



Legislation Details (With Text)

File #:	22-396	Version:	1
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File created:	4/29/2022	In control:	City Council/Public Financing Authority
On agenda:	5/17/2022	Final action:	5/17/2022
Title:	Approve Tentative Tract Map No. 18157 and Conditional Use Permit No. 17-042 (Ellis Avenue Condos)		
Attachments:	1. Att# 1 Findings and Conditions of Approval, 2. Att# 2 Vicinity Map, 3. Att# 3 Project Narrative received and dated May 1, 2019, 4. Att#4 Tentative Tract Map No. 18157 received March 7, 2019, 5. Att # 5 Project Plans received April 23, 2019, 6. Att#6 Code Requirements Letter, 7. 5/17 Supp Comm - PP		

Date	Ver.	Action By	Action	Result
5/17/2022	1	City Council/Public Financing Authority	approved	Pass

REQUEST FOR CITY COUNCIL ACTION

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Sean Joyce, Interim City Manager

VIA: Ursula Luna-Reynosa, Director of Community Development

PREPARED BY: Tess Nguyen, Associate Planner

Subject:

Approve Tentative Tract Map No. 18157 and Conditional Use Permit No. 17-042 (Ellis Avenue Condos)

Statement of Issue:

Pursuant to the revised design of the Ellis Avenue Condos (the "Project"), transmitted for your consideration is Tentative Tract Map No. 18157 and Conditional Use Permit No. 17-042, a modified request to permit a one-lot subdivision and development of a four-story mixed-use building including 48 new condominium residences with 891 sq. ft. of commercial space and three levels of subterranean parking.

Financial Impact:

Not applicable.

Recommended Action:

A) Find the proposed project exempt from the California Environmental Quality Act pursuant to Section 15182 of the CEQA Guidelines and Government Code 65457; and,

B) Approve Tentative Tract Map No. 18157 and Conditional Use Permit No. 17-042 with findings and

conditions of approval (Attachment No. 1).

Analysis:

A. PROJECT PROPOSAL

Applicant: Jeff Herbst, MCG Architecture, 111 Pacifica, Suite 280, Irvine, CA 92618

Property Owner: Tahir Salim, THDT Investment, Inc., 4740 Green River Road, Suite 304, Corona, CA 92880

Location: 8041 Ellis Avenue (north side of Ellis Avenue, between Beach Boulevard and Patterson Lane)

Tentative Tract Map No. 18157 represents a request for a one lot subdivision for condominium purposes to accommodate 48 condominium units.

Conditional Use Permit No. 17-042 represents a request to construct a four-story mixed use development with 48 condominium units, 891 sq. ft. of commercial space, and three levels of subterranean parking.

The project site is approximately 0.95 acres and consists of three parcels with two existing buildings - a liquor store and a residence. The existing buildings will be demolished to construct the proposed four-story building with three levels of subterranean parking. The project owner proposes to provide five affordable units on-site to comply with the Affordable Housing requirement.

B. BACKGROUND AND STAFF ANALYSIS

In 2019, the Planning Commission considered and denied the proposed Project. The applicant appealed the Planning Commission's decision to the City Council and the project was denied by the City Council in 2020. There were multiple lawsuits filed regarding the City's denial of the Project. Since then, the applicant has made changes to the Project to address Fire and Traffic concerns previously raised by the City. The applicant is resubmitting the Project to the City Council for consideration and approval in light of the most recent Project modifications.

The Project has been revised to address City staff concerns regarding Fire and Traffic safety by including the following additions:

1. A public fire hydrant on Ellis Avenue.
2. An on-site private fire hydrant.
3. Three stairs in compliance with the interior and exterior exit stair requirements stated in Section 1023 and 1027 of the 2019 California Fire Code.
4. The interior stairs with a 2-hour fire rated assembly (Section 1023.2 of the 2019 California Fire Code).
5. An exterior exit door from the north stair for the first floor north corridor (Section 1020.4 of the 2019 California Fire Code).
6. Fire department pads with proper access to units 2E, 2F, 2G, 3F, 3G, and 3H (Section

1030.1 of the 2019 California Fire Code). The fire lane shall extend to within 150 feet of all portions of the exterior of the structure as stated in California Fire Code 503.1.1

7. The following enhancements to the An Alternate Materials and Methods (AM&M) proposal (in lieu of achieving the 150 ft. hose pull requirement) shall be installed:
 - a. An additional exterior first floor class 1 standpipe connection in the area that exceeds the 150' hose pull requirement.
 - b. A graphic fire alarm annunciator.
 - c. All in-unit smoke alarms will be upgraded to smoke detectors that will tie into the fire alarm system and report as a supervisory signal.
 - d. Upgrade the fire sprinkler system as follows:
 - i. Install a redundant fire sprinkler riser so each floor can be supplied by two independent fire sprinkler risers.
 - ii. Increase the fire sprinkler density in the residential units to Ordinary Hazard - Group 1.
 - iii. Increase the fire sprinkler density in the parking garage to Ordinary Hazard - Group 2.

Prior to occupancy of the first dwelling unit, the following shall be completed:

The proposed driveway approach on Ellis Avenue shall be constructed per Public Works Standard Plan No. 211. The driveway design shall include treatments for right turn in/right-turn out only as specified by Public Works. This may include raised curb channelization, striping, and signage. (ZSO 230.84)

In part, based on the above modifications, staff has scheduled a public hearing before the City Council to reconsider the Project. Based on the listed modifications to the project and the findings and conditions of approval, staff recommends approval of the Project as required by State Law. Staff is not aware of any health and safety findings described in Government Code Section 65589.5(j)(1)(A) and (B) or any other findings that would preclude approval of the project as conditioned. In addition, it should be noted that Condition of Approval No. 6 for the Tentative Tract Map regarding CC&Rs shall only apply if the residential units are offered for sale rather than for rent.

Environmental Status:

Pursuant to Section 15182 of the CEQA Guidelines and Government Code 65457, the proposed project is covered under the Beach and Edinger Corridors Specific Plan adopted Program EIR No. 08-008. Implementation of the project would not result in any new or more severe potentially adverse environmental impacts that were not considered in the Final EIR for the BECSP.

Strategic Plan Goal:

Economic Development & Housing

Attachment(s):

1. Findings and Conditions of Approval for TTM No. 18157 and CUP No. 17-042
2. Vicinity Map
3. Project Narrative received and dated May 1, 2019
4. Tentative Tract Map No. 18157 received March 7, 2019

5. Site Plan, Floor Plans, and Elevations received April 23, 2019
6. Code Requirements Letter
7. PowerPoint Presentation