



CITY COUNCIL AGENDA REPORT

MEETING DATE: APRIL 17, 2007

ITEM NUMBER:

SUBJECT: ORDINANCE 07-07 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA REZONING 2089 AND 2099 HARBOR BOULEVARD AND 511 HAMILTON STREET FROM C2 (GENERAL BUSINESS DISTRICT) TO PDC (PLANNED DEVELOPMENT COMMERCIAL)

DATE: APRIL 5, 2007

FROM: DEVELOPMENT SERVICES DEPARTMENT/PLANNING DIVISION

PRESENTATION BY: DON LAMM, AICP, DEPUTY CITY MGR. – DEV. SVS. DIRECTOR

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

RECOMMENDATION:

Give second reading to Ordinance 07-07, which rezones the subject property from C2 to PDC.

BACKGROUND/ANALYSIS:

On April 3, 2007, City Council gave first reading to the attached ordinance on a 4-0 vote (Council Member Foley absent). Staff has no additional information on this item.

MEL LEE, AICP
Senior Planner

KHANH NGUYEN
Acting Deputy City Mgr – Dev. Svs. Director

DISTRIBUTION: City Manager
Asst. City Manager
City Attorney
City Clerk (2)
Staff (4)
File (2)

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

ATTACHMENT: 1 Ordinance 07-07

041707R07012ndRead

Date: 030507

Time: 10:00 a.m.

ATTACHMENT 1
ORDINANCE 07-07

ORDINANCE NO. 07-07

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.

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:

City Clerk of the City of Costa Mesa

City Attorney

EXHIBIT "1" - ZONING MAP

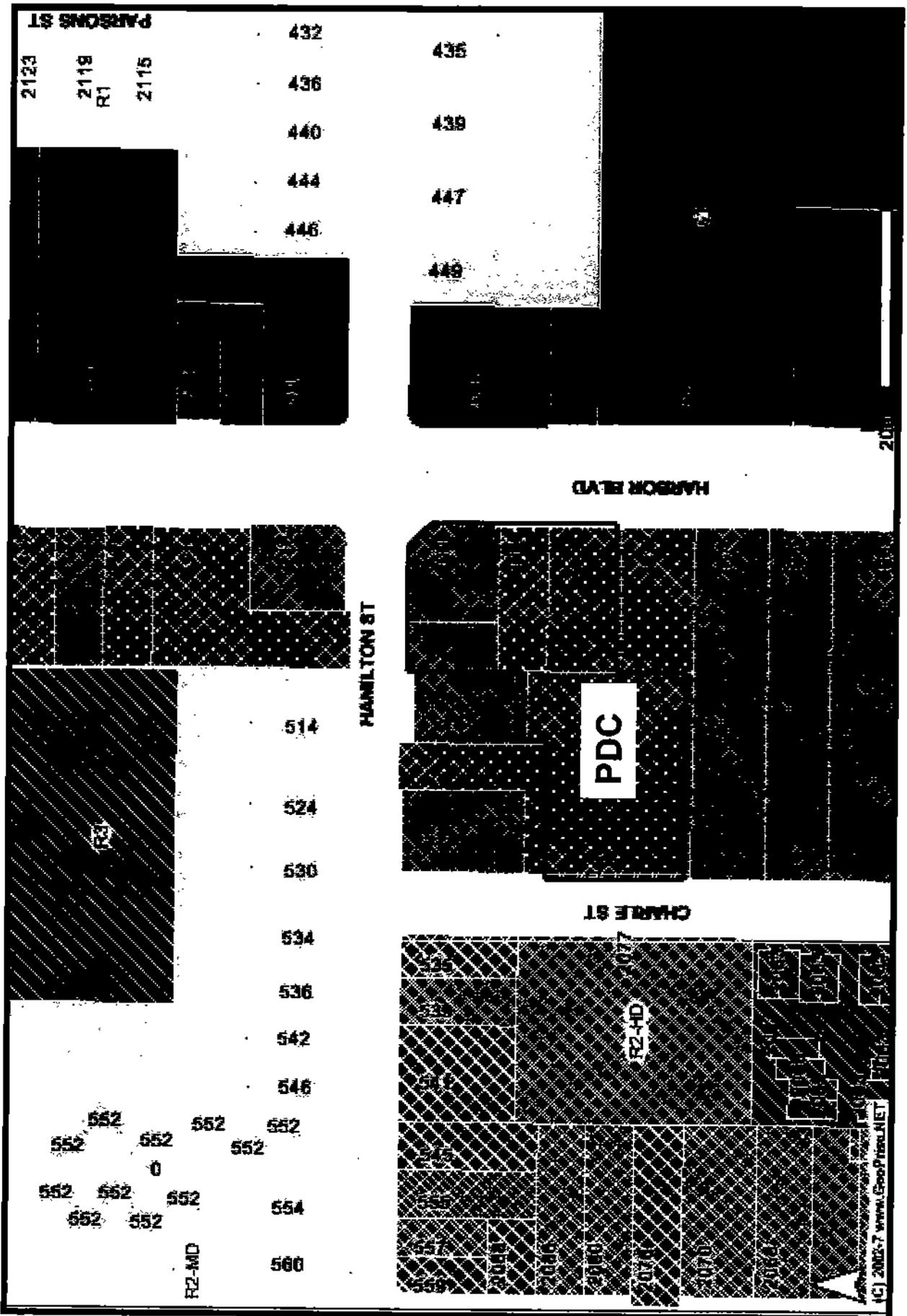


EXHIBIT "2"

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.