic board siding, and metal balcony railings. Visual interest has been provided on the front elevations including the provisions of large open storefront windows and doors.

### ***Fences and Walls***

As required by Section 13-75(a) of the CMMC, the project includes a six-foot high block wall around the perimeter of the proposed master development lot (“development lot”). The northern wall adjacent to the walkway will include additional landscaping to soften the appearance of the wall. The final design of the fences and walls will be reviewed as part of the building permit submittal. Any future modifications to fencing will be subject to review and approval of the Planning Division and would require building permits to be issued prior to installation. The heights and locations of walls and fences shall comply with the CMMC requirements as well as applicable visibility standards for traffic safety.

### ***Landscaping***

The project proposes a total of 3,607 square feet of landscaping. The Urban Plan and CMMC Section 13-106 requires that landscape areas consist of California native and drought tolerant plant material and shall meet the minimum number of plants types based on the total landscape square footage. The project is proposed to include enhanced landscaping such as California native flowering trees – “Palo Verde”, “Western Redbud”, and “Desert Willow”. Native and drought tolerant shrubs are proposed to include “Cleveland Sage”, “Bush Anemone”, and “Pride of Madeira”. A variety of native and drought tolerant ground covers are also proposed and will cover 70

percent of the landscape area with the remainder of ground cover to be covered by mulch or compost, as required by the City’s landscaping provisions. In addition, the landscaping proposes to exceed the total number of required trees by 170% and the total number of required shrubs by 216%. The setback along Pomona Avenue is proposed to be significantly improved with landscaping as compared to existing site conditions. The total number of plants proposed is provided in Table 4 below, and a landscape pallet has been included in the plans on Plan Sheet L-2.

**Table 4: Landscaping Requirements**

	Requirement	Proposed
Tree Count	18 (one 15-gallon tree or larger per 200 square feet of landscape area)	31 (14 are proposed at 24-inch box)
Shrub Count	143 (one shrub for every 25 square feet of landscape area)	310
Ground Cover	2,525 SF (70% of landscape area)	2,665 SF

As part of the building permit plan check review, final landscape plans shall be prepared and certified by a California licensed landscape architect confirming that they comply with the Costa Mesa Municipal Code (CMMC) and water efficiency landscape guidelines. Lighting is also required to be provided in all parking areas, vehicular access areas, and on major walkways. The applicant will be required to submit lighting plans with the building permit plan set.

***Utilities***

The CMMC requires that new construction provide undergrounding of all utilities on site, including existing utility poles. As required, all new and existing utilities will be undergrounded. Any new backflow preventers or related equipment shall be installed outside of the front landscape setback and be screened from the view from any location on or off the site. As required by the CMMC, all utility meters will be screened from view from the public right of way and neighboring properties. Prior to building permit approval, the applicant shall submit for approval a comprehensive utilities plan that shows utility design compliance, undergrounding and required dedications/easements. Prior to construction, the comprehensive utility plan will be reviewed by both the City’s Building Division and Public Works Department, and with the applicable utility agencies.

## **Tentative Tract Map 19244**

Pursuant to the Mesa West Bluffs Urban Plan, live/work units are required to be developed as “common interest developments” for individual ownership. The project tentative tract map proposes to combine the two existing parcels into one 20,160-square-foot parcel, and to allow for individual “air-space” ownership for live/work units. Therefore, the building, walls, and common areas are owned communally by all owners through a homeowner’s association (HOA), and the individual live/work condominium owner specifically controls the air space created by the walls of their unit.

As indicated in the “Tentative Tract Map Findings – CMMC Section 13-29(g)(13)” below, the project complies with the City’s required findings to approve the Tentative Tract Map. In addition, pursuant to Section 66474 of the California Subdivision Map Act, a proposed subdivision must be denied if one or more of the below findings are made:

1. *“That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451;*
2. *That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans;*
3. *That the site is not physically suitable for the type of development;*
4. *That the site is not physically suitable for the proposed density of development;*
5. *That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;*
6. *That the design of the subdivision or type of improvements is likely to cause serious public health problems; and*
7. *That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.”*

None of the above findings of Section 66474 can be made or associated with the proposed subdivision.

## Allowable Uses

An integral part of the live/work units is the work component. A variety of small-scale services are encouraged by the Urban Plan with limited larger and commercial uses being permitted through discretionary review. Table 5 below, shows the land use matrix which provides a list of permitted and conditionally permitted uses in live/work units as established in the Mesa West Bluffs Urban Plan. Uses “permitted by right” in a live work development are considered compatible with residential uses on the same development site. Only “conditionally” approved land uses would require subsequent review and action by the Planning Commission, at the time that the use is proposed. Parking requirements, lease space size restrictions, hours of operation, and other related conditions of approval would be stipulated for these conditional uses.

**Table 5 – Live/Work Unit Land Use Matrix**

<b>LAND USE MATRIX</b>	
<b>P= Permitted, MC = Minor Conditional Use Permit, C= Conditional Use Permit</b>	
<b>LIVE/WORK UNITS</b>	
• Artists, craftspersons, sculpture studios (woodworking, furniture restoration, painting, ceramics, etc.)	P
• Barber and beauty shops	P
• Catering	P
• Commercial art, graphic design, website designers	P
• Computer and data processing	P
• Legal, Engineering, Architectural, and Surveying services	P
• Offices: Professional, central admin., general, services to business	P
• Photocopying; Blueprinting and related services; photo finishing	P
• Printing and publishing	P
• Offices: medical/dental	MC
• Photography: Commercial	MC
• Photography: Portrait Studio	MC
• Recording studios	MC
• Studios: Dance; Martial arts; Music, Yoga, etc.	MC
• Retail Store	C
• Furniture repair and refinishing with incidental sales	C
<b>VERTICAL/HORIZONTAL MIXED-USE DEVELOPMENT WITHOUT A LIVE/WORK COMPONENT REQUIRE A CONDITIONAL USE PERMIT IN THE MESA BLUFFS URBAN PLAN AREA</b>	
<ol style="list-style-type: none"> <li>1. Pursuant to an approved master plan which specifies these operational characteristics and/or location of the business.</li> <li>2. All other uses not specified in this table are either prohibited or may require a Conditional Use Permit, as deemed by the Development Services Director.</li> <li>3. All other zoning classifications not specified in this table are not compatible with overlay district,</li> </ol>	

**Required Studies**

All live/work projects within the Mesa West Bluffs Urban Plan are required to submit a Noise Study, Phase I Environmental Assessment, and a Health Risk Assessment. The aforementioned studies were provided with the application and are attached to the report. The noise study was certified by a qualified acoustical engineer and indicated that the proposed construction design will meet the City’s Noise Ordinance requirements, specifically that interior noise levels will be 45 CNEL or less. A “Phase I Environmental Assessment was provided and the environmental investigation concluded that no on-site hazardous were found. Finally, the Health Risk Assessment evaluates the potential health risk impacts of locating new residential units near surface streets and State highways. The evaluation was conducted and found that all potential applicable health risk contaminates are below the applicable residential thresholds, and therefore no mitigating measures would be required.

**GENERAL PLAN CONFORMANCE**

The proposed live/work development is consistent with the maximum allowable density of 20 dwelling units per acre in the Mesa West Bluffs Urban Plans area. The following analysis further evaluates the proposed project’s consistency with applicable policies and objectives of the 2015-2035 General Plan.

- 1. **Objective LU-1A:** Establish and maintain a balance of land uses throughout the community to preserve the residential character of the City at a level no greater than can be supported by the infrastructure.

**Consistency:** The project is an infill live/work project under the allowable density for the Mesa West Bluffs Urban Plan area. Adequate infrastructure exists to serve the proposed project including water, electricity, gas, and sewer services. Therefore, the project is consistent with the General Plan objective. In addition, the project complies with the Urban Plan Live/Work Architectural Design Guidelines and Mesa West Bluff Urban Plan development standards.

- 2. **Policy LU-1.3:** Strongly encourage the development of residential uses and owner-occupied housing (single-family detached residences, condominiums, townhouses) where feasible to improve the balance between rental and ownership housing ownership opportunities.

**Consistency:** The project consists of demolishing two industrial properties and constructing eight, multi-family residential ownership live/work units. Because the project consists of a tract map and eight ownership live/work units, the project complies with this policy. Further, the proposed floor areas are proposed less than 2,000 square feet which generally improve the affordability aspects for future buyers; as compared to larger more expensive new homes.

3. **Objective LU-2A:** Promote land use patterns and development that contribute to community and neighborhood identity.

**Consistency:** The project would allow for the redevelopment of two industrial properties. The proposed project would construct eight live/work units with high quality landscaping and designs. Perimeter walls will be constructed to ensure privacy of the existing and future uses. The four units adjacent to the street are oriented to face the street and features balconies, large windows, and storefronts that face the public right of way to increase visibility and neighborhood compatibility. As a result, the project complies with the objective.

4. **Policy HOU-2.1:** Facilitate the development of housing that meets the needs of all segments of the population including affordable housing and households with specialized needs

**Consistency:** The project includes specialized housing which includes both a workspace and a living space. The inclusion of both work and living space meets a need of specific populations looking to work from home or to operate small businesses out of their home. Therefore, the project complies with the policy.

5. **Policy HOU-3.2:** Encourage the development of well-planned and designed residential or mixed-use projects which, through vertical or horizontal integration, provide for the development of compatible residential, commercial, industrial, institutional, or public uses within a single project, neighborhood, or geographic area within the City.

**Consistency:** The project is a well-planned and designed mixed-use project. The project is compatible with surrounding uses including industrial, commercial and residential uses. The project improves the neighborhood by providing enhanced streetscape, large open store fronts facing the street, and enhanced landscaping.

## **ZONING AND MESA WEST BLUFFS URBAN PLAN CONFORMANCE**

The City's base zoning district for the project site is "General Industrial". This zoning district is consistent with the "Light Industrial" General Plan Land Use Designation and provides provisions for a wide range of light and general industrial activities. As discussed under the "Analysis" section of this report, the project site is also influenced by the Mesa West Bluffs Urban Plan and the project is a request for a Master Plan to develop a live/work mixed-use; therefore, CMMC Article 11- Mixed-Use Overlay District standards would apply to the proposed project and the provisions of this article supersedes certain requirements of the base "General Industrial" zoning designation.

As mentioned above, City Council adopted the Urban Plan which applied a mixed-use overlay zoning district to the project site. When activated by an approved Master Plan, the underlying zoning is superseded by the overlay zoning district. The Mesa West

Bluffs Urban Plan prescribes the density and intensity for live/work development. The floor area ratio (FAR) and vehicle trip generation work in concert to ensure that new live/work developments do not exceed the capacity of the circulation system. Pursuant to an approval of the Master Plan and described in detail in this report, the proposed live/work development conforms with the Mesa West Bluffs Urban Plan.

## **FINDINGS**

Pursuant to Title 13, Section 13-83.53(c), Master Plan Findings for Mixed-Use Overlay District, Section 13-83.53(d), Deviation from development standards findings, and Section 13-29(g)(13), Findings for Tentative Maps, of the CMMC, in order to approve the project, the Planning Commission must find that the evidence presented in the administrative record substantially meets the following applicable required findings:

### ***Master Plan Finding for Mixed-Use Overlay District Findings – CMMC Section 13-83.53(c)***

- *The project is consistent with the general plan, meets the purpose and intent of the mixed-use overlay district, and the stated policies of the urban plan as applicable.*

The project is consistent with the General Plan in that the proposed development will encourage ownership housing, promote land use patterns and development that contribute to the community, facilitate the development of housing that meets the housing needs of different segments of the population, and to encourage well planned and designed mixed use projects.

- *The project includes adequate resident-serving amenities in the common open space areas and/or private open space areas in areas including, but not limited to, patios, balconies, roof terraces, walkways, and landscaped areas.*

The project includes adequate open space areas and each unit is proposed to include private open space including a 100-square-foot second story deck attached to the main living area. In addition, each unit is proposed to include a 500-square-foot roof deck. Lastly, the site as a whole will be developed with significantly more landscaping than the existing development, and is in compliance with the Landscaping requirement of the Urban Plan.

- *The project is consistent with the compatibility standards for residential development in that it provides adequate protection for residents from excessive noise, odors, vibration, light and glare, and toxic emanations.*

The project is compatible with standards for residential development in that the development, as designed and conditioned, will protect residents from excessive noise, odors, vibration, light and glare, and toxic emanations. The applicant has supplied technical studies including a Noise Study, Phase I Environmental Assessment, and a Health Risk Assessment. The noise study was certified by a

qualified acoustical engineer and indicated that the proposed construction will meet the City's Noise Ordinance requirements with standard construction techniques, specifically that interior noise levels will be 45 CNEL or less. The Phase I Environmental Assessment's reported that the site did not include toxic substances and that the project does not require any remediation. Finally, the Health Risk Assessment evaluates the potential health risk impacts of locating new residential units near surface streets and State highways. The evaluation was conducted and found that all potential contaminants are below the residential threshold and therefore, that no mitigating measures would be required. Therefore, the project is compatible with health standards required for residential development.

- The proposed residences have adequate separation and screening from adjacent commercial/industrial uses through site planning considerations, structural features, landscaping, and perimeter walls.

The project has adequate separation and screening from adjacent commercial and industrial uses. The closest industrial uses are located to the left (south) and rear (west) of the proposed development behind existing block walls. The proposed northern building is located 10 feet from the northern property line and the adjacent use is a self-storage facility which will have minimal impact on the live/work units. The rear (west) property line is adjacent to an automotive use and is separated from the live/work units by a landscaped setback. Landscaping is provided in all setbacks which will further aesthetically buffer surrounding uses.

#### **Deviation from Development Standards Findings – CMMC Section 13-83.53(d)**

- The strict interpretation and application of the mixed-use overlay district's development standards would result in practical difficulty inconsistent with the purpose and intent of the general plan and urban plan, while the deviation to the regulation allows for a development that better achieves the purposes and intent of the general plan and urban plan.

The Mesa West Bluffs Urban Plan allows for the project to deviate from the required lot size if all other standards are met. The minimum lot size is one-acre while the proposed lot size is 0.46 acres. As proposed, the project complies with all required standards with the exception of the minimum lot size requirement. The project succeeds in providing eight live/work units on a site less than one acre and meets the intent of the General Plan and Urban Plan in that quality live/work housing is provided and in exchange for the deviation, high quality on-site and off-site amenities are provided which exceed standards.

- The granting of a deviation results in a mixed-use development which exhibits excellence in design, site planning, integration of uses and structures and compatibility standards for residential development.

The deviation for the development on a lot less than one-acre results in a development which exhibits excellence in design and site planning. The project includes well designed live/work units which compliment the neighborhood and the City as a whole. The provision of extra landscaping, and that fifty percent of the units face Pomona Avenue with large open storefronts contributes to the design excellence. The project complies with all other standards and policies within the Urban Plan and therefore is compatible.

- *The granting of a deviation will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.*

As required for all live/work projects, various studies have been provided which demonstrate that the project is compatible with all required health standards. In addition, the project will not negatively impact public health, safety, and welfare in that the project will comply with all building and fire code requirements.

### ***Tentative Tract Map Findings – CMMC Section 13-29(g)(13)***

- *The creation of the subdivision and related improvements is consistent with the general plan, any applicable specific plan, and the Zoning Code.*

The proposed parcel map is consistent with General Plan Land Use Objectives LU-1A, LU-2A, and Policies LU-1.3 HOU-2.1 and HOU-3.2, in that adequate infrastructure exists to serve the proposed project; the map allows for a project that would promote homeownership opportunities and improve the balance between rental and ownership housing in the City; the map would allow for a redevelopment live/work project; and improve and maintain quality of environment and neighborhood by increase architectural aesthetics and landscaping. The parcel map would allow for a new live/work project that would not exceed the maximum allowable density of 20 units per acre and, therefore, would be consistent with the General Plan and Mesa West Bluffs Urban Plan. The project design would comply with all other development standards for a Mesa West Bluffs Urban Plan with the exception of the deviation requested for the minimum lot size. The project would provide additional market rate housing units consistent with satisfying the City's required Regional Housing Needs Assessment (RHNA).

- *The proposed use of the subdivision is compatible with the General Plan.*

The subject property has a General Plan land use designation of Light Industrial and is located within the Mesa West Bluffs Urban Plan overlay zone, which allows live/work residential uses at a maximum of 20 dwelling units per acre. The Floor Area Ratio (FAR) for the live/work project is 0.99 which is within the allowable FAR of 1.0 of the General Plan. The tract map proposes a live/work use that does not exceed the maximum density allowed per the General Plan and therefore, the proposed use is compatible with the General Plan.

- The subject property is physically suitable to accommodate the subdivision in terms of type, design and density of development, and will not result in substantial environmental damage nor public health problems, based on compliance with the Zoning Code and General Plan, and consideration of appropriate environmental information.

The existing property is relatively flat and suitable to accommodate eight new live/work units. The overall design reflects a quality project that is consistent with the intent of the Urban Plan, Zoning Code, and General Plan. The project environmental and health related studies have demonstrated that the project will not result in environmental damage nor public health problems.

- The design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision, as required by State Government Code section 66473.1.

The Subdivision would meet the applicable live/work development standards including minimum open space for the development. The project includes windows which will allow for passive heating and cooling. The three-unit building includes residences with windows generally facing east and west which will result in minimal southern exposure. The five unit building generally features windows in the north and south orientation which will allow for the prevailing sea breezes to flow through the structure. The inclusion of new trees will also provide additional shade throughout the property for increased site cooling.

- The division and development will not unreasonably interfere with the free and complete exercise of the public entity and/or public utility rights-of-way and/or easements within the tract.

The project has been reviewed by the Public Works Department and there are no anticipated conflicts with the public rights-of-way or other public easements.

- The discharge of sewage from this land division into the public sewer system will not violate the requirements of the State Regional Water Quality Control Board pursuant to Division 7 (commencing with State Water Code section 13000).

The applicant will be required to comply with all regulations set forth by the Costa Mesa Sanitation District as well as the Mesa Water District.

## **ENVIRONMENTAL DETERMINATION**

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 (Class 32), In-Fill Development. Under Class 32, a project site must be less than five-acres in area, have no significant environmental effects, be consistent with the General Plan and Zoning Code, have adequate utilities to serve the site, have no valuable habitat for endangered

species, will not result in significant effects relating to traffic, noise, air quality, or water quality, and the site must be adequately served by all required utilities and public services to be considered exempt from the provisions of CEQA. The proposed project meets the aforementioned CEQA exemption conditions as described below:

- The project is consistent with the mixed-use overlay zoning designation and the General Plan because it proposes less units than allowed by the Urban Plan maximum density (20 units per acre). In addition, the project complies with all zoning requirements including, open space, height, lot coverage, setbacks, and parking requirements.
- The proposed development occurs entirely within the City of Costa Mesa on a lot size of 20,160 square feet (0.46 of an acre).
- The existing disturbed project site has no value as a habitat for endangered, rare, or threatened species and includes two industrial developments, associated parking lots, and additional paving.
- Approval of the project will not result in any significant effects relating to traffic, noise, air quality, or water quality. Studies have been provided which indicate that there are no hazardous materials that require mediation, that the air quality of the proposed developments is within required thresholds, and that the noise associated with the project complies with the City's noise ordinance. The anticipated project daily trips is 114, which can be accommodated by the existing traffic infrastructure. In regards to short term noise related to construction, construction activities generally are temporary and have a short duration, resulting in periodic increases in the ambient noise environment. Ground-borne noise and other types of construction-related noise impacts would typically occur during the site grading phase. Generally, this phase has the shortest duration of all construction phases. High ground borne noise levels and other miscellaneous noise levels can be created during this phase due to the operation of graders, tractors, and backhoes. Municipal Code Section 13-279 limits construction activities between 7:00 a.m. to 7:00 p.m. Monday through Friday, and 9:00 a.m. to 6:00 p.m. on Saturday. Construction activities are not allowed on Sundays or Federal holidays.
- The current uses on-site are adequately served by all required utilities and public services and these existing services can also accommodate the proposed live/work development.

Based on this analysis, the proposed live/work development project meets all criteria for a Class 32 Categorical Exemption pursuant to CEQA Guidelines Section 15332.

## **ALTERNATIVES**

Planning Commission determination alternatives include the following:

1. Approve the project. The Planning Commission may approve the project as proposed, subject to the conditions outlined in the attached Resolution.

2. Approve the project with modifications. The Planning Commission may suggest specific changes that are necessary to alleviate concerns. If any of the additional requested changes are substantial, the hearing should be continued to a future meeting to allow a redesign or additional analysis. In the event of significant modifications to the proposal, staff will return with a revised Resolution incorporating new findings and/or conditions.
3. Deny the project. If the Planning Commission believes that there are insufficient facts to support the findings for approval, the Planning Commission must deny the application, provide facts in support of denial, and direct staff to incorporate the findings into a Resolution for denial. If the project is denied, the applicant could not submit substantially the same type of application for six months. However, because this project is subject to the Housing Accountability Act (Government Code Section 65589.5), if the Planning Commission denies or reduces the proposed density of the proposed housing project, and the development is determined to be consistent with applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, the Planning Commission must make the following written findings:
  - *“The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density”*; and
  - *“There is no feasible method to satisfactorily mitigate or avoid the adverse impact, other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density. Feasible means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors”*.

## **LEGAL REVIEW**

The draft Resolution and this report have been approved as to form by the City Attorney’s Office.

## **PUBLIC NOTICE**

Pursuant to Title 13, Section 13-29(d) of the Costa Mesa Municipal Code, three types of public notification have been completed no less than 10 days prior to the date of the public hearing:

1. **Mailed notice.** A public notice was mailed to all property owners and occupants within a 500-foot radius of the project site. The required notice radius is measured from the external boundaries of the property.

2. **On-site posting.** A public notice was posted on each street frontage of the project site.
3. **Newspaper publication.** A public notice was published once in the Daily Pilot newspaper.

As of the date this report was circulated, no written public comments have been received. Any public comments received prior to the September 11, 2023 Planning Commission meeting will be provided separately.

## **CONCLUSION**

Approval of the project would allow the development of eight new live/work condominium residential units which would increase the supply of home ownership opportunities as encouraged by the City's General Plan, and the supply of market rate housing in the City as encouraged by the City's Housing Element. The applicant has incorporated the design suggestions and comments of the City Council as indicated during the project screening, and the live/work development is consistent with the City's General Plan, Zoning Code and Mesa West Bluffs Urban Plan. The project is designed with high-quality materials and finishes, is compliant with applicable development standards, and the design would result in a general enhancement of the area. Therefore, staff recommends approval of the project.