ATTACHMENT 3
DRAFT RESOLUTION FOR GENERAL PLAN AMENDMENT

RESOLUTION NO. 14-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA GRANTING TENTATIVE APPROVAL TO ADOPT GENERAL PLAN AMENDMENT GP-13-02 CHANGING THE LAND USE DESIGNATION OF THE 4.17-ACRE 125 EAST BAKER APARTMENT PROJECT SITE FROM INDUSTRIAL PARK TO HIGH DENSITY RESIDENTIAL AND TEXT AMENDMENT(S) TO THE CITY'S GENERAL PLAN TO REFLECT A SITE-SPECIFIC DENSITY OF 58 DWELLING UNITS PER ACRE AND A SITE-SPECIFIC HEIGHT OF SIX STORIES AT 125 EAST BAKER STREET.

THE CITY COUNCIL OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

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

WHEREAS, the General Plan is a long-range, comprehensive document that serves as a guide for the orderly development of the City of Costa Mesa.

WHEREAS, by its very nature, the General Plan is subject to update and revision to account for current and future community needs.

WHEREAS, The proposed project is a five-story, 240-unit apartment complex (63-foot maximum height proposed) at a density of 58 dwelling units (du's) per acre with a six-story parking structure (62.5-foot maximum height proposed) with 457 parking spaces and four outdoor on-grade parking spaces, along with the following specific entitlements:

1. **Final Environmental Impact Report (State Clearinghouse #2013081051)**. Certification of the Final Environmental Impact Report (EIR) for the project.

2. **General Plan Amendment GP-13-02**. Change the land use designation of the 4.17-acre development site from Industrial Park to High Density Residential. In addition to the change in land use designation, the general plan amendment also involves text amendment(s) to the City's General Plan to reflect a site-specific density of 58 dwelling units per acre, and a site-specific height of six stories.

3. **Rezone R-13-02.** A rezone (or change) of the zoning classification of the 4.17-acre development site from Commercial Limited (CL) to Planned Development Residential – High Density (PDR-HD).

4. **Zoning Code Amendment CO-13-02**. A zoning ordinance to amend Costa Mesa Municipal Code Title 13 for a site-specific density of 58 dwelling units per acre. The site is proposed to be designated PDR-HD (Planned Development Residential-High Density) in the City's Zoning Code. The designation allows up to 20 dwelling units per acre, or 83 dwelling units maximum for the site. The proposed 240-unit project would require an amendment to Table 13-58 (Planned Development Standards) to allow a site-specific density of 58 dwelling units per acre for this project.
5. **Master Plan PA-13-11**. A Master Plan application for the proposed development of a five-story 240-unit residential apartment building (63 feet overall height) that wraps around a six-story parking structure (62.5 feet overall height) with 457 parking spaces in the structure and four outdoor on-grade parking spaces with a deviation from: on-site parking spaces (538 parking spaces required; 461 parking spaces proposed).
6. **Development Agreement DA-14-02.** A Development Agreement between the applicant and the City of Costa Mesa to fund future public infrastructure improvements in the area.

WHEREAS, a site specific amendment to the General Plan Land Use Element is proposed to change the land use designation of the 4.17-acre development site from Industrial Park to High Density Residential for the development of the project as described above.

WHEREAS, text amendment(s) to the City's General Plan to reflect a site-specific density of 58 dwelling units per acre, and a site-specific height of six stories is proposed for the project site.

WHEREAS, the General Plan Amendment involves an amendment to the Land Use Map of the City of Costa Mesa (Exhibit A) and a text amendment to the Land Use Element of the City's General Plan (Exhibit B);

WHEREAS, approval of the project is pending adoption of Ordinance No. 14-__ for Rezone R-13-02;

WHEREAS, approval of the project is pending adoption of Ordinance No. 14-__ for Code Amendment CO-13-02;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on February 24, 2014, and continued to March 24, 2014, with all persons having the opportunity to speak and be heard for and against the proposal.

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the Draft EIR was circulated from November 6, 2013 to December 20, 2013 for public review and comment.

WHEREAS, the Planning Commission has reviewed all environmental documents comprising the Final EIR and has found that the Final EIR considers all environmental impacts of the proposed project and a reasonable range of alternatives, and the Final EIR is complete, adequate, and fully complies with all requirements of CEQA, the CEQA Guidelines, and the City of Costa Mesa Environmental Guidelines.

WHEREAS, the Federal Aviation Administration (FAA) issued a Determination of No Hazard To Air Navigation on May 16, 2013, which established a maximum building height of 111 feet above mean sea level (approximately 65 feet above ground level) for the proposed project.

WHEREAS, the Airport Land Use Commission for Orange County (ALUC), at their meeting of January 16, 2014, determined, on a 6-1 vote, that the proposed project was consistent with the Commission's Airport Environs Land Use Plan (AELUP) for John Wayne Airport (JWA) and the AELUP for Heliports.

WHEREAS, the Planning Commission, on a 5-0 vote, recommended that City Council certify the EIR, approve Zoning Code Amendment CO-13-02, Rezone R-13-02, and Master Plan PA-11-13 by separate resolutions.

WHEREAS, a duly noticed public hearing was held by the City Council on April 15, 2014, with all persons having the opportunity to speak and be heard for and against the proposal.

WHEREAS, with the exception of the Final EIR, Development Agreement DA-14-02, Zoning Code Amendment CO-13-02, and Rezone R-13-02, Master Plan PA-13-11, will be subject to the approval of the General Plan Amendment GP-13-02.

BE IT RESOLVED that, based on the evidence in the record, **THE CITY COUNCIL HEREBY GRANTS TENTATIVE APPROVAL TO ADOPT** GP-13-02 which amends the Land Use Map of the City of Costa Mesa (Exhibit A) and a text amendment to the Land Use Element of the City's General Plan (Exhibit B) with respect to the property described above.

PASSED AND ADOPTED this 15TH day of April, 2014.

JIM RIGHEIMER
Mayor, City of Costa Mesa

ATTEST:

CITY CLERK OF THE
CITY OF COSTA MESA

APPROVED AS TO FORM:

CITY ATTORNEY

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, BRENDA GREEN, City Clerk and ex-officio Clerk of the City Council of the City of Costa Mesa, hereby certify that the above Council Resolution Number 14__ as considered at a regular meeting of said City Council held on the 15th day of April, 2014, and thereafter passed and adopted as a whole at the regular meeting of said City Council held on the 15th day of April, 2014, by the following roll call vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the Seal of the City of Costa Mesa this ___ day of _____, 2014

EXHIBIT A

Amendment to the Land Use Map

Change the land use designation of the 4.17-acre development site at 125 East Baker Street from Industrial Park (IP) to High Density Residential (HDR)

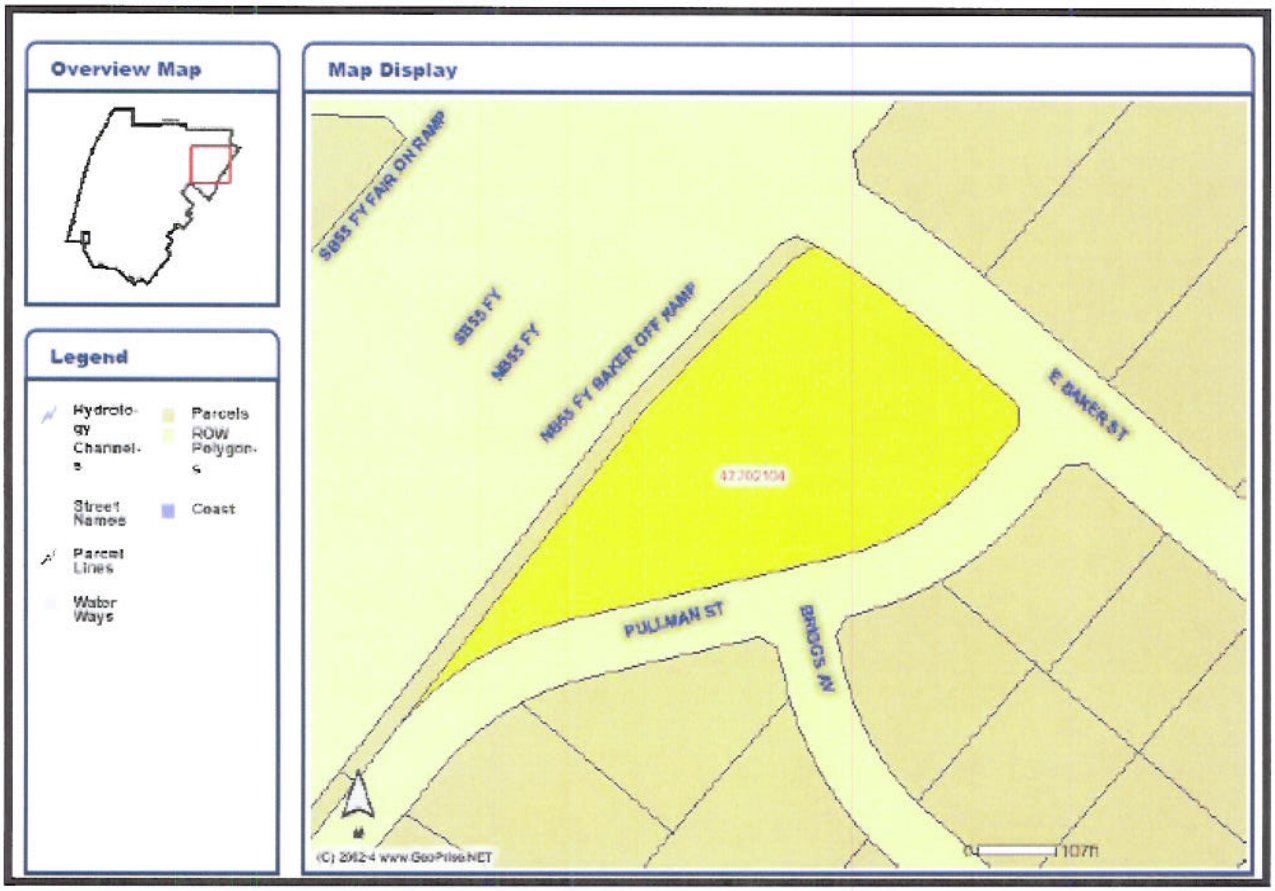

EXHIBIT B

The proposed General Plan Amendment GP-13-02 would amend the following sections of the Land Use Element as *underlined and italicized below*:

LAND USE DESIGNATIONS

High-Density Residential

In 2014, General Plan Amendment GP-13-02 was approved, and it consisted of a site-specific residential density increase for a 4.17-acre site at 125 East Baker Street. The maximum density allowed is 58 units/acre. This allows a maximum of 240 dwelling units.

Building Height

The proposed revision to the General Plan objective/policy language is *underlined and italicized below*:

Objective LU-1C Promote land use patterns and development, which contribute to community and neighborhood identity.

Policy LU-1C.2 Limit building height to four stories above grade south of the I-405 Freeway, except for special purpose housing, such as elderly, affordable, or student housing. An exception is for the Newport Plaza property at 1901 Newport Boulevard where a six-level parking structure is allowed, *and the 240-unit apartment project at 125 East Baker Street where a five-story apartment building and six-story parking structure are allowed (GP-13-02)*.