



CITY COUNCIL AGENDA REPORT

MEETING DATE: AUGUST 4, 2015

ITEM NUMBER: **OB-1**

SUBJECT: SECOND READING OF ORDINANCE NO. 15-08 FOR REZONE R-14-05

DATE: JULY 23, 2015

FROM: DEVELOPMENT SERVICES DEPARTMENT

PRESENTATION BY: MEL LEE, SENIOR PLANNER

**FOR FURTHER INFORMATION CONTACT: MEL LEE, AICP (714) 754-5611
mel.lee@costamesaca.gov**

RECOMMENDATION:

Give second reading to Ordinance No. 15-08 approving Rezone R-14-05 to rezone a 2-acre site from I&R (Institutional and Recreational) to R1 (Single Family Residential District), for property located at 2880 Mesa Verde Drive East. The maximum allowable General Plan density is 7.26 dwelling units per acre, or a maximum of 14 dwelling units. The proposed density is 5 dwelling units per acre, 10 units proposed.

ANALYSIS:

On July 21, 2015, City Council gave first reading to Ordinance No. 15-08 by a 4-0 vote (Council member Foley absent). R-14-05 is in conjunction with the following:

- **Planning Application PA-14-48:** A Design Review for the development of a 10-unit, two-story, single-family residential development (5 dwelling units per acre proposed). The units would take access from a 40-foot wide private street from Mesa Verde Drive East. The lot sizes range from 8,712 square feet to 6,902 square feet (excluding the private street); the minimum lot size allowed is 6,000 square feet.
- **Tentative Tract Map T-17824:** Subdivision of the property into 10 fee simple lots for homeownership.

City Council also adopted an Initial Study/Negative Declaration (IS/ND) for the project.

MEL LEE, AICP
Senior Planner

GARY ARMSTRONG, AICP
Economic Development & Development
Services Director / Deputy CEO

Attachment: [Ordinance No. 15-08](#)

cc: Chief Executive Officer
Assistant Chief Executive Officer
Director of Economic & Development/Deputy CEO
Public Services Director

ORDINANCE NO. 15-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA APPROVING REZONE R-14-05 FOR THE PROPERTY LOCATED AT 2880 MESA VERDE DRIVE EAST FROM I&R (INSTITUTIONAL AND RECREATIONAL) TO SINGLE FAMILY RESIDENTIAL DISTRICT (R1).

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

WHEREAS, an application was filed by Pinnacle Residential, representing First Church of Christ Scientist, requesting approval of the following:

- ***Initial Study/Negative Declaration.***
- ***Rezone R-14-05:*** An ordinance to rezone a 2-acre site from I&R (Institutional and Recreational) to R1 (Single Family Residential District). The maximum allowable General Plan density is 7.26 dwelling units per acre, or a maximum of 14 dwelling units.
- ***Planning Application PA-14-48:*** A Design Review for the development of a 10-unit, two-story, single-family residential development (5 dwelling units per acre proposed). The units would take access from a 40-foot wide private street from Mesa Verde Drive East. The lot sizes range from 8,712 square feet to 6,902 square feet (excluding the private street); the minimum lot size allowed is 6,000 square feet.
- ***Tentative Tract Map T-17824:*** Subdivision of the property into 10 fee simple lots for homeownership.

WHEREAS, a duly noticed public hearing was held by the Planning Commission on June 22, 2015 with all persons having the opportunity to speak and be heard for and against the proposal, and recommended approval of the project and its related entitlements to the City Council.

WHEREAS, a duly noticed public hearing was held by the City Council on July 21, 2015 with all persons having the opportunity to speak and be heard for and against the proposal.

BE IT RESOLVED that based on the evidence in the record and the findings contained in Exhibit A, the City Council hereby **APPROVES REZONE R-14-05** and gives first reading to the ordinance adopting rezone from I&R (Institutional & Recreational) to R1 (Single Family Residential) zoning district for the property identified as County Assessor Parcel Number 139-313-08 and as shown in attached Exhibit B, situated in the City of Costa Mesa, County of Orange, State of California.

BE IT FURTHER RESOLVED that 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 herein and Exhibit B attached hereto. A copy of the Official Zoning Map is on file in the office of the Planning Division.

BE IT FURTHER RESOLVED THAT 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 or further, is hereby repealed or modified to the extent necessary to affect the provisions of this ordinance.

BE IT FURTHER RESOLVED that 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.

BE IT FURTHER RESOLVED THAT 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 and member of the City Council voting for and against the same.

STEPHEN M. MENSINGER
Mayor, City of Costa Mesa

ATTEST:

APPROVED AS TO FORM:

CITY CLERK OF THE
CITY OF COSTA MESA

CITY ATTORNEY

EXHIBIT A

FINDINGS (APPROVAL)

- A. **Required Finding:** The proposed rezone is consistent with the Zoning Code and the General Plan.

Facts In Support of Findings: The proposed project meets or exceeds the intent of the City's Zoning Code with regard to the development standards for the R1 zone, including lot sizes, building setbacks, open space, and onsite parking. The General Plan land use designation for the project area is Low Density Residential (8 dwelling units to the acre maximum), which is compatible with the proposed zone change to R1 (Single Family Residential District). The project provides a maximum density of 5 dwelling units to the acre.

EXHIBIT B

Amendment to the Zoning Map

Change the zoning designation of the 2-acre development site at 2880 Mesa Verde Drive East from Institutional and Recreational (I&R) to Single Family Residential District (R1)

