ATTACHMENT 3

RESOLUTION NO. PC-05-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA FINDING THAT THE COSTA MESA SANITARY DISTRICT'S ACQUISITION OF EXCESS RIGHT-OF-WAY AT 628 WEST 19TH STREET IS IN CONFORMANCE WITH THE CITY OF COSTA MESA 2000 GENERAL PLAN.

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, the City of Costa Mesa 2000 General Plan was adopted on January 22, 2002;

WHEREAS, the California Government Code 65402, provides in part that a local agency shall not acquire, use, or dispose of any real property until the use of the property has been reported upon as to conformity with the applicable General Plan;

WHEREAS, the City of Costa Mesa 2000 General Plan indicates that the subject right-of-way is located at the northeast corner of West 19th Street and Meyer Place, and as described in the legal description in Exhibit "A" and as shown in Exhibit "B";

WHEREAS, Robin B. Hamers, on behalf of the Costa Mesa Sanitary District, proposes the acquisition of the subject right-of-way from the City of Costa Mesa;

WHEREAS, the property at 628 W. 19th Street abutting the subject right-of-way serves as the Costa Mesa Sanitary District headquarters and is designated as General Commercial by the 2000 General Plan;

WHEREAS, the subject right-of-way does not serve any public street or highway purpose;

WHEREAS, there are no public utilities located within the subject right-of-way, and there are no plans to use this property for future public utilities;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby find the Costa Mesa Sanitary District's proposed acquisition of the subject right-of-way is in conformance to the City of Costa Mesa 2000 General Plan.

PASSED AND ADOPTED this 24th day of January, 2005

Chair, Costa Mesa
Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, R. Michael Robinson, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on January 24, 2005, by the following votes:

AYES: COMMISSIONERS: GARLICH, PERKINS, GENIS

NOES: COMMISSIONERS: NONE

ABSENT: COMMISSIONERS: NONE

ABSTAIN: COMMISSIONERS: NONE

Secretary, Costa Mesa Planning Commission