



Revision to ASR and/or Attachments

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CLERK OF THE BOARD
ORANGE COUNTY
BOARD OF SUPERVISORS

Date: September 18, 2019
To: Clerk of the Board of Supervisors
CC: County Executive Office *Full*
From: Frank Kim, County Executive Officer
Re: ASR Control #: 19-000808, Meeting Date September 24, 2019 Agenda Item No. # 35
Subject: Health Care Agency Lease with Headway Properties LLC at 2801 Bristol Street in Costa Mesa

Explanation: Update to Background and General Plan Conformity

☐ Revised Recommended Action(s)

☒ Make modifications to the:

☐ Subject ☒ Background Information ☐ Summary

The following is added to the Background section:

"On August 5, 2019, as required by Government Code section 65402, the County provided the City of Costa Mesa with notice of the Lease, its location and its purpose so the City could review and report on the Lease's conformity with the General Plan. On August 19, per the City's request the County provided additional information to the City. On September 9, City staff recommended that the City's Planning Commission find the Lease to conform to the City's General Plan. To support its review and conclusion, City staff highlighted the following for the Planning Commission: The prior location for these services, 3115 Red Hill, Costa Mesa, is zoned for "Manufacturing" (MP) and the City found these services to conform to the City's General Plan. The location at 2801 Bristol is zoned "Commercial Limited" (CL) for general commercial uses. The land use designation of "General Commercial" (GC) is intended for a wide range of commercial uses that serve both local and regional needs. City staff concluded that the County's proposed use is consistent with the types of supportive office uses allowed under the General Commercial land use designation. City staff thus found that the County's Lease provides a proposed use for the zone and conforms

to the City's General Plan. As such, City staff recommended that the Planning Commission adopt a resolution finding the Lease conformed to the General Plan.

However, contrary to City staff's recommendation, on September 9 the Planning Commission adopted a resolution finding the Lease does not conform to the City's General Plan. CEO Real Estate staff has contacted the City and agreed to work with them to minimize any potential impacts on the surrounding community. CEO Real Estate and HCA will continue this coordination to attempt to alleviate any concerns. This finding by the City's Planning Commission does not prevent the County from going forward with the Lease.

The HCA operation and services that are moving from the Red Hill location to the new Bristol location do not represent an intensification of use. The Bristol building has a total of seven less parking spaces, which should not have an impact as all of the parking spaces at the Red Hill location are seldom used since many clients use public transportation or get rides from family members."

General Plan section is revised to read as follows:

"General Plan: On August 5, 2019 the County submitted the Lease, its location, and its purpose to the City of Costa Mesa for it to report upon General Plan conformance. On September 9, contrary to City staff's recommendation, the Planning Commission adopted a resolution finding the Lease does not conform to the City's General Plan."

☒ Revised Attachments (attach copy of revised attachment(s))

Costa Mesa Planning Commission Agenda Report Sept 9 2019



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: SEPTEMBER 9, 2019

ITEM NUMBER: CC-1

**SUBJECT: GENERAL PLAN CONFORMITY RESOLUTION FOR THE
COUNTY OF ORANGE HEALTH CARE AGENCY'S PROPOSED
USE AT 2801 BRISTOL STREET**

**FROM: PLANNING DIVISION / DEVELOPMENT SERVICES
DEPARTMENT**

DATE: AUGUST 30, 2019

**FOR FURTHER INFORMATION CONTACT: NANCY HUYNH
714.754.5609 nancy.huynh@costamesaca.gov**

DESCRIPTION:

The County of Orange Health Care Agency ("County") proposes to enter into a lease agreement for the use of an existing 15,518-square-foot office building located at 2801 Bristol Street. The County proposes to relocate its existing youth and adult behavioral outpatient programs from 3115 Redhill Avenue to the proposed location. The subject property is in the CL (Commercial Limited) zone and has a General Plan land use designation of General Commercial (GC).

Pursuant to Government Code Section 65402 (Restrictions on Acquisition and Disposal of Real Property), prior to the County leasing the subject property, the Costa Mesa Planning Commission must first report upon its conformity with the City's General Plan.

RECOMMENDATION:

Adopt a Resolution finding that the County's proposed use which includes individual and group counseling at 2801 Bristol Street is in conformance with the City of Costa Mesa General Plan.

BACKGROUND:***Site Location/Environs***

The project site is located on the west side of Bristol Street, between Bear Street and Newport Boulevard. The property is zoned CL (Commercial Limited) and has a General Plan land use designation of General Commercial. The site is bounded by commercial uses to the north, south, and across Bristol Street to the east. The properties to the west are zoned R1 (Single Family Residential) and are developed with single-family residences. The project site is a rectangular-shaped lot with an approximate area of 1.01 acres (44,148 square feet). Physical on-site improvements include a two-story, 15,518-square-foot standalone commercial building and 57 parking spaces provided in the surface parking lot. The property has one point of ingress/egress off of Bristol Street.

County's Proposed Use

The County operates its youth and adult behavioral outpatient programs at 3115 Redhill Avenue in Costa Mesa and intends to relocate those programs to the proposed location at 2801 Bristol Street. The County's behavioral and mental health programs and services would include: Children and Youth Behavioral Health (CYBH); Adult and Older Adult Behavioral Health (AOABH); Adult Program for Assertive Community Treatment (PACT); and Collaborative Court Services to Orange County clients. The CYBH, AOABH, and PACT programs would entail group and individual counseling, medication monitoring, peer mentoring, case management, patient advocacy, consultation and linkage to other treatment services, and crisis intervention.

The Collaborative Court Services would provide outpatient treatment of substance abuse disorders; treatment includes alcohol and drug urine testing, individual and group counseling, and self-help meetings. The Collaborative Court Services would also assist clients with education and skills assessment to provide referrals for vocational training, education, and/or job placement. Only clients referred by the court would be allowed to participate in this service.

All clients would provide their own transportation for scheduled appointments. The hours of operations would be Monday to Friday from 8 AM to 5 PM with evening group sessions or appointments, as needed.

ANALYSIS:

Government Code Section 65402 (Restrictions on Acquisition and Disposal of Real Property) requires the City's planning agency to review and approve certain actions related to public property. Actions related to acquiring, using, or disposing of public property within the City of Costa Mesa require the Planning Commission to review the proposed use and report on its conformity with the General Plan. The determination as to General Plan conformity is limited to a review of whether the proposed use of the property

is consistent with the General Plan land use designation and is otherwise consistent with the General Plan's goals and policies.

The subject property has a General Plan land use designation of General Commercial. The General Commercial designation is intended for a wide range of commercial uses that serve both local and regional needs. Appropriate uses in this land use designation could include retail, markets, service establishments, and support office uses. The County's proposed use meets the intent of the General Commercial designation in that the use provides supportive administrative and counseling services to local and regional populations. Therefore, the County's proposed use of the property would be in conformance with the General Plan and the General Commercial land use designation.

GENERAL PLAN CONFORMANCE:

Planning staff has found the proposal in compliance with the City's General Plan for the following reasons:

- *General Plan Objective LU-5A:* As described in the Land Use Element, it is the City's goal to "ensure availability of adequate community facilities and provisions of the highest level of public services possible, taking into consideration budgetary constraints and effects on the surrounding area." The County's proposed use of the property would provide the local and regional community with a facility that would provide publicly administered programs and services to treat mental and behavioral health. The proposed use would primarily offer services during normal business hours for an office in an established commercial area. In addition, the proposed office use is consistent with the types of uses allowed under the General Commercial land use designation of the property.

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 CEQA Guidelines Section 15061(b)(3) (General Rule), in that it can be seen with certainty that there is no possibility that the finding of General Plan conformity or the County's proposed use of an existing office building will have a significant effect on the environment. Furthermore, the County's proposed use would not involve any changes or increase in square footage to the existing site or building and as a result would also be exempt under CEQA Guidelines Section 15301, (Class 1), Existing Facilities.


ALTERNATIVE:

A draft Resolution finding that the County's proposed use of the property at 2801 Bristol Street is in conformance has been provided. If the Planning Commission believes that the County's proposed use is inconsistent with the General Plan, the Planning Commission should articulate facts to support its conclusion and direct staff to modify the Resolution to

reflect the Planning Commission's findings. The Resolution will be returned to the requesting agency.

CONCLUSION:

Staff recommends the Planning Commission adopt a Resolution (Attachment 1) finding that that County's proposed use of the property is in conformance with the City of Costa Mesa General Plan.


NANCY HUYNH
Associate Planner
BARRY CURTIS, AICP
Director of Economic and Development Services

- Attachments:
1. [Draft Planning Commission Resolution](#)
 2. [Vicinity Map](#)
 3. [County of Orange Use Description Letter](#)

Distribution:

- Director of Economic and Development Services
- Assistant Director of Development Services
- Assistant City Attorney
- Public Services Director
- City Engineer
- Transportation Services Manager
- Fire Protection Analyst
- Brad Edwards, Engineering Technician
- File

COLGAN, JULIE

Subject: FW: 2801 Bristol Street

From: Johnathan Dane <johnathan@klientboost.com>
Sent: Friday, September 06, 2019 1:56 PM
To: HUYNH, NANCY <NANCY.HUYNH@costamesaca.gov>
Cc: Richard Uruchurtu <richard@klientboost.com>
Subject: 2801 Bristol Street

Hey Nancy!

Got the planning commission agenda report from one of my colleagues.

Would HIGHLY recommend that you DO NOT allow the use of that space for what's intended so close to local shops like the Lab and the Camp.

We are current leasing our own space (2787 Bristol Street) to them and have been having a lot of issues.

I will personally make sure to alert all neighboring businesses and people living around to not allow this to happen.

--



Johnathan Dane

Founder/CEO

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