

**SP-84-01**  
**SP-84-01A**

**East 17th Street**  
**Specific Plan**

**R-84-09**  
**R-84-10**

**adopted May 1984**  
**(Resolution No. 84-67)**

**amended January 18, 1993**  
**(Resolution No. 93-3)**

I. INTRODUCTION

In response to concerns of residents in the area, the City Council has directed preparation of SP-84-01 for East 17th Street from Santa Ana Avenue to Irvine Avenue. The intent of the Specific Plan is to alleviate the problems generated by the proximity of the commercial and residential uses in the area.

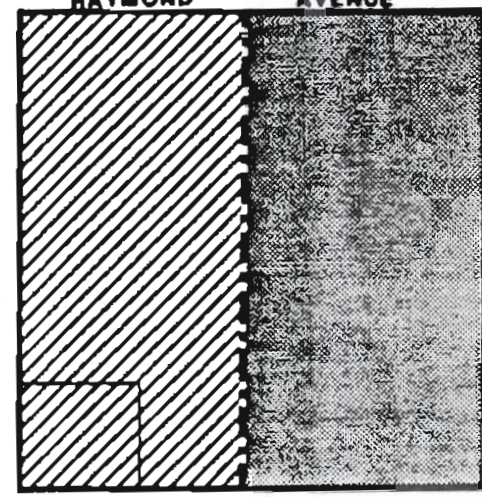
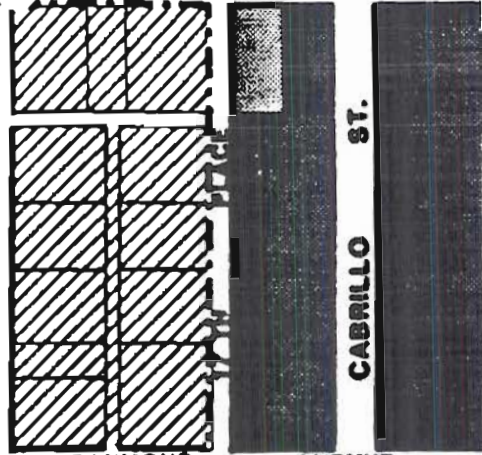
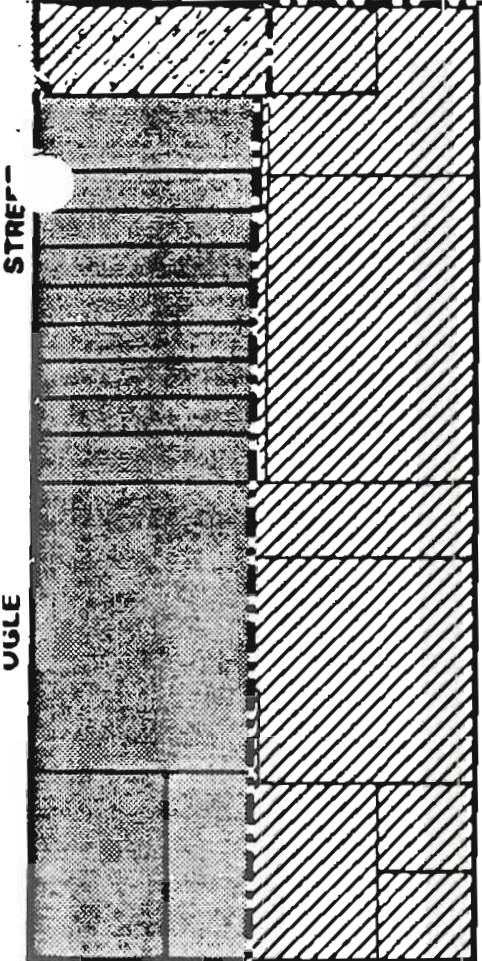
II. AUTHORITY AND SCOPE

Section 65450 of the Government Code enables local governments to adopt Specific Plans for the systematic implementation of their General Plans. This Specific Plan pursues the attainment of various General Plan goals, and most directly relates to the following General Plan policies:

13. Require landscape plans for all public and private development to consider the retention and/or development of existing mature vegetation.
31. Consider effects of building height on adjacent parcels to ensure minimum interference with solar access in the vicinity of all new developments.
87. Develop appropriate mechanisms (development standards or zone exception procedures) to allow private construction of walls exceeding the 6-foot height limit for residential and other noise sensitive uses along or adjacent to major City streets.
111. Protect existing stabilized residential neighborhoods from the encroachment of incompatible or potentially disruptive land uses and/or activities.
227. Permit the construction of high-rise (over two stories or 30 feet) only when it can be shown that the construction of such structures will not adversely impact surrounding developments and deprive existing land uses of adequate light, air, and privacy.
232. Require building setbacks, structure orientation, and the placement of windows to consider the privacy of adjacent residential structures within the same project or adjacent existing residential structures.

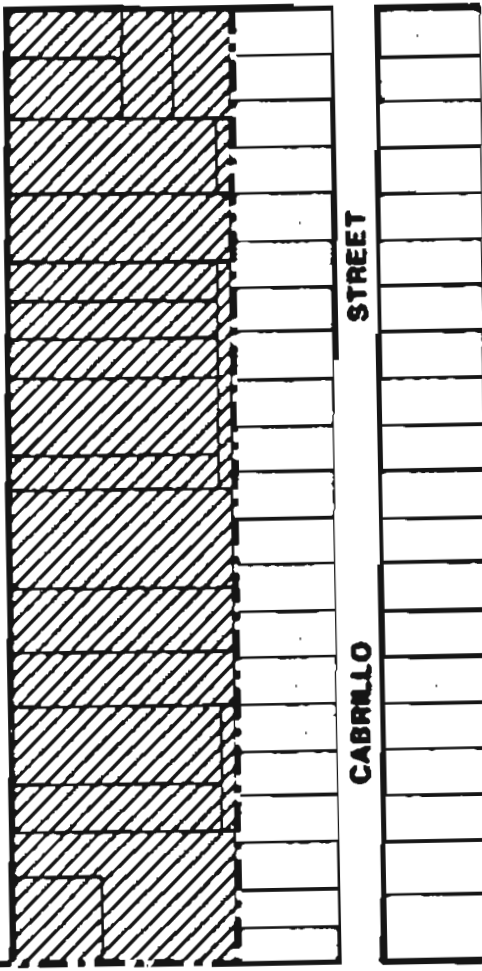
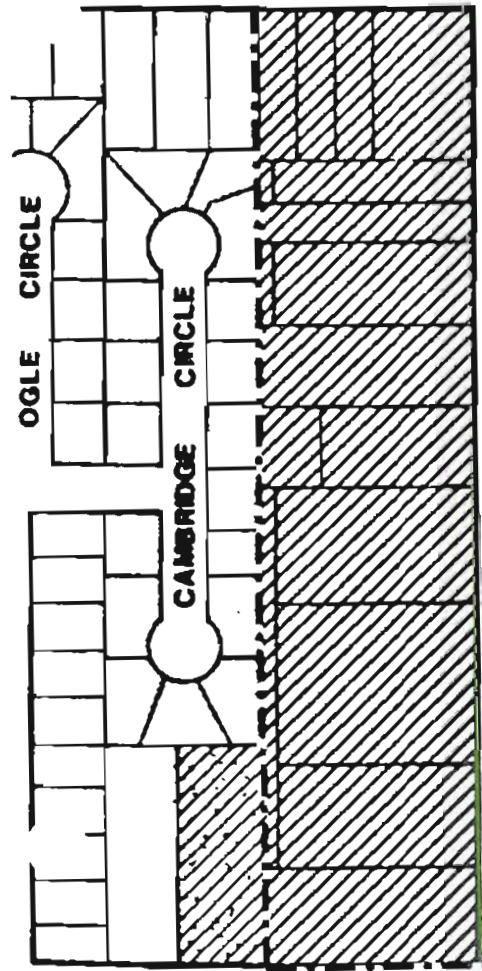
SANTA ANA

AVENUE



TUSTIN

AVENUE



IRVINE

AVENUE

# ZONING

## RESIDENTIAL



R1



R2



R4

## COMMERCIAL



C1



C2

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 SPECIFIC  
 PLAN AREA  
 BOUNDARY



### III. AREA ANALYSIS

#### A. Area Description

The properties in the Specific Plan area total nearly 33 acres. All of the area is zoned C2 and designated for General Commercial use by the Land Use element of the General Plan. Properties fronting on Santa Ana Avenue, Tustin Avenue and Irvine Avenue, within 290' of East 17th Street, are also included in the Specific Plan area.

The area contains a mix of primarily office and commercial uses. In the block between Santa Ana Avenue and Tustin Avenue 57% of the land is developed with shopping centers. Other uses include a bank/office building, three free-standing restaurants, a fast food restaurant and four automotive service stations.

The block between Tustin Avenue and Irvine Avenue contains no shopping centers. There are six restaurants and five automotive businesses in the area. A six story office building has been constructed near the east end of this block. Commercial properties between Tustin and Irvine directly abut the back yards of single-family residences.

East 17th Street is designated as a Primary Highway by the Master Plan of Highways, and as such would ultimately be developed to 106' in width with three travel lanes in each direction. It is presently developed to 80 feet.

A plan is presently being prepared to improve the streetscape along East 17th Street. Its appearance is of particular concern because it functions as a gateway to the downtown redevelopment area.

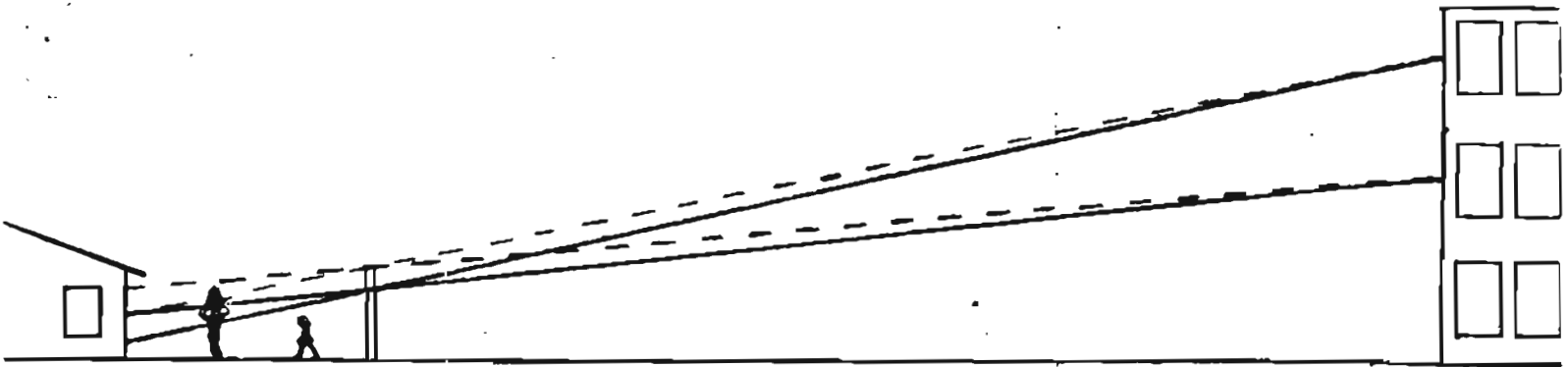
#### B. Major Issues/Concerns

Residents in the area have expressed particular concern over problems relating to noise and privacy. The causes and possible solutions to these problems are discussed below.

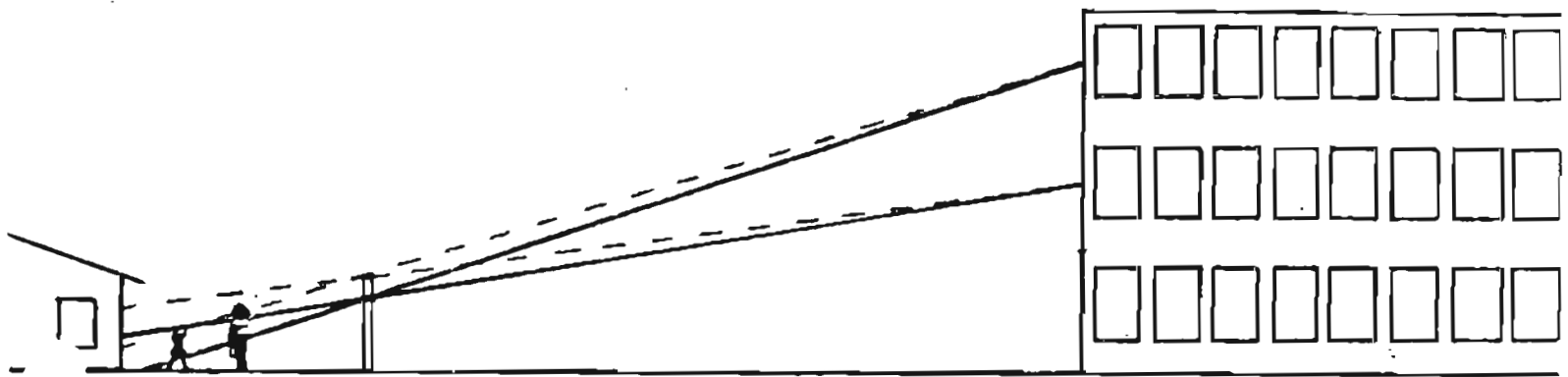
##### 1. Privacy

Concerns about privacy relate mainly to visual intrusion into yard areas from multi-story buildings. Staff has examined possible solutions including landscape-buffering, increased setbacks and building height limitations. Line-of-sight studies were done which indicate that landscaping provides the greatest protection. Limiting building heights to no more than two stories also provides protection.

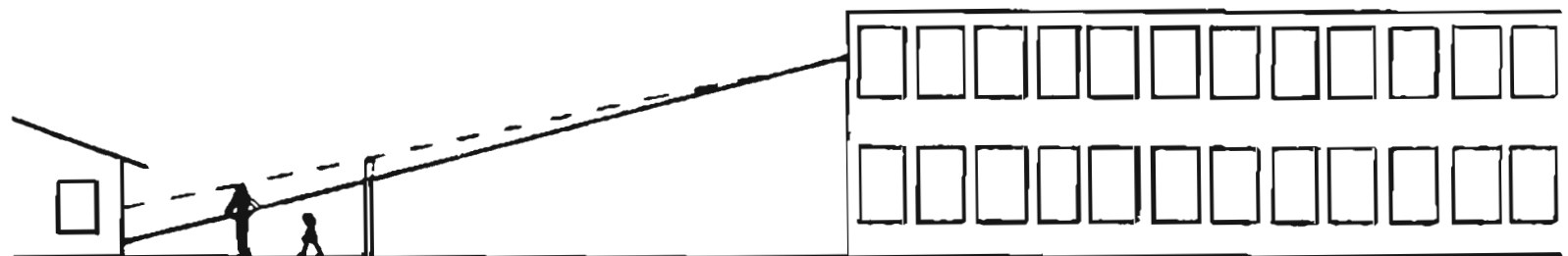
Staff presented these ideas to property owners from the area at a meeting in the Neighborhood Community Center on March 21. The residents were anxious that buildings be limited to no more than two stories. Since the commercial zone development standards limit building height to two-stories, except by Conditional Use Permit, this could be achieved by not approving Conditional Use Permits to exceed the height limit. Alternatively, a stronger position could be taken by placing an absolute two-story limit on development as a provision of the Specific Plan.



**THREE STORY BUILDING WITH 90' SETBACK**



**THREE STORY BUILDING WITH 60' SETBACK**



**TWO STORY BUILDING WITH 40' SETBACK**

- - - LINE OF SIGHT OVER 8' WALL  
 ——— LINE OF SIGHT OVER 6' WALL

LINE OF SIGHT STUDY  
 WITHOUT LANDSCAPING

The City presently has right-of-way easements along the southern boundaries of several parcels on the south side of the block between Tustin and Irvine. There are several mature Eucalyptus trees in this right-of-way area which provide screening to protect residences from visual intrusion from offices in the six-story building. Since the City no longer intends to construct the alley for which the right-of-way was obtained, plans are underway to abandon the easements back to the original (commercial) property owners. Residential property owners are very concerned that the trees be protected. The best way to do this seems to be to require their retention as a provision of this specific plan.

## 2. Noise

Residents are also concerned about noise during evening hours and on weekends. They report being bothered by sounds of conversations, car doors, car engines, etc., in parking lots of restaurants. During public hearings for Naugles (which is now under construction) concern was expressed that the drive-thru order box would cause disturbance. Automotive service stations (including tire shops, car washes, etc.) also create noise problems - particularly those which are open evenings and weekends. Two types of solutions have been considered for these problems: buffering and use restriction.

### a. Walls

The most effective sound barrier is a masonry wall. Present City Code requires new commercial developments to construct 6-foot opaque fences or walls along all property lines abutting residential zones. The Specific Plan could provide additional buffering by requiring that new development construct 8 foot masonry walls on residential property lines. Residents may wish to construct 8' walls other than in conjunction with development of adjacent commercial property. This could also be permitted under the Specific Plan. Masonry walls would be most effective in the block between Tustin and Irvine since there are alleys existing or proposed between Santa Ana Avenue and Tustin Avenue. The breaks in the walls which are necessary to allow access to the commercial properties from the alley would greatly diminish their effectiveness as sound barriers.

### b. Use Restrictions

Another means of alleviating noise problems is to limit the establishment of potentially noisy businesses. This could be done by rezoning the land CL (which allows only office and retail uses) or by requiring a Conditional Use Permit for certain types of businesses (either city-wide by ordinance amendment or as part of the Specific Plan). Rezoning to C1 would eliminate some of the most intense uses but special measures (ordinance amendment or Specific Plan provision) would still be required in order to regulate restaurants. According to business license records, rezoning property in the Specific Plan area would result in the following non-conformities:

	<u>Rezone to C1</u>	<u>Rezone to CL</u>
Block from Santa Ana to Tustin	7 (7%)	37 (37%)
Block from Tustin to Irvine	9 (12%)	29 (39%)

Of the 29 businesses which would become non-conforming if the Tustin-Irvine block is rezoned CL, 7 are hairdressers. The City Council may wish to amend the Land Use Ordinance to make Barber and Beauty Shops a permitted use in the CL zone.

Performance standards could also be imposed which would guard against potential problems. Examples would be: limiting hours of operation, prohibiting (or regulating placement of) outdoor speaker boxes, regulating placement of doors, etc. These controls could be imposed City-wide through amendment to the Land Use Ordinance as Conditions of Approval of a Conditional Use Permit, or as requirements of the Specific Plan.

#### IV. PLAN ELEMENTS

##### A. Zoning

The General Commercial general plan land use designation is consistent with the present C2 zoning but would also be consistent with C1 or CL zoning.

If Conditional Use Permits are required for restaurants (they are already required for automotive uses in all commercial zones) and landscaping and walls are provided, C1 zoning may provide adequate protection for the R1 properties which abut commercial uses with no alley or structures to buffer them. However, C1 zoning would allow grocery stores which sometimes cause problems because of delivery trucks. Also, if several parcels were assembled, a theater which could generate parking lot noise problems could be built under C1 zoning. Therefore, it may be more effective to designate the properties between Tustin Avenue and Irvine Avenue CL.

The block between Santa Ana Avenue and Tustin Avenue abuts multi-family development, much of which has garages along the alley which provide some buffering. Therefore, the somewhat more intense C1 zone may be appropriate for this area. This would be consistent with good planning practice in that zoning allowing more intense uses would be nearer to the major highway (Newport Boulevard) and to "downtown".

Additional protection could be provided throughout the City by amending the Land Use Ordinance to require Conditional Use Permits throughout the City for restaurants which are less than 200 feet from residential properties. Conditional Use Permits are already required for gasoline service stations and automotive repair.

- G. Construction of 8' masonry walls along property lines between residentially and commercially zoned parcels shall be allowed even when no development is taking place.
- H. Existing trees in the rear 10' of commercial properties between Tustin Avenue and Irvine Avenue shall be properly maintained and shall not be removed except as required by a landscaping plan approved by the Development Services Department.

Staff was directed to:

Amend the Land Use Ordinance to require a Conditional Use Permit for all restaurants within 200 feet of residentially zoned property.

Amend the Land Use Ordinance to make Barber and Beauty Shops a permitted use in the CL zone.



**SP-84-01A**

**East 17th Street  
Specific Plan**

**amended January 18, 1993**

## ADDENDUM SPECIFIC PLAN AMENDMENT SP-84-01A

Under SP-84-01A, the following amendments to the development standards adopted under Specific Plan SP-84-01 are identified:

1. Properties on the south side of the 400 block of the Specific Plan area shall maintain a 10-foot deep landscape buffer. For properties on the north side of the 400 block of the Specific Plan area, a 5-foot deep landscape buffer shall be maintained as measured from the rear or northerly property line.
2. All properties in the Specific Plan are currently zoned C1.
3. Development over two (2) stories and 30 feet on any property in this Specific Plan shall be permitted only by Conditional Use Permit. The General Plan prohibits development in excess of four (4) stories.
4. Proposed restaurants and bars shall be reviewed under the guidelines outlined in the Zoning Code.
5. The Zoning Code was amended in 1984, allowing barber and beauty shops as permitted uses in the CL zone.

ADOPTED January 18, 1993, by City Council Resolution No. 93-03.

# ZONING

## RESIDENTIAL



R1



R2

R4 (R2 pending)

## COMMERCIAL



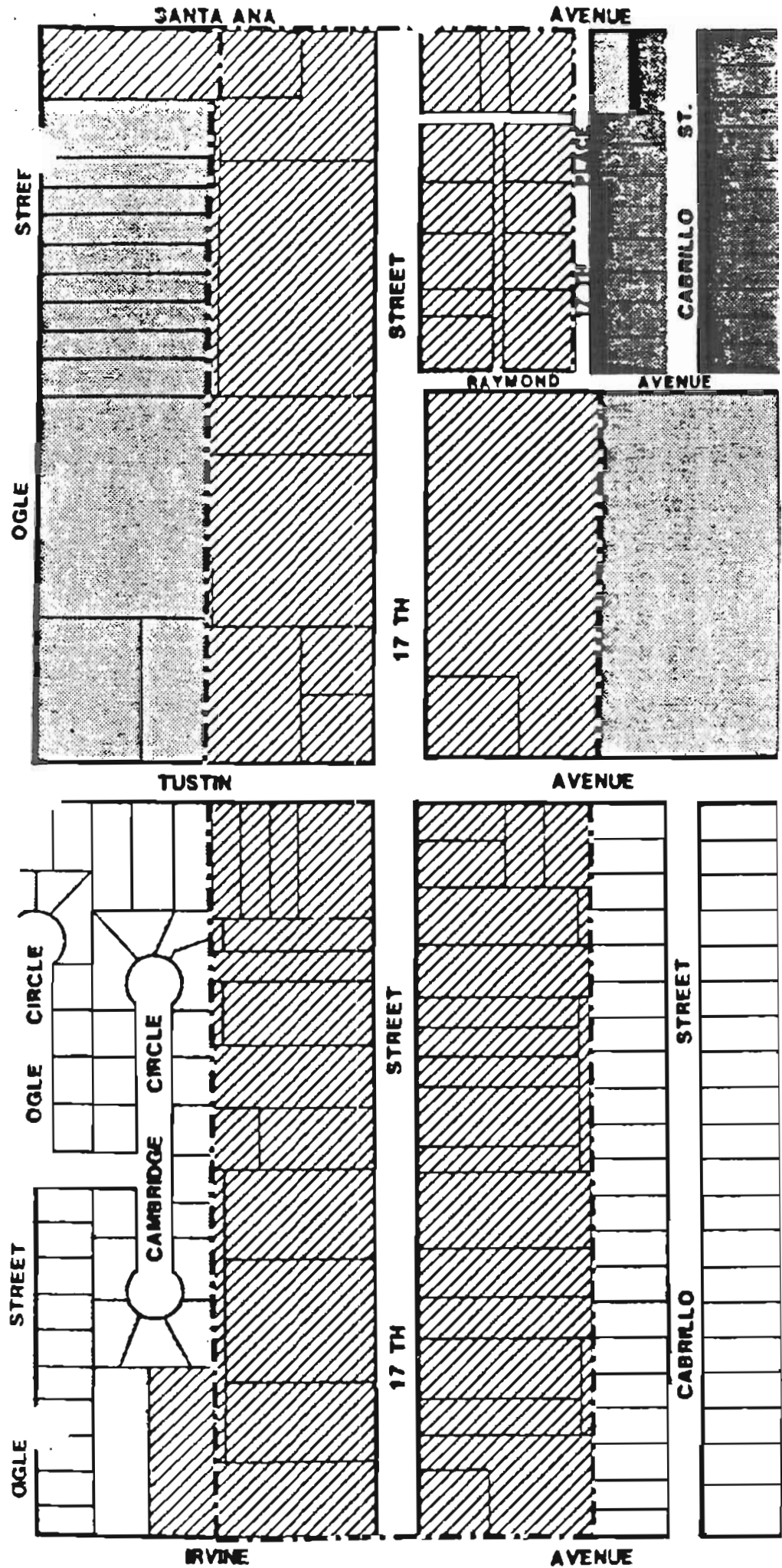
C1

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SPECIFIC  
PLAN AREA  
BOUNDARY



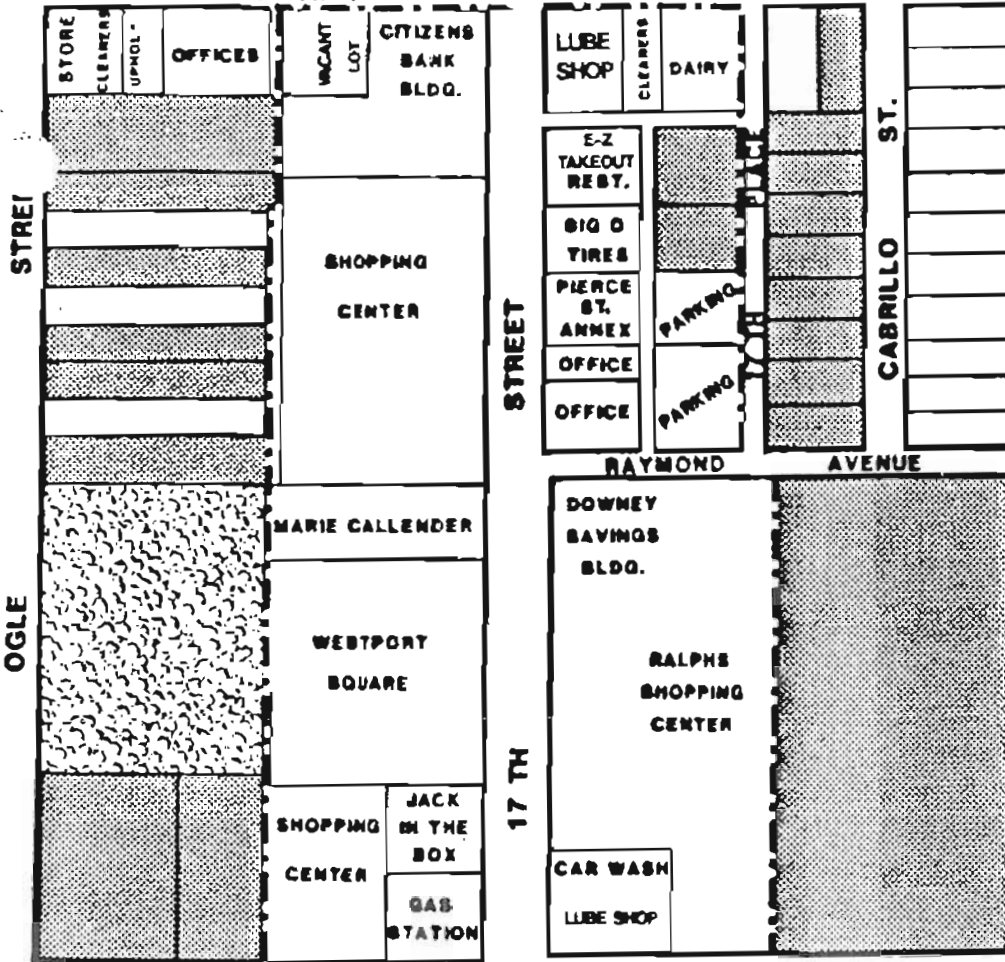
EXHIBIT A

SPECIFIC PLAN SP-84-01






SANTA ANA

AVENUE



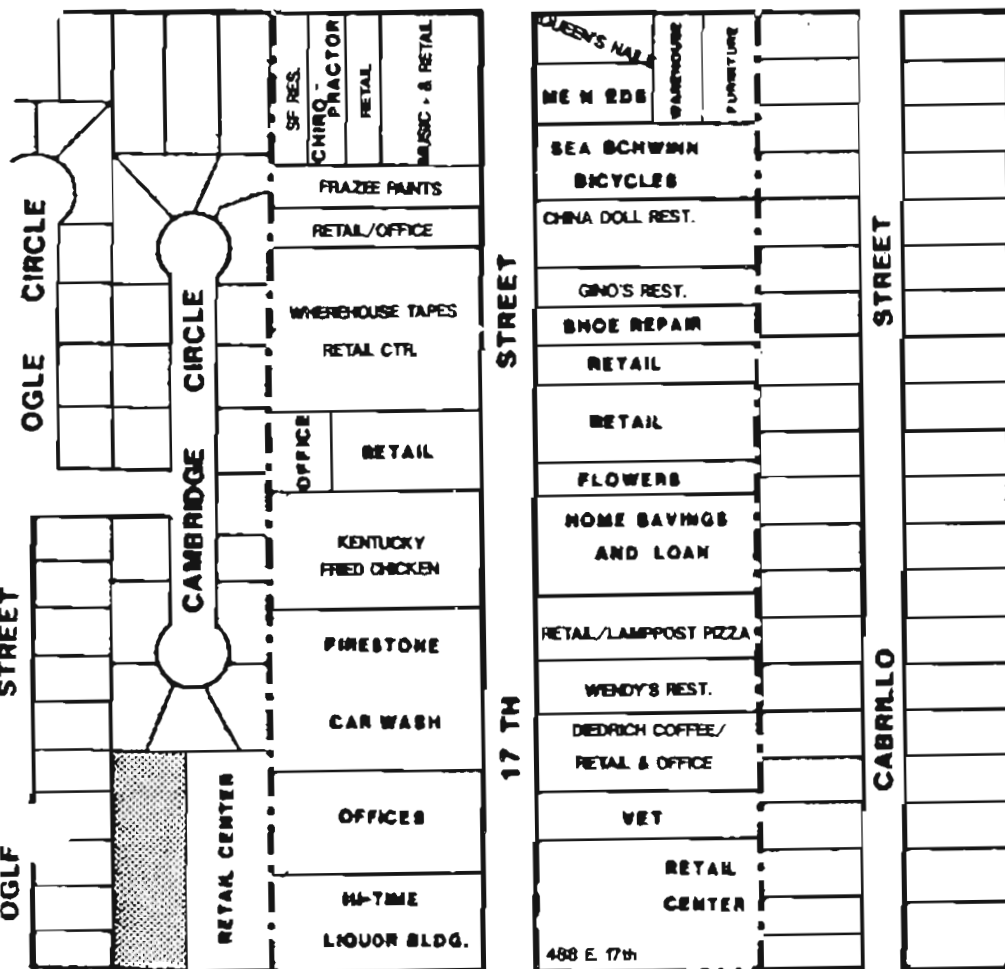
**EXISTING LAND USES**

-  SINGLE FAMILY RESIDENTIAL
-  MULTI-FAMILY RESIDENTIAL
-  PINKLEY PARK

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SPECIFIC  
PLAN AREA  
BOUNDARY

TUSTIN

AVENUE



**EXHIBIT B**

# EASEMENTS, WALLS/FENCE

400 Block (north side)

## RESIDENTIAL


 R1

 R2

 R4 (R2 pending)


## COMMERCIAL


 C1

 SPECIFIC PLAN  
AREA BOUNDARY

10' PUBLIC UTIL EASEMENT

 RESIDENTIAL  
FENCES

 MASONRY WALL:  
(COMM.)

 20' STORM DRAIN  
EASEMENT



## EXHIBIT C

SPECIFIC PLAN SP-84-0

