



CITY COUNCIL AGENDA REPORT

MEETING DATE: APRIL 3, 2007

ITEM NO:

**SUBJECT: REZONE R-07-01
2089 AND 2099 HARBOR BOULEVARD AND 511 HAMILTON STREET**

DATE: MARCH 22, 2007

FROM: DEVELOPMENT SERVICES DEPARTMENT – PLANNING DIVISION

PRESENTATION BY: MEL LEE, AICP, SENIOR PLANNER

FOR FURTHER INFORMATION CONTACT: MEL LEE, AICP, SENIOR PLANNER (714)754-5611

RECOMMENDED ACTION

Give first reading to the attached ordinance, which rezones the subject property from C2 (General Commercial) to PDC (Planned Development Commercial).

BACKGROUND

The subject site consists of three lots located at the southwest corner of Hamilton Street and Harbor Boulevard. It is zoned C2 (General Business District) with a General Plan designation of General Commercial. The properties to the north (across Hamilton Street), east (across Harbor Boulevard), and south are all commercially zoned and developed. Properties to the west consist of an automotive repair shop and community garden on Hamilton Street and apartments across Charle Street. The existing developments on the properties are as follows:

2089 Harbor	Automotive repair shop that was established prior to City's incorporation. It has a rear storage/parking lot area that abuts Charle Street.
2099 Harbor	Approximately 8,500 square foot medical building constructed in 1961.
511 Hamilton	Vacant. Formerly substandard housing with repair shop (demolished in 2003).

The applicant proposes to combine the subject lots into one development lot and to rezone the site to PDC to accommodate a residential project at the rear with access from Charle Street and commercial use along Harbor Boulevard. On March 12, 2007, Planning Commission recommended to City Council that the proposed rezone ordinance be adopted on a 5-0 vote.

ANALYSIS

ZONING CONFORMITY

The combined lot size is approximately 1.9 acres, which exceeds the minimum 1-acre lot area required by the Zoning Code for a rezone to PDC. The PDC zone is intended for commercial establishments to serve adjacent residential areas, as well as the entire community and region. It also allows residential as a complementary use. The proposed zone and use of the site is compatible with surrounding properties. Specifically, the commercial component of the project will be located along Harbor Boulevard, which is a commercial corridor, and the residential component will be oriented towards other residential developments on Charle Street. The future commercial uses will also serve the adjacent residential areas and the community.

The maximum residential density allowed within the PDC zone is 20 dwelling units per acre, which is consistent with existing residential project across Charle Street. If the rezone is approved by City Council, the future development of the site will be required to comply with all applicable Code standards and requires a separate master plan application and public hearing before Planning Commission.

GENERAL PLAN CONFORMITY

The proposed PDC zone is consistent with the property's existing General Commercial General Plan Land Use Designation. This designation is intended to permit a wide range of commercial uses and complementary residential uses through the Planned Development process. The proposal is also consistent with General Plan Land Use goals and objectives that encourage lot combination (LU-1C.5), opportunities for the development of well planned and designed projects which provide for the development of compatible uses within a single project (LU-1F.5), housing and employment opportunities within planned development areas (LU-1A.5), and density that can be supported by existing infrastructure and is compatible with surrounding uses (LU-1F.4).

ALTERNATIVES CONSIDERED

Council may choose to do either of the following:

1. Approve the rezone as recommended by the Planning Commission; or
2. Take no action on the draft ordinance and, thereby, retain the City's current C2 zoning designation for the property.

FISCAL REVIEW

Fiscal review is not required.

LEGAL REVIEW

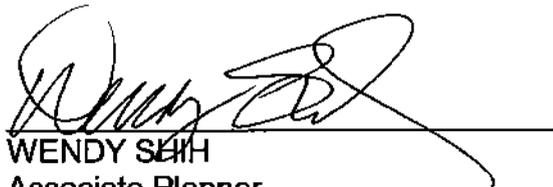
The draft ordinance has been approved as to form by the City Attorney's Office.

ENVIRONMENTAL REVIEW

Pursuant to Section 15332 (In-Fill Development Projects) of the California Environmental Quality Act (CEQA) Guidelines, this project is exempt from CEQA.

CONCLUSION

The Planning Commission found that the proposed rezone is consistent with the General Plan and Zoning Code. The PDC zone can be supported by existing infrastructure and is compatible with existing commercial and residential properties in the vicinity.


WENDY SHIH
Associate Planner


DONALD D. LAMM, AICP
Deputy City Mgr. – Dev. Svs. Director

Attachments: Draft Ordinance
Minutes of Planning Commission meeting of March 12, 2007
Planning Commission Staff Report
Planning Commission Resolution

Distribution: City Manager
Assistant City Manager
City Attorney
Deputy City Manager-Development Svs. Dir.
Public Service Director
City Clerk (2)
Staff (4)
File (2)

Anna Lauri
Red Mountain Retail Group
1234 E. 17th Street
Santa Ana, CA 92701

File: 040307R0701	Date: 032207	Time: 3:15 p.m.
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ORDINANCE NO. 07-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REZONING 2089 AND 2099 HARBOR BOULEVARD AND 511 HAMILTON STREET FROM C2 (GENERAL COMMERCIAL) TO PDC (PLANNED DEVELOPMENT COMMERCIAL) BY ADOPTION OF REZONE PETITION R-07-01

THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: The City of Costa Mesa Official Zoning Map is hereby amended as follows:

There is hereby placed and included in the PDC (Planned Development Commercial), 2089 and 2099 Harbor Boulevard and 511 Hamilton Street, as shown on attached Exhibit "1" and described in attached Exhibit "2", situated in the City of Costa Mesa, County of Orange, State of California.

SECTION 2: Pursuant to the provisions of Section 13-22 of the Costa Mesa Municipal Code, the Official Zoning Map of the City of Costa Mesa is hereby amended by the change of zone described in section 1 hereof and shown in the respective exhibits. A copy of the Official Zoning Map is on file in the office of the Planning Division.

SECTION 3: The proposed rezone was determined to be categorically exempt pursuant to section 15332 of the California Environmental Quality Act (CEQA), which reflects the independent judgment of the City of Costa Mesa.

SECTION 4: Inconsistencies. Any provision of the Costa Mesa Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to affect the provisions of this Ordinance.

ORDINANCE NO. 07-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REZONING 2089 AND 2099 HARBOR BOULEVARD AND 511 HAMILTON STREET FROM C2 (GENERAL COMMERCIAL) TO PDC (PLANNED DEVELOPMENT COMMERCIAL) BY ADOPTION OF REZONE PETITION R-07-01

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SECTION 3: The proposed rezone was determined to be categorically exempt pursuant to section 15332 of the California Environmental Quality Act (CEQA), which reflects the independent judgment of the City of Costa Mesa.

SECTION 4: Inconsistencies. Any provision of the Costa Mesa Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to affect the provisions of this Ordinance.

SECTION 5: Severability. If any provision or clause of this ordinance or the application thereof to any person or circumstances is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions or clauses or applications of this ordinance which can be implemented without the invalid provision, clause or application; and to this end, the provisions of this ordinance are declared to be severable.

SECTION 6: Publication. This ordinance shall take effect and be in full force thirty (30) days from and after the passage thereof, and, prior to the expiration of fifteen (15) days from its passage, shall be published once in the ORANGE COAST DAILY PILOT, a newspaper of general circulation, printed and published in the City of Costa Mesa or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the office of the City Clerk five (5) days prior to the date of adoption of this Ordinance, and within fifteen (15) days after adoption, the City Clerk shall cause to be published the aforementioned summary and shall post in the office of the City Clerk a certified copy of this Ordinance together with the names of the members of the City Council voting for and against the same.

PASSED AND ADOPTED this _____ day of _____ 2007.

Mayor of the City of Costa Mesa

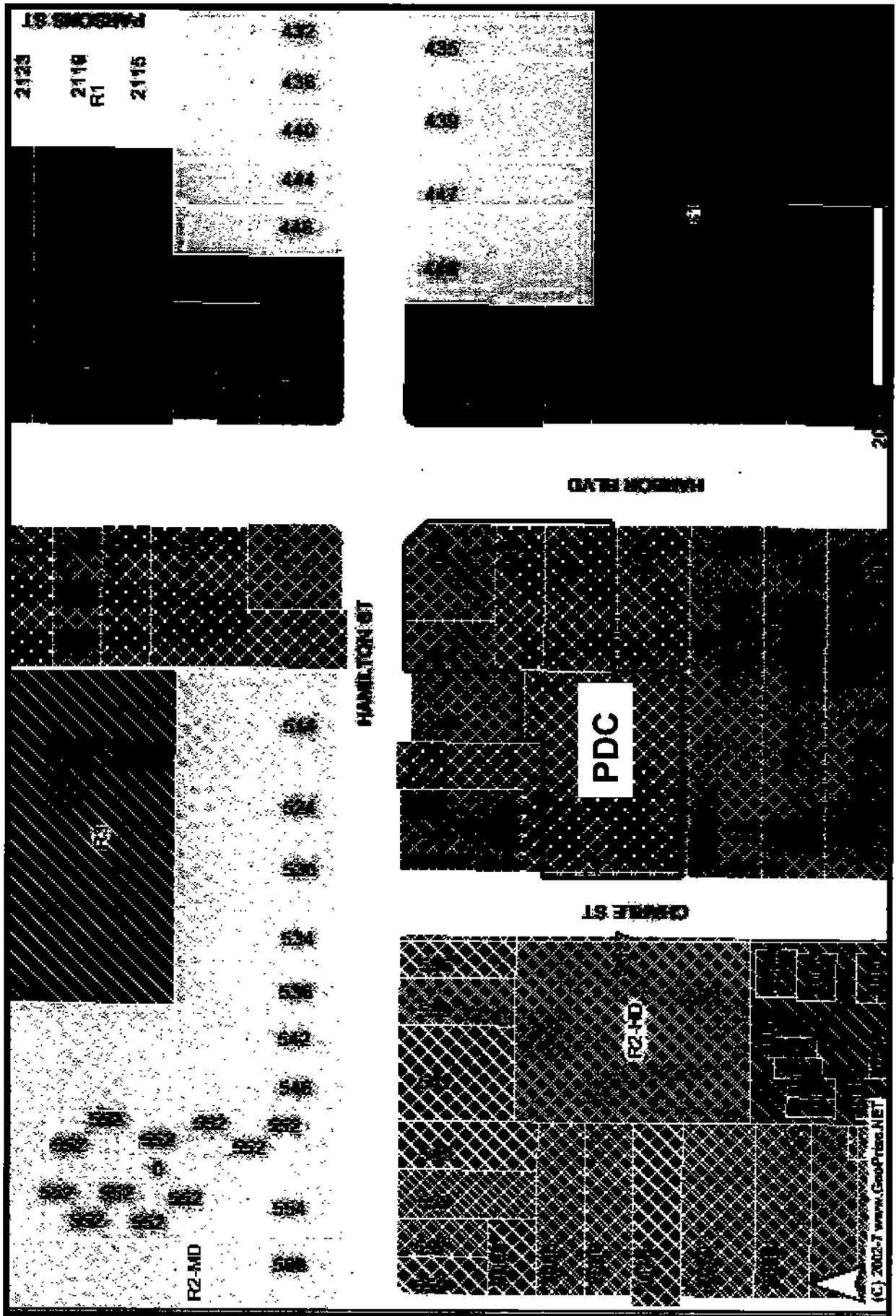
ATTEST:

APPROVED AS TO FORM:

Deputy City Clerk of the City of Costa Mesa

City Attorney

EXHIBIT "1" - ZONING MAP



The following property is hereby rezoned as follows:

ZONING DISTRICT	ADDRESS
Planned Development Commercial (PDC)	2089 and 2099 Harbor Boulevard and 511 Hamilton Street, situated in the City of Costa Mesa, County of Orange, State of California, further described per attached Exhibit "2A" 422-091-01, 02, 06, 07, 08, and 09

**Legal Description For
2089 and 2099 Harbor Boulevard and 511 Hamilton Street**

PARCEL 1:

THAT PORTION OF LOT 20 OF FAIRVIEW FARMS AS SHOWN ON A MAP RECORDED IN BOOK 8, PAGE 71 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE CENTERLINE OF HAMILTON STREET WITH THE CENTER LINE OF HARBOR BOULEVARD (FORMERLY FAIRVIEW AVENUE) AS SHOWN ON SAID MAP OF FAIRVIEW FARMS; THENCE SOUTHERLY ALONG SAID CENTER LINE OF HARBOR BOULEVARD, 126.38 FEET; THENCE WESTERLY PARALLEL WITH THE NORTH LINE OF SAID LOT 20 AND THE EXTENSION THEREOF, 150.20 FEET; THENCE NORTH, PARALLEL WITH SAID CENTER LINE OF HARBOR BOULEVARD, 126.38 FEET TO THE CENTER LINE OF HAMILTON STREET; THENCE EASTERLY ALONG THE SAID CENTER LINE OF HAMILTON STREET, 150.20 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

THAT THE PORTION OF LOT 20 OF FAIRVIEW FARMS AS SHOWN ON A MAP RECORDED IN BOOK 8, PAGE 71 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTER LINE OF FAIRVIEW AVENUE, 60 FEET WIDE, DISTANT THEREON 126.38 FEET SOUTHERLY FROM THE CENTER LINE OF HAMILTON STREET, 40 FEET WIDE, AS SAID STREETS ARE SHOWN ON SAID MAP OF FAIRVIEW FARMS; THENCE SOUTHERLY ALONG SAID CENTER LINE OF FAIRVIEW AVENUE, 50 FEET; THENCE WESTERLY, PARALLEL WITH THE NORTHERLY LINE OF SAID LOT 20 AND THE EXTENSION THEREOF, 200.20 FEET; THENCE EASTERLY, PARALLEL WITH THE CENTER LINE OF FAIRVIEW AVENUE, 50 FEET; THENCE EASTERLY, PARALLEL WITH THE NORTHERLY LINE OF SAID LOT 20 AND THE EXTENSION THEREOF, 200.20 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

THE NORTH 25.00 FEET OF THAT PORTION OF LOT 20 OF FAIRVIEW FARMS AS SHOWN ON A MAP RECORDED IN BOOK 8, PAGE 71 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE CENTER LINE OF FAIRVIEW AVENUE, NOW KNOWN AS HARBOR BOULEVARD, AS SHOWN ON SAID MAP, AT THE SOUTHEAST CORNER OF THE NORTH 5 ACRES OF THE EAST 10 ACRES OF SAID LOT; SAID ACREAGES BEING COMPUTED TO THE CENTER LINES OF ADJOINING STREETS, SAID POINT BEING 326.38 FEET, MORE OR LESS, SOUTHERLY FROM THE INTERSECTION OF THE CENTER

LINES OF SAID FAIRVIEW AVENUE AND HAMILTON STREET; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID 5-ACRE TRACT, 200.20 FEET; THENCE NORTHERLY ALONG A LINE PARALLEL WITH THE SAID CENTER LINE OF FAIRVIEW AVENUE, 100.00 FEET, MORE OR LESS, TO A POINT DISTANT ALONG SAID PARALLEL LINE 226.38 FEET SOUTHERLY FROM SAID CENTER LINE OF HAMILTON STREET; THENCE EASTERLY ALONG A LINE PARALLEL WITH THE NORTH LINE OF SAID LOT 20 AND THE EXTENSION THEREOF, 200.20 FEET TO THE CENTER LINE OF SAID FAIRVIEW AVENUE; THENCE SOUTHERLY ALONG SAID CENTER LINE, 100.00 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

PARCEL 4:

THAT PORTION OF LOT 20 OF FAIRVIEW FARMS AS SHOW ON MAP RECORDED IN BOOK 8, PAGE 71 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE, COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE CENTER LINE OF FAIRVIEW AVENUE, NOW KNOWN AS HARBOR BOULEVARD, AS SHOWN ON SAID MAP, DISTANT THEREON 176.38 FEET SOUTHERLY FROM THE CENTER LINE OF HAMILTON STREET AS SHOWN ON SAID MAP; THENCE SOUTHERLY ALONG SAID CENTER LINE OF FAIRVIEW AVENUE, 50.00 FEET; THENCE WESTERLY, PARALLEL WITH SAID CENTER LINE OF HAMILTON STREET, 200.00 FEET; THENCE NORTHERLY, PARALLEL WITH SAID CENTER LINE OF FAIRVIEW AVENUE, 50.00 FEET; THENCE EASTERLY, PARALLEL WITH SAID CENTER LINE OF HAMILTON STREET, 200.20 FEET TO THE POINT OF BEGINNING.

PARCEL 5:

THAT PORTION OF LOT 20 OF FAIRVIEW FARMS AS SHOWN ON A MAP RECORDED IN BOOK 8, PAGE 71 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTER LINE OF HAMILTON STREET, AS SHOWN ON SAID MAP, 200.20 FEET WESTERLY FROM THE INTERSECTION OF THE CENTERLINES OF HAMILTON STREET AND FAIRVIEW AVENUE; THENCE SOUTHERLY, PARALLEL WITH THE CENTERLINE OF SAID FAIRVIEW AVENUE, 326.38 FEET, MORE OR LESS, TO THE SOUTH LINE OF THE NORTH 5 ACRES OF THE EAST 10 ACRES OF SAID LOT 20, SAID ACREAGE BEING COMPUTED TO THE CENTERLINE OF SAID STREETS; THENCE WESTERLY ALONG SAID SOUTH LINE, 208.20 FEET; THENCE NORTHERLY, PARALLEL WITH SAID CENTERLINE OF FAIRVIEW AVENUE, 326.38 FEET, MORE OR LESS, TO THE CENTERLINE OF HAMILTON STREET; THENCE EASTERLY ALONG SAID CENTERLINE OF HAMILTON STREET, 208.20 FEET TO THE POINT OF BEGINNING.

EXCEPT THEREFROM THE SOUTHERLY 20.00 FEET OF THE NORTHERLY 176.00 FEET OF THE WESTERLY 133.00 FEET.

ALSO EXCEPT THEREFROM THE NORTHERLY 156.00 FEET.

PARCEL 6:

THE WEST 50.00 FEET OF THAT PORTION OF LOT 20 OF FAIRVIEW FARMS AS SHOWN ON MAP RECORDED IN BOOK 8, PAGE 71 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE CENTER LINE OF HAMILTON STREET WITH THE CENTER LINE OF HARBOR BOULEVARD (FORMERLY FAIRVIEW AVENUE) AS SHOWN ON SAID MAP OF FAIRVIEW FARMS, AND RUNNING THENCE SOUTHERLY ALONG SAID CENTER LINE OF HARBOR BOULEVARD, 126.38 FEET; THENCE WESTERLY, PARALLEL WITH THE NORTH LINE OF SAID LOT 20 AND THE EXTENSION THEREOF, 200.20 FEET; THENCE NORTH, PARALLEL WITH SAID CENTER LINE OF HARBOR BOULEVARD, 126.38 FEET TO THE CENTER LINE OF HAMILTON STREET; THENCE EASTERLY ALONG SAID CENTER LINE OF HAMILTON STREET, 200.20 FEET TO THE POINT OF BEGINNING.

PARCEL 7:

THAT PORTION OF LOT 20 OF FAIRVIEW FARMS AS SHOWN ON A MAP RECORDED IN BOOK 8, PAGE 71 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE CENTER LINE OF HAMILTON STREET, DISTANT WEST 408.40 FEET FROM THE CENTER LINE INTERSECTION OF HAMILTON STREET AND HARBOR BOULEVARD (FORMERLY FAIRVIEW AVENUE), AS SHOWN ON SAID MAP; THENCE SOUTHERLY, PARALLEL WITH THE CENTER LINE OF HARBOR BOULEVARD, A DISTANCE OF 176.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE, CONTINUING SOUTHERLY A DISTANCE OF 150.38 FEET, MORE OR LESS, TO THE SOUTH LINE OF THE NORTH 5 ACRES OF THE EAST 10 ACRES OF SAID LOT 20, SAID ACREAGE BEING COMPUTED TO THE CENTER LINES OF ADJOINING STREETS; THENCE WESTERLY, PARALLEL WITH THE CENTER LINE OF HAMILTON STREET, TO THE EAST LINE OF CHARLE STREET, AS SET FORTH IN THAT CERTAIN FINAL ORDER OF CONDEMNATION RECORDED FEBRUARY 7, 1956 IN BOOK 3386, PAGE 75 OF OFFICIAL RECORDS OF SAID ORANGE COUNTY; THENCE NORTHERLY ALONG SAID EAST LINE OF SAID CHARLE STREET TO THE INTERSECTION WITH THE SOUTHWESTERLY CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED BY DEED TO THE CITY OF COSTA MESA AND RECORDED MAY 9, 1977 IN BOOK 12185, PAGE 1330 OF SAID OFFICIAL RECORDS; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF SAID LAND CONVEYED TO COSTA MESA, TO THE TRUE POINT OF BEGINNING.

03-12-07 PC Minute Excerpt for R-07-01 - Unofficial Until Approved

3. Rezone Petition R-07-01, for Anna Lauri, authorized agent for Red Mountain Retail Group, requesting a rezone from C2 (General Commercial) to PDC (Planned Development Commercial) to accommodate a future mixed-use development, located at 2089 and 2099 Harbor Boulevard and 511 Hamilton Street. Environmental determination: exempt.

Associate Planner Wendy Shih reviewed the information in the staff report and gave a presentation. She said staff's recommendation was to recommend that City Council give first reading by adoption of Planning Commission resolution.

In response to a question from Vice Chair Fisler about the density of the apartments across the street, Ms. Shih explained that the zone of that site is more dense.

During public comment, Martin Millard said he had concerns about what this project really is and mentioned the placement of a fast food ad.

Anna Lauri, representative for Red Mountain Retail Group, agreed to the conditions of approval. She also said she was excited about the project and would answer any questions.

Dale Frankhouse, Costa Mesa, stated he owns a medical clinic next to the property and was very concerned about overflow parking on his lot.

The Chair and Mr. Frankhouse discussed parking concerns.

Ms. Lauri returned to the podium and mentioned that they are proposing 14 "for sale" units and are in negotiations with Walgreens; also parking would be met per the zoning ordinance.

Ms. Lauri explained the flow of traffic and pedestrian access from the Charle Street portion of the project to Commissioner Righeimer versus the commercial portion fronting on Harbor Boulevard at Hamilton Street. Commissioner Clark noted that there should not be any foot traffic from Charle Street.

No one else wished to speak and the Chair closed the public hearing.

MOTION: Recommend City Council give first reading to the ordinance for Rezone R-07-01 by adoption of Planning Commission Resolution PC-07-26. Moved by Commissioner Eleanor Egan, seconded by Vice Chair James Fisler.

During discussion on the motion, Vice Chair Fisler thanked Mr. Millard for his comments and stated that the project master plan would be reviewed carefully. Commissioner Righeimer explained his concerns about parking and Commissioner Egan noted that she would be looking for residential and commercial components when the master plan comes forward.

The Chair allowed Mr. Frankhouse to return to the podium to quickly make one last comment about providing easy access for motorists to the front part of the property.

The motion carried by the following roll call vote:

Ayes: Chair Donn Hall, Vice Chair James Fisler, Commissioner Sam Clark,
Commissioner Eleanor Egan, and Commissioner James Righeimer

Noes: None.

Absent: None.



PLANNING COMMISSION AGENDA REPORT

VII. 3

MEETING DATE: MARCH 12, 2007

ITEM NUMBER:

SUBJECT: REZONE R-07-01
2089 AND 2099 HARBOR BOULEVARD AND 511 HAMILTON STREET

DATE: MARCH 1, 2007

FOR FURTHER INFORMATION CONTACT: WENDY SHIH, ASSOCIATE PLANNER (714) 754-5136

PROJECT DESCRIPTION

The applicant is requesting approval of a rezone from C2 (General Business District) to PDC (Planned Development Commercial).

APPLICANT

Anna Lauri is the authorized agent for property owner Red Mountain Retail Group.

RECOMMENDATION

Recommend City Council give first reading to the ordinance for Rezone R-07-01 by adoption of Planning Commission resolution.

WENDY SHIH
Associate Planner

R. MICHAEL ROBINSON, AICP
Asst. Development Services Director

BACKGROUND

The subject site consists of three lots located at the southwest corner of Hamilton Street and Harbor Boulevard. It is zoned C2 (General Business District) with a General Plan designation of General Commercial. The existing developments on the properties are as follows:

2089 Harbor Boulevard	Automotive repair shop that was established prior to City's incorporation. It has a rear storage/parking lot area that abuts Charle Street.
2099 Harbor Boulevard	Approximately 8,500 square foot medical building constructed in 1961.
511 Hamilton Street	Vacant. Formerly substandard housing with repair shop (demolished in 2003).

The surrounding land uses are as follows:

North – 2101 and 2115 Harbor	Commercial (across Hamilton Street) – Fast-food restaurant and car dealership.
West – 515 and 523 Hamilton 2077 Charle	Commercial and residential (across Charle Street) – Automotive repair shop, community garden, and a 32-unit apartment complex.
South – 2077 and 2075 Harbor	Commercial – medical building and equipment rental.
East – 2060 and 2096 Harbor	Commercial (across Harbor Boulevard) – Car dealership and car rental.

The applicant proposes to combine the subject lots into one development lot and to rezone the site to PDC (Planned Development Commercial) to accommodate a commercial pad building for fast-food use, remodel of the existing medical building at the corner of Hamilton Street and Harbor Boulevard for retail and office uses, and a 14-unit residential project at the rear with access from Charle Street,. The existing, nonconforming automotive repair shop at 2089 would be demolished and the vacant lot at 511 Hamilton Street improved with parking to support the commercial uses.

ANALYSIS**ZONING CONFORMITY**

The combined lot size is approximately 1.9 acres, which exceeds the minimum 1-acre lot area required by the Zoning Code for a rezone to PDC. The PDC zone is intended for retail shops, offices, and service establishments to serve adjacent residential areas, as well as the entire community and region. It also allows residential as a complementary use. It is staff's opinion that the proposed zone and use of the site is compatible with surrounding properties. Specifically, the commercial component of the project will be located along Harbor Boulevard, which is a commercial corridor, and the

residential component will be oriented towards other residential developments on Charle Street. The proposed commercial uses will also serve the adjacent residential areas and the community.

The maximum residential density allowed within the PDC zone is 20 dwelling units per acre and the maximum site coverage permitted is 30 percent. A minimum 20-foot deep perimeter open space is also required along all public streets. If the rezone is approved by City Council, the future development of the site will be required to comply with all applicable Code standards. A separate planning application and public hearing before Planning Commission would be required for the project master plan.

GENERAL PLAN CONFORMITY

The proposed PDC zone is consistent with the property's existing General Commercial General Plan Land Use Designation. This designation is intended to permit a wide range of commercial uses and complementary residential uses through the Planned Development process. The proposal is also consistent with General Plan Land Use goals and objectives that encourage lot combination (LU-1C.5); opportunities for the development of well planned and designed projects which provide for the development of compatible uses within a single project (LU-1F.5); housing and employment opportunities within planned development areas (LU-1A.5); and density that can be supported by existing infrastructure and is compatible with surrounding uses (LU-1F.4).

ENVIRONMENTAL DETERMINATION

Pursuant to Section 15332 (In-Fill Development Projects) of the California Environmental Quality Act (CEQA) Guidelines, this project is exempt from CEQA.

ALTERNATIVES

1. Recommend City Council approve R-07-01, which would allow a single development containing commercial uses and a complementary residential component; or
2. Recommend that City Council deny R-07-01. If the rezone is denied, the existing commercial developments could remain as is on separate lots, or new commercial developments could be proposed with frontage along Harbor Boulevard, Hamilton Street, as well as Charle Street. No residential uses would be allowed.

CONCLUSION

It is staff's opinion that the proposed rezone is consistent with the existing General Plan designation and the Zoning Code. The PDC zone would allow for a revitalization of the lots and is consistent with existing commercial and residential properties in the vicinity.

Attachments: Draft Planning Commission Resolution
 Exhibit "A" - Draft Findings
 Exhibit "B" - Zone Change Map Exhibit
 Applicant's Project Description
 Site Photos

cc: Deputy City Manager - Dev. Svs. Director
 Deputy City Attorney
 Assistant City Engineer
 Fire Protection Analyst
 Staff (4)
 File (2)

Anna Lauri
Red Mountain Retail Group
1234 E. 17th Street
Santa Ana, CA 92701

RESOLUTION NO. PC-07-

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF COSTA MESA RECOMMENDING
APPROVAL OF REZONE R-07-01**

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

WHEREAS, an application was filed by Anna Lauri, authorized agent for property owner Red Mountain Retail Group, with respect to the real properties located at 2089 and 2099 Harbor Boulevard, and 511 Hamilton Street, requesting a rezone from C2 (General Business District) to PDC (Planned Development Commercial); and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on March 12, 2007; and

WHEREAS, the Planning Commission deems it to be in the best interest of the City that said rezone be adopted.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", the Planning Commission hereby **RECOMMENDS APPROVAL** of R-07-01 to the City Council.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that the proposed rezone from C2 to PDC is compatible with the surrounding land uses, as shown in Exhibit "B".

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby recommend City Council first reading of the ordinance for R-07-01.

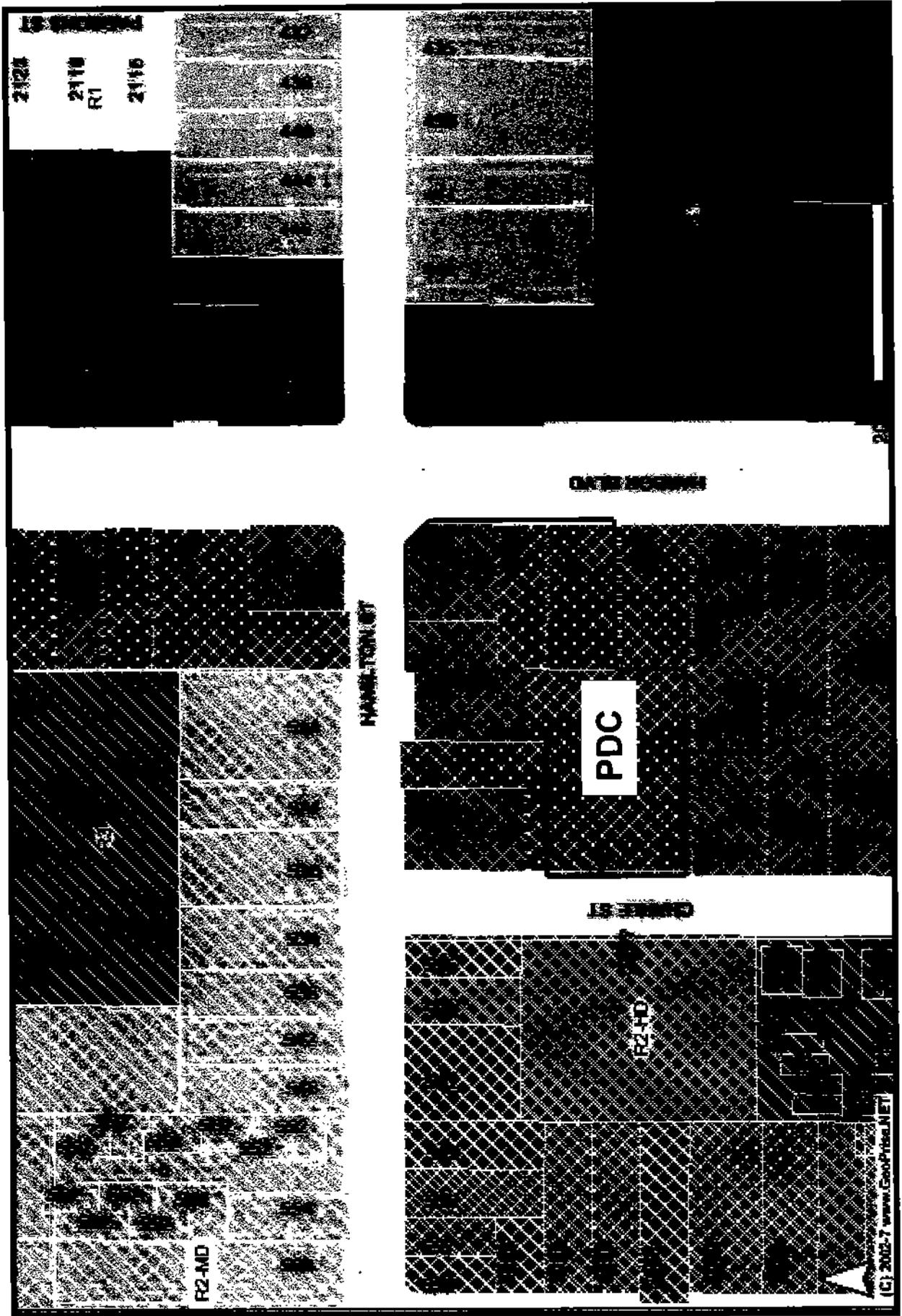
PASSED AND ADOPTED this 12th day of March 2007.

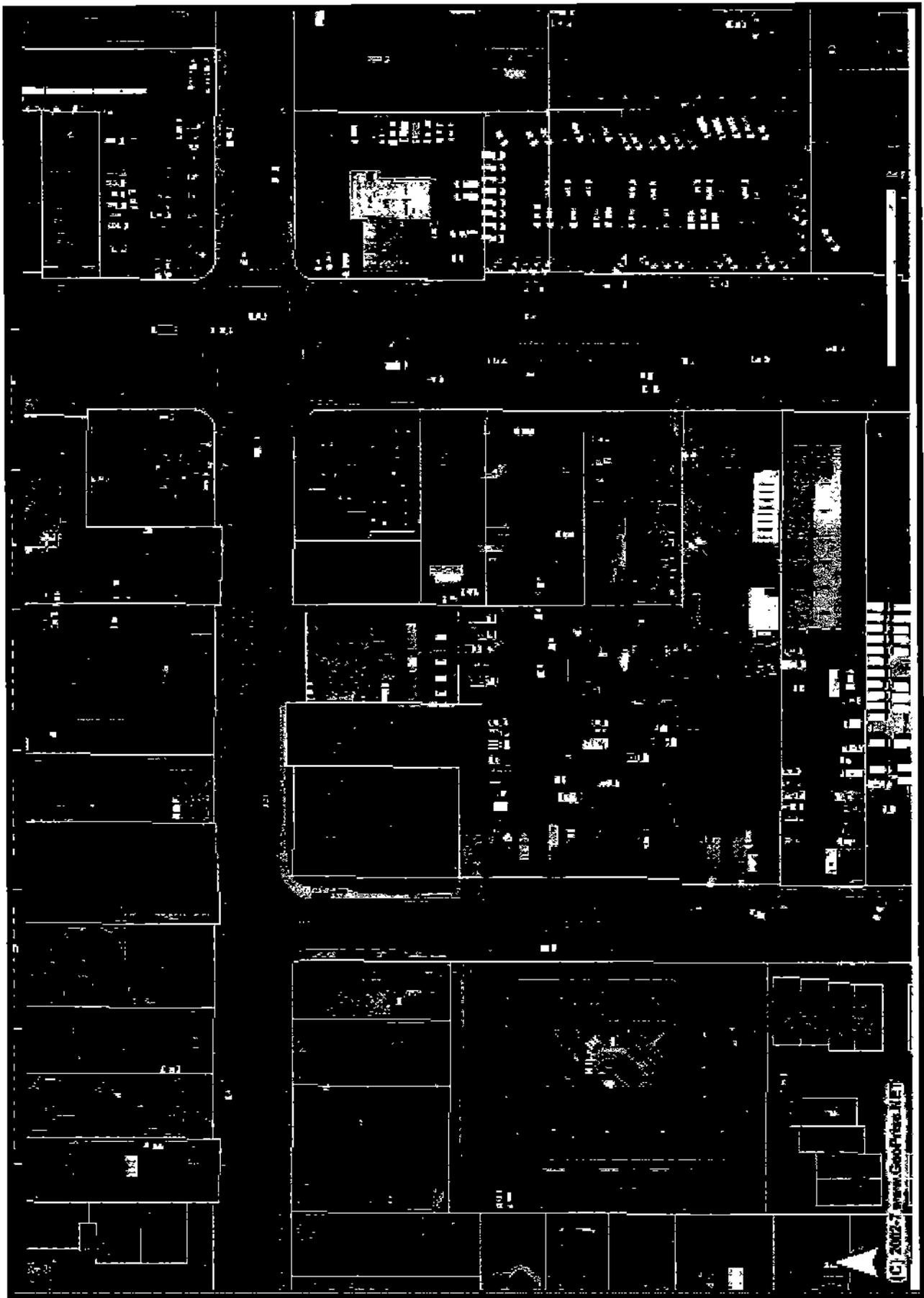
Donn Hall
Chair, Costa Mesa Planning Commission

EXHIBIT "A"**FINDINGS**

- A. The proposed PDC zone is consistent with the Zoning Code and existing General Commercial General Plan land use designation of the site. The rezone is also consistent with General Plan goals and objectives that encourage lot combination (LU-1C.5); opportunities for the development of well planned and designed projects which provide for the development of compatible uses within a single project (LU-1F.5); housing and employment opportunities within planned development areas (LU-1A.5); and density that can be supported by existing infrastructure and is compatible with surrounding uses (LU-1F.4).
- B. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA under Section 15332 (In-Fill Development Projects).
- C. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13, of the Costa Mesa Municipal Code.

EXHIBIT "B" - ZONING MAP





**2089 & 2099 Harbor Blvd and 511 Hamilton Street
Project Fact Sheet**

Property Owner: Harbor & Hamilton, LLC
1234 E. 17th Street
Santa Ana, CA 92701
714.460.1500
Contact: Anna R. Lauri

Location: 2089 & 2099 Harbor Blvd and 511
Hamilton Street – Costa Mesa, CA, at the
SWC of Harbor Blvd and Hamilton Street,
also adjacent to Charlie Street on the West
side of the street.

Project Site: Parcel Number –
Lot Size – 83,891 SF or 1.93 Acres

Existing Use: Part of site is currently used as a storage
yard. Two story medical office at 8,535 SF.
Additional miscellaneous structures.

Surrounding area: Property is bounded on the East by Harbor
Blvd and at the North by Hamilton Avenue.
At the near of the site, the property is
bounded by Charlie Street on the West.

Project Description: Multi-tenant Retail re-development:
Remodel of existing 8,535 SF structure. A
future pad for a fast food user will be added
South of existing building. 14- Residential
Units (each approximately 1,500 SF) will be
added at the rear of the site. An Overlay
area will need to be added to the site to
allow for Residential units under the current
zoning.



CITY OF COSTA MESA

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

DEVELOPMENT SERVICES DEPARTMENT

FOR ATTACHMENTS NOT INCLUDED IN THIS REPORT,

PLEASE CONTACT THE CITY CLERK'S OFFICE AT

(714) 754-5121