

CITY COUNCIL ORDINANCE NO. 25-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING ZONE CHANGE 00927538-PZC TO INCREASE THE VEHICLE TRIP BUDGET FOR 78 DISCOVERY, LOCATED IN PLANNING AREA 31 (IRVINE SPECTRUM 6); FILED BY DOUGLAS ELY ON BEHALF OF ANAND PEDIATRIC ASSOCIATES

WHEREAS, Douglas Ely, on behalf of Anand Pediatric Associates, has submitted an application for Zone Change 00927538-PZC to amend Section 9-31-7(B)(6) of the Irvine Zoning Ordinance to increase the vehicle trip budget for 78 Discovery at Barranca Business Center in Planning Area 31 (Irvine Spectrum 6); amended language which is attached hereto as Exhibit A; and

WHEREAS, the intended tenant, Anand Pediatric Associates, is a California-based non-profit organization with a mission to improve the welfare of children and adolescents. In order to allow the change in use from professional office to medical office to accommodate Anand Pediatrics, a zone change is needed to add vehicle trips to the Barranca Business Center because there are trip limitations present in the existing text of the Irvine Zoning Ordinance; and

WHEREAS, the property addressed as 78 Discovery has a General Plan land use designation of Research/Industrial and a zoning designation of 5.5A Medical and Science; and

WHEREAS, the City of Irvine has an adopted Zoning Ordinance which establishes development intensity standards by zoning district for each planning area in the City; and

WHEREAS, the zone change will amend Section 9-31-7(B)(6) of the Zoning Ordinance to increase the number of average daily trips from 64,099 to 64,200 (representing an increase of 101 average daily trips), the number of a.m. trips from 8,876 to 8,880 (representing an increase of 4 a.m. trips), and the p.m. trips from 8,006 to 8,015 (an increase of 9 p.m. trips) with the increases applying specifically to 78 Discovery; and

WHEREAS, this zone change will specifically update Section 9-31-7(B)(6) of the Zoning Ordinance by adding text to end of second paragraph as follows:

"Zone Change 00927538-PZC adds 4 a.m. peak hour, 9 p.m. peak hour, and 101 average daily trips for 78 Discovery, thereby increasing the build-out vehicle trip limit for the 5.5A Zoning District within Irvine Spectrum 6 to 8,880 a.m. peak hour, 8,015 p.m. peak hour, and 64,200 average daily trips"; and

WHEREAS, a separate and associated application for the project site has been filed by the applicant (File No. 009419950-PAR). That application requests administrative relief from the minimum parking requirements for a medical office use for the proposed tenant. As part of that application, a parking study has been submitted which demonstrates that the parking demand is less than the minimum parking requirement based on operational characteristics of the proposed medical office use; and

WHEREAS, the zone change will conform with the City of Irvine General Plan and Zoning Ordinance, as long as the separate administrative relief request for a reduction of the minimum parking requirement is approved; and

WHEREAS, on November 21, 2024, the Planning Commission of the City of Irvine considered information presented by the applicant, the Community Development Department, and other interested parties at a duly-noticed public hearing and voted 4-0 (Chair Pierson and Commissioners Yazdani, Bhatia, and Starke unanimously voting in favor) to 1) recommend City Council approval of Zone Change 00927538-PZC and 2) to approve Administrative Relief 009419950-PAR from minimum parking requirements; and

WHEREAS, pursuant to Condition 6.20 set forth within Planning Commission Resolution No. 24-3990, the approval of Administrative Relief 00941995-PAR is contingent upon City Council approval of Zone Change 00927538-PZC. The approval granted shall not take effect until 30 days after the second reading of the Ordinance adopting Zone Change 00927538-PZC; and

WHEREAS, this zone change application is considered a "project" pursuant to the State of California Environmental Quality Act (CEQA); and

WHEREAS, pursuant to Section 4 of the City of Irvine CEQA procedures and Article 19 of the State CEQA Guidelines, the proposed project is categorically exempt from the requirements of CEQA under Section 15301, Class 1, Existing Facilities, which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures; and

WHEREAS, on December 19, 2024, notice of the January 14, 2025, City Council public hearing was published in *Irvine World News*, was mailed to all property owners and occupants within a 500-foot radius of the subject site as well as interested parties, and was posted on the project site and at City-designated locations; and

WHEREAS, the City Council of the City of Irvine considered information presented by the applicant, the Community Development Department, and other interested parties at a duly noticed public hearing January 14, 2025.

NOW, THEREFORE, the City Council of the City of Irvine, California DOES HEREBY RESOLVE as follows:

SECTION 1. The above recitals are true and correct and are incorporated herein.

SECTION 2. Pursuant to Section 4 of the City of Irvine CEQA procedures and Article 19 of the State CEQA Guidelines, the proposed project is categorically exempt from the requirements of CEQA under Section 15301, Class 1, Existing Facilities, as the project does not involve any expansion or alteration of existing structures.

SECTION 3. The City Council hereby makes the findings required by Section 2-38-7 of the Irvine Ordinance for City Council approval of Zone Change 00927538-PZC, as follows:

- A. That the proposed zone change is consistent with the City of Irvine General Plan.

The project site is designated as Research/Industrial pursuant to the City's General Plan Land Use Element, which allows for biomedical/high technology complexes combining health care facilities and related businesses, medical research and education, light manufacturing, research and development, storage, and distribution of materials or products, administrative, professional, and business offices associated with light industrial uses; and employee-oriented retail services. The project site is also located within Focus Area 2 of the Residential and Residential Mixed-Use Overlay, which aims to create a blend of residential and nonresidential elements by offering diverse housing options in proximity to workplaces, retail, and other nonresidential amenities. The zone change to increase the vehicle trip budget at 78 Discovery will allow the conversion of the existing 4,002-square-foot building from professional office use to medical office use, a land use supported by the General Plan Research/Industrial land use designation and is a residential-supporting use. Therefore, the zone change is consistent with the City's General Plan, as introducing a new medical office use at the project site furthers the City's goal to locate nonresidential uses in an area intended for the development of high-density housing embedded within a mixture of land uses.

- B. That the proposed zone change is consistent with any applicable concept plan.

The project is not associated with a concept plan. As such, this finding does not apply.

- C. The proposed zone change meets all the requirements set forth within Division 8 for the dedication of permanent open space through a specified phased implementation program for affected planning areas and zoning districts.

Section 9-31-7(B)(12) of the Zoning Ordinance, specific to Planning Area 31, states that 1,266 acres of open space designated for conveyance is located within the Limestone Canyon Area. The proposed zone change complies with all requirements set forth within Section 8-5 (pertaining to the dedication of permanent open space through a phased dedication implementation program) and Section 9-31-7(B)(12) (open space dedication areas for Planning Area 31) of the Irvine Zoning Ordinance. The 1,266 acres of open space within the Limestone Canyon area (District F) associated with the development of Planning Area 31 has already been dedicated by Irvine Company to the County of Orange.

- D. The proposed zone change is in the best interest of the public health, safety, and welfare of the community.

The project does not propose any changes to the 5.5A Medical and Science zone, as the conversion of the 4,002-square-foot office building for medical office purposes does not increase the overall (square footage) development intensity for the zone. A traffic study was completed to analyze the planned use of this site for medical office purposes and concluded the traffic generated by the proposed project to the short-term scenario would not significantly impact the study area intersections or roadways. Therefore, the project will preserve the public health, safety, and health of the community.

- E. Based upon information available at the time of approval, adequate sewer and water lines, utilities, sewage treatment capacity, drainage facilities, police protection, fire protection/emergency medical care, vehicular circulation and school facilities will be available to serve the area affected by the proposed zone change when development occurs.

The existing 4,002-square-foot building at 78 Discovery and the remainder of the Barranca Business Center site is already developed. Existing sewer and water lines, utilities, sewage treatment capacity, drainage facilities, police protection, fire protection/emergency medical care, vehicular circulation and school facilities are available to adequately serve the project site.

- F. If the proposed zone change affects land located within the coastal zone, the proposed zone change will comply with the provisions of the land use plan of the certified local coastal program.

The project involves a change to the language of the Irvine Zoning Ordinance; it does not include any development. As such, this finding does not apply.

SECTION 4. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this resolution is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, then such decision shall not affect the validity of the remaining portions of this resolution. The City Council of the City of Irvine hereby declares that the City Council would have adopted this resolution, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that anyone or more sections, subsections, sub-divisions, sentences, clauses, phrases, or portions thereof be declared unconstitutional, invalid, or ineffective.

SECTION 5. The Mayor shall sign this Ordinance and the City Clerk shall attest and certify to the passage and adoption of this Ordinance and cause this Ordinance to be published.

SECTION 6. This Ordinance shall take effect 30 days from the date of its adoption.

NOW, THEREFORE, based on the above findings, the City Council of the City of Irvine, California DOES HEREBY APPROVE Zone Change 00927538-PZC as specified in Exhibit A attached hereto.

PASSED AND ADOPTED by the City Council of the City of Irvine at an adjourned regular meeting held on the 28th day of January 2025.


MAYOR OF THE CITY OF IRVINE

ATTEST:


CITY CLERK OF THE CITY OF IRVINE

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF IRVINE)

I, CARL PETERSEN, City Clerk of the City of Irvine, HEREBY DO CERTIFY that the foregoing Ordinance was introduced for first reading on the 14th day of January 2025 and duly adopted at an adjourned regular meeting of the City Council of the City of Irvine, held on the 28th day of January 2025.

AYES: 6 COUNCILMEMBERS: Carroll, Go, Liu, Mai, Treseder, and Agran

NOES: 0 COUNCILMEMBERS: None

ABSENT: 0 COUNCILMEMBERS: None

ABSTAIN: 0 COUNCILMEMBERS: None


CITY CLERK OF THE CITY OF IRVINE

EXHIBIT A

The regulations set forth in Section 9-31-7.B.6 of the Irvine Ordinance are hereby amended to read as follows:

Sec. 9-31-7. Special development requirements.

6. *Irvine Spectrum 6 Parcel Development Monitoring Report within the 5.5A Medical and Science Zoning District.* A project traffic study (Austin-Foust Associates dated August 2005) was prepared for development of the 225 acres zoned Medical and Science within Irvine Spectrum 6 (Exhibit A). Based upon this study, a post-2025 vehicle trip limit has been established for the 5.5A Zoning District within Spectrum 6 of 8,707 a.m. peak hour, 7,875 p.m. peak hour, and 63,424 average daily trips.

Masimo Corporation Zone Change 00612698-PZC added 169 a.m. peak hour, 131 p.m. peak hour, and 675 average daily trips to 52 Discovery. Zone Change 00927538-PZC adds 4 a.m. peak hour, 9 p.m. peak hour, and 101 average daily trips for 78 Discovery, thereby increasing the build-out vehicle trip limit for the 5.5A Zoning District within Irvine Spectrum 6 to 8,880 a.m. peak hour, 8,015 p.m. peak hour, and 64,200 average daily trips.

For the purpose of this section, "applicant" shall mean that applicant for development case 00350805-PGA and 00350802-PZC, and Irvine Spectrum 6 shall mean the area shown on Exhibit A. In conjunction with issuance of any building permit, the applicant shall submit a Parcel Development Monitoring Report for review and approval of the Director of Community Development. The Parcel Development Monitoring Report shall include an allocation and accounting of trips to ensure that the aggregate traffic projected does not exceed the vehicle trip limits. The Parcel Development Monitoring Report shall include, but not limited to, the allocation of trips (average daily, a.m. peak hour and p.m. peak hour) to each parcel. Approval by the Director of Community Development shall be based upon the determination that the allocations shown do not exceed the maximum established for the zoning district; that all parcels have a trip allocation; and that the allocation is generally consistent with the General Plan, zoning and other applicable regulatory documents. The Parcel Development Monitoring Report may be updated by the applicant and is subject to review and approval by the Director of Community Development. The purpose of the Irvine Spectrum 6 Parcel Monitoring Report is to monitor the growth and update the project's components.

(Code 1976, § V.E-831.6; Ord. No. 95-16, § 2, 10-10-95; Ord. No. 95-22, § 3, 11-28-95; Ord. No. 99-03, § 3, 2-9-99; Ord. No. 00-02, § 4, 2-8-00; Ord. No. 01-12, § 4, 6-26-01; Ord. No. 05-19, § 4, 9-27-05; Ord. No. 09-02, § 3, 3-24-09; Ord. No. 15-12, § 5, 1-12-16; Amd. 1-2017, 6-19-17)

EXHIBIT A