

RESOLUTION NO. 14-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA UPHOLDING PLANNING COMMISSION'S APPROVAL BY ADOPTING AN INITIAL STUDY / MITIGATED NEGATIVE DECLARATION; AND APPROVING, MASTER PLAN PA-13-29, AND TENTATIVE TRACT MAP 17668 FOR DEVELOPMENT OF 28 UNITS INCLUDING SEVEN LIVE/WORK UNITS AT 511 HAMILTON STREET; and 2089, 2095 AND 2099 HARBOR BOULEVARD

NOW THEREFORE, the City Council of the City of Costa Mesa finds and resolves as follows:

WHEREAS, an application was filed by South Coast Communities LLC on behalf of the property owner, Red Mountain Asset Fund I, LLC requesting approval of the following:

- 1) Adoption of an **Initial Study/Mitigated Negative Declaration (IS/MND)**.
- 2) **Planning Application PA-13-29** – Master Plan for development of a 28-unit residential project including seven live/work units to replace several vacant buildings on the site generally located at the southwest corner of Harbor Boulevard and Hamilton Street. The project includes the following requests:
 - A Minor Modification to reduce the perimeter open space along Harbor Boulevard from 20 feet to 17 feet.
 - A Variance to reduce the perimeter open space along Hamilton Street from 20 feet to 10 feet.
 - Deviation from Residential Design Guidelines with respect to second and third floor ratios to first floor (100% allowed, 104% - 110% percent proposed).
- 3) **Tentative Tract Map 17668** – Subdivision of a 1.53-acre property for condominium purposes to allow private sale and ownership of the live/work and residential units.

WHEREAS, a duly noticed public hearing were held by the Planning Commission on May 27, 2014, with all persons provided an opportunity to speak for and against the proposed project;

WHEREAS, the environmental review for the project was processed in accordance with the requirements of the California Environmental Quality Act (CEQA),

the State CEQA Guidelines and the City of Costa Mesa Environmental Guidelines, and the IS/MND was available for public review from April 9, 2014 to May 9, 2014;

WHEREAS, the Costa Mesa Planning Commission held a public hearing on May 27, 2014, considered responses to comments received during the public review period on the IS/MND; and adopted resolution approving the IS/MND the proposed live/work and residential project will not have a significant impact on the environment with the incorporation of the mitigation measures identified in the IS/MND;

WHEREAS, on May 30, 2014, an application for a review of Planning Commissioner's decision was filed by Councilmember Genis;

WHEREAS, a duly noticed public hearing was held by the City Council on June 17, 2014 with all persons having the opportunity to speak for and against the proposal;

WHEREAS, the Costa Mesa City Council finds that the proposed live/work and residential project will not have a significant impact on the environment with the incorporation of the mitigation measures identified in the Initial Study/Environmental Assessment; and

WHEREAS, the Costa Mesa City Council has considered responses to comments received during the public review period on the IS/MND.

THEREFORE, BE IT RESOLVED that based on the evidence in the record, the findings contained in Exhibit "A", and subject to conditions of approval/mitigation measures indicated in the Mitigation Monitoring Program contained in Exhibits "B" and "C", the City Council does hereby approve **Initial Study/ Mitigated Negative Declaration for Master Plan PA-13-29 and Tentative Tract Map 17668** with respect to the property described above.

THEREFORE, BE IT FURTHER RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A," and subject to the conditions of approval contained within Exhibit "B," the City Council hereby **UPHOLDS THE PLANNING COMMISSION'S ACTION AND APPROVES Planning Application PA-13-29 and Tentative Tract Map 17668.**

THEREFORE, BE IT FURTHER RESOLVED that the Costa Mesa City Council does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the staff report for Planning Application PA-13-29 and

Tentative Tract Map 17668 and upon applicant's compliance with each and all of the conditions in Exhibit "B", and compliance of all applicable federal, state, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

PASSED AND ADOPTED on this 17TH day of June, 2014.

JIM RIGHEIMER
Mayor, City of Costa Mesa

ATTEST:

APPROVED AS TO FORM:

CITY CLERK OF THE
CITY OF COSTA MESA

CITY ATTORNEY

