



*City of Arts & Innovation*

# City Council Memorandum

**TO: HONORABLE MAYOR AND CITY COUNCIL** **DATE: OCTOBER 19, 2021**

**FROM: COMMUNITY & ECONOMIC DEVELOPMENT** **WARD: 4**  
**DEPARTMENT**

**SUBJECT: PLANNING CASE PR-2021-000949 (GENERAL PLAN AMENDMENT, ZONING CODE MAP AMENDMENT, CONDITIONAL USE PERMIT, DESIGN REVIEW, AND VARIANCE) – BY MIKE SADEGHIAN OF VAN BUREN LAND INVESTMENTS - FOR THE CONSTRUCTION OF A 6,412 SQUARE FOOT MULTI-TENANT COMMERCIAL BUILDING ON 0.87 ACRES – LOCATED AT 18233 VAN BUREN BOULEVARD, SITUATED ON THE SOUTHWEST CORNER OF VAN BUREN BOULEVARD AND LITTLE COURT**

## **ISSUE:**

A proposal by Mike Sadeghian of Van Buren Land Investments consisting of a General Plan Amendment, Zoning Code Map Amendment, Conditional Use Permit, Design Review, and Variance to facilitate the construction of a 6,412 square foot multi-tenant commercial building on 0.87 acres located at 18233 Van Buren Boulevard, situated on the southwest corner of Van Buren Boulevard and Little Court.

## **RECOMMENDATIONS:**

That the City Council:

1. Determine that the proposed project, as analyzed and presented in the Addendum, will not result in significant effects on the environment and is, therefore, consistent with the adopted Mitigated Negative Declaration and Mitigation, and Monitoring Reporting Program prepared for Planning Cases P13-0263, P13-0264, P14-0769, P15-0269, P15-0158;
2. Approve Planning Case PR-2021-000949 (General Plan Amendment, Zoning Code Map Amendment, Conditional Use Permit, Design Review, Variance) based on the findings outlined in the staff report and summarized in the attached findings and subject to the recommended conditions;
3. Adopt the attached Resolution amending the General Plan 2025 land use designation from VLDR – Very Low Density Residential to C – Commercial; and
4. Introduce and subsequently adopt the attached Ordinance amending the Zoning Map from R-1-1/2 Acre-SP – Single Family Residential and Specific Plan (Orangecrest) Overlay Zones to CR-SP-X-15-S-2 – Commercial Retail, Specific Plan (Orangecrest), Building Setback (15 Feet from Van Buren Boulevard), and Building Stories (Two-Story Maximum) Overlay Zones.

## **PLANNING COMMISSION RECOMMENDATION:**

On August 19, 2021 the City Planning Commission recommended approval of Planning Case PR-2021-000949, by a vote of 7 ayes, 0 noes and 0 abstentions, with staff recommended conditions of approval.

## **BACKGROUND:**

The 0.87-acre project site was originally developed with a single-family residence which was demolished in 2019. The site is currently vacant and used as a construction staging area for the Van Buren Village shopping center, approved by City Council in 2015, which is currently under construction.

The project site is surrounded by the Van Buren Village shopping center to the north, west, and south, and single-family residences to the east, across Little Court.

## **DISCUSSION:**

The project consists of a 6,412 square foot multi-tenant commercial building for two future restaurants. One of the tenant spaces consists of 3,804 square feet. The second tenant space consists of 2,608 square feet and a 12-foot-wide drive-thru lane that wraps around the west, south, and east sides of the building.

A total of 242 parking spaces are proposed to serve the project and the Van Buren Village shopping center. Access will be shared with the Van Buren Village shopping center via a two-way driveway along Van Buren Boulevard, and two emergency access driveways along Little Court will also be shared with the shopping center.

Implementation of this project requires the approval of the following entitlements:

- General Plan Amendment: to amend the land use designation from VLDR – Very Low Density Residential to C – Commercial;
- Zoning Code Map Amendment: to change the zone from R-1-1/2 Acre-SP – Single Family Residential and Specific Plan (Orangecrest) Overlay Zones to CR-SP-X-15-S-2 – Commercial Retail, Specific Plan (Orangecrest), Building Setback (15 Feet from Van Buren Boulevard), and Building Stories (Two-Story Maximum) Overlay Zones;
- Conditional Use Permit: to permit a drive-thru restaurant;
- Design Review: to ensure project plans reflect a high-quality development; and
- Variance: To allow 242 parking spaces, where 254 parking spaces are required by the Zoning Code.

The proposed General Plan land use designation of Commercial and CR-SP-X-15-S-2 Overlay Zones are consistent with the surrounding properties and will facilitate development of the project site with a multi-tenant commercial building. The proposed land use designation and zoning will also be consistent with the Orangecrest Specific Plan as they will allow for the continued growth of the Orangecrest neighborhood in a manner compatible with other uses in the surrounding area.

The proposed multi-tenant commercial building, including a drive-thru restaurant, has been designed to provide safe and efficient vehicular access and internal circulation while providing adequate landscaping and pedestrian access. Except for the requested parking Variance, the proposed project is consistent with the applicable development standards of the proposed zone and the specific standards for drive-thru businesses. Findings in support of the Variance can be

made based on a parking analysis prepared for the shopping center which concluded that, based on the mix of uses in the shopping center, there would be a parking surplus during peak parking demand. The provided parking spaces would satisfy the parking needs of the Van Buren Village shopping center.

### **STRATEGIC PLAN ALIGNMENT:**

This item contributes to **Strategic Priority 3 – Economic Opportunity (Goal 3.3 – Cultivate a business climate that welcomes innovation, entrepreneurship and investment)**.

The Project aligns with EACH of the Cross-Cutting Threads as follows:

1. **Community Trust** – The proposed project was considered at a public meeting held by the City Planning Commission where public comment is part of the process.
2. **Equity** – The proposed project will provide eating establishments available to all residents.
3. **Fiscal Responsibility** – The applicant is responsible for all project costs.
4. **Innovation** – The proposed project provides restaurant options in the area and is sensitive to the surrounding single-family residences on Little Court.
5. **Sustainability & Resiliency** – The proposed project is consistent with the approved Mitigated Negative Declaration and will not impact the environment.

### **FISCAL IMPACT:**

There is no fiscal impact associated with this report since all project costs are borne by the applicant.

Prepared by: David Welch, Community & Economic Development Director  
Certified as to  
availability of funds: Edward Enriquez, Chief Financial Officer/Treasurer  
Approved by: Rafael Guzman, Assistant City Manager  
Approved as to form: Phaedra A. Norton, City Attorney

### **Attachments:**

1. Resolution Amending the General Plan 2025
2. Ordinance to Amend the Zoning Map
3. City Planning Commission Report - August 19, 2021
4. City Planning Commission Recommended Conditions of Approval - August 19, 2021
5. City Planning Commission Minutes – August 19, 2021
6. Presentation