PLANNING COMMISSION AGENDA REPORT

VI. 4

MEETING DATE: OCTOBER 10, 2011 ITEM NUMBER

SUBJECT: TWO-YEAR TIME EXTENSION FOR VESTING TENTATIVE PARCEL MAP VPM-03-250 FOR PACIFIC ARTS PLAZA AND FINAL MASTER PLAN PA-02-33 FOR 18-STORY HIGH-RISE OFFICE BUILDING

DATE: SEPTEMBER 23, 2011

FOR FURTHER INFORMATION CONTACT: MINOO ASHABI, AIA, SENIOR PLANNER
(714) 754-5610 (mashabi@ci.costa-mesa.ca.us)

PROJECT DESCRIPTION

The proposed request is for a two-year time extension for the time period beginning July 12, 2011 through July 12, 2013 for the following:

1. ***Vesting Tentative Parcel Map VPM-03-250*** to subdivide 3 existing parcels at Pacific Arts Plaza into 14 parcels (10 for existing structures, 4 for parking and common areas) at 3200 Bristol Street, 3180-3210 Park Center Drive, and 601-675 Anton Boulevard; and,

2. ***Final Master Plan PA-02-33*** for the construction of a new 18-story office building, and a five-level parking structure at 3201 Park Center Drive.

APPLICANT

Jason Knudson is the authorized agent for the Irvine Company.

RECOMMENDATION

Approve the time extension to be valid to July 12, 2013 by adoption of Planning Commission resolution, subject to conditions.

BACKGROUND

Pacific Arts Plaza is an approximately 18-acre site within the South Coast Plaza Town Center. It is generally bound by Anton Boulevard (north), I-405 Freeway (south), Bristol Street (west), and Avenue of the Arts (east). (Vicinity Map, Attachment 3)

On July 16, 2001, the City entered into Development Agreement DA-00-04 which conferred development rights and interests of the Pacific Arts Plaza site.

Since October of 2006, Planning Commission has approved three one-year time extensions, and a two-year time extension for the project with the last one approved on July 13, 2009 for the proposed project.

DISCUSSION

Time Extension Request

This is the fourth request for a time extension, given the current down economy and minimal expectation that this major development project will occur within the next two years.

Pursuant to the Subdivision Map Act, the City requires that the applicant submit a time extension request (as needed) for both the vesting parcel map and final master plan. Pacific Arts Plaza is subject to Development Agreement DA-00-04.

State Law allows extension requests to be approved by the Planning Commission through the life of the development agreement (Government Code Section 22452.6(a)(1) of the Subdivision Map Act). In this case, the Planning Commission may approve time extension requests for both the VPM-03-250 and PA-02-33 through July 16, 2021.

Final Master Plan PA-02-33 is associated with the vesting parcel map. Therefore, the recordation of the final map will vest development rights for the 18-story high-rise building. The vesting tentative parcel map is subject to a development agreement, and therefore may be extended for the period of time provided for in the development agreement, but not beyond the duration of the agreement.

It should be noted that the final master plan for the 18-story high-rise building shall expire within one year of the final map recordation unless the applicant applies for and is granted a one-year extension of time for the final master plan for every year thereafter.

Vesting Tentative Parcel Map VPM-03-250

The proposed subdivision of the property is for financing/leasing purposes only and will not affect the development or operation of the center. The recorded reciprocal access and parking documents required as a part of the original application will ensure that all parcels function together as a single project. In addition, the subdivision of the property into 14 lots allows individual ownership of each of the buildings.

As provided for by the State Subdivision Map Act, the approval of Vesting Tentative Parcel Map VPM-03-250 confers a vested right to proceed with development in substantial compliance with the ordinances, policies, and standards in effect at the time the vesting map is approved. For instance, if Planning Commission approves the two-year time extension, the code requirements applicable at the time of the original filing in July, 2004, including development standards and fees, will be applicable to the project.

Final Master Plan PA-02-33 for 18-story Office High-rise

Final Master Plan PA-02-33 involves the construction of a new, 400,000 sq. ft., 18-story office building and five-level parking structure at Pacific Arts Plaza. This development project also includes an amendment to South Coast Plaza Town Center Preliminary Master Plan PA-00-38 and variance from the Bristol Street setback requirement for the proposed parking structure.

Justification for Approval of Time Extension Request

Staff supports the request for the time extension for the vesting parcel map and final master plan for the following reasons:

- The previously-approved parcel map is in substantial compliance with the requirements of the Subdivision Map Act, the North Costa Mesa Specific Plan, final Master Plan approval PA-02-33, and Chapter XI (Subdivision) of the Zoning Code.

- The previously-approved master plan for the 18-story high-rise office building has not changed. The proposed project will allow the applicant to proceed with approved development pursuant to Development Agreement DA-00-04 and Final Master Plan PA-02-33. Consequently, the City would realize public benefits in the form of a world-class destination center within a cohesive and pedestrian-friendly mixed-use development. Along with the Performing Arts Center and Concert Hall, the well-designed, 18-story high rise will serve as one of the signature buildings in the City's cultural arts center. Project implementation will contribute to the creation/enhancement of a world-class performing arts district in Costa Mesa.

ENVIRONMENTAL DETERMINATION

The proposed request is in compliance with the California Environmental Quality Act (CEQA), CEQA Guidelines, and the City's environmental procedures. Specifically, a Final Program Environmental Impact Report (EIR No 1047) and project-specific mitigated negative declaration were certified for the proposed office development at Pacific Arts Plaza. The vesting parcel map request is exempt from the provisions of the California Environmental Quality Act, under Class 15, Minor Land Divisions.

CONCLUSION

Planning staff supports the time extension request, since there is a major entitlement implication related to the time extension. Approval of the time extension request will allow the applicant additional time for the following: (a) to proceed with recordation of the final vesting parcel map and obtain building permits for the proposed 18-story high rise and thereby commence the overall Pacific Arts Plaza Master Plan project; and (b) implement the development that has been approved pursuant to Development Agreement DA-00-04.

MINOO ASHABI
Senior Planner, AIA

CLAIRE FLYNN
Acting Asst. Development Svs. Director

Attachments:
1. Planning Commission Approval Resolution
2. Applicant's Time Extension Request Letter
3. Location Map
4. Approved Map
5. Approved Plans

cc: Interim Development Services Director
Deputy City Attorney
City Engineer
Transportation Manager
Fire Protection Analyst
Staff (4)
File (2)

Jason Knudson
The Irvine Company
111 Innovation Drive
Irvine, CA 92617

File: 101011PA0233TimeExt.	Date: 092911	Time: 4:25 p.m.

RESOLUTION NO. PC-11-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING A SECOND TWO-YEAR TIME EXTENSION FOR VESTING TENTATIVE PARCEL MAP VPM-03-250 AND FINAL MASTER PLAN PA-02-33 FOR PACIFIC ARTS PLAZA

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

WHEREAS, an application was filed by Jason Knudson, authorized agent for The Irvine Company, owner of the Pacific Arts Plaza property located at 3200 Bristol Street, 3180-3210 Park Center Drive, and 601-675 Anton Boulevard;

WHEREAS, the applicant requests approval of a two-year time extension to be applied for the time period beginning on **July 12, 2011 to July 12, 2013** for the following applications: (1) Vesting Tentative Parcel Map VPM-03-250 for the subdivision of 3 existing parcels into 14 lots 10 for existing structures, 4 for parking and common area; and (2) Final Master Plan PA-02-33 for the construction of a new 18-story office building, five level parking structure, variance from Bristol Street setback requirements at 3201 Park Center Drive.

WHEREAS, the Costa Mesa City Council approved Development Agreement DA-00-04 for Pacific Arts Plaza on July 16, 2001 for a twenty-year period through July 16, 2021;

WHEREAS, City Council adopted Resolution No.02-78 for Final Master Plan PA-02-33 for the 18-story high-rise office building subject to conditions/mitigation measures on October 21, 2002;

WHEREAS, Planning Commission adopted the following: Commission Resolution No. PC-04-47 for the approval of vesting tentative parcel map VPM-03-250 on July 12, 2004 and Commission Resolution Nos. PC-09-29, PC-06-81, PC-07-48, and PC-08-39 for three one-year time extensions, and a two-year time extension for VPM-03-250/PA-02-33 on October 26, 2006, June 25, 2007, and April 28, 2008 respectively;

WHEREAS, the Subdivision Map Act authorizes approval of time extensions associated with development agreements through the life of the development agreement. In this case, the Planning Commission may approve extensions for VPM-03-250/PA-02-33 on a periodic basis through July 16, 2021;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on October 10, 2011 with all persons given the opportunity to speak for and against the proposed project;

WHEREAS, the extension request is subject to the following additional condition of approval (Condition 1A): The applicant is required to obtain a Federal Aviation Administration (FAA) determination of No Hazard for the 18-story high-rise office building prior to final map recordation and that determination shall be valid at the time of building permit issuance. The applicant is also required to submit the project to the Airport Land Use Commission for review and informational purposes only prior to final map recordation;

WHEREAS, PA-02-33 for the 18-story high-rise building shall expire within one year of the final map recordation unless the applicant applies for and is granted a one-year extension of time for the final master plan for every year thereafter through July 16, 2021;

WHEREAS, the Planning Commission finds that VPM-03-250 and PA-02-33 are in substantial compliance with the requirements of Costa Mesa Municipal Code and Subdivision Map Act, as applicable;

WHEREAS, the original findings and conditions of approval in the entirety for VPM-03-250 (Resolution NO. PC-04-47, Exhibit 1), and PA-02-33 (Resolution No. 02-78, Exhibit 2) are still applicable to the project and attached hereto;

BE IT RESOLVED that the Planning Commission hereby **APPROVES** a two-year time extension for the time period beginning on **July 12, 2011 through July 12, 2013** for Vesting Tentative Parcel Map VPM-03-250 and Final Master Plan PA-02-33 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the Staff Reports for Vesting Tentative Parcel Map VPM-03-250 and Master Plan PA-02-33 and upon applicant's compliance with each and all of the conditions and/or mitigation measures as attached hereto. 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 this 10th day of October, 2011.

Colin McCarthy, Chair
Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, Claire Flynn, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on October 10, 2011, by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

_____

Claire Flynn, Secretary
Planning Commission

EXHIBIT 1

RESOLUTION NO. PC-04-47

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING VESTING TENTATIVE PARCEL MAP VPM-03-250

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

WHEREAS, an application was filed by Karen Selleck, authorized agent for Commonwealth Partners LLC, owner of real property located at 3200 Bristol Street, 3180-3210 Park Center Drive, and 601-675 Anton Boulevard, requesting approval of a Vesting Tentative Parcel Map to subdivide 3 existing parcels into 14 lots (10 for existing structures, 4 for parking and common area); and

WHEREAS, Planning Commission held a duly noticed public hearing on July 12, 2004.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", and subject to the conditions contained in Exhibit "B", the Planning Commission hereby **APPROVES** Vesting Tentative Parcel Map VPM-03-250 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the Staff Report for Vesting Tentative Parcel Map VPM-03-250 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B". 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 this 12th day of July 2004.

Chair, Costa Mesa
Planning Commission

EXHIBIT "A"

FINDINGS

A. The creation of ten lots and four common lots, as conditioned, is consistent with the City's General Plan and Zoning Ordinances.

B. The proposed use of the lots is for an existing commercial/office center, which is compatible with the objectives, policies, general land use, and programs specified in the General Plan.

C. The subject property is physically suitable to accommodate Vesting Tentative Parcel Map PM-03-250 in terms of type, design and density of development, and will not result in substantial environmental damage nor public health problems, based on compliance with the City's Zoning Code and General Plan.

D. The design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision, as required by Government Code Section 66473.1.

E. The subdivision and development of the property, as conditioned, will not unreasonably interfere with the free and complete exercise of the public entity and/or public utility rights-of-way and/or easements within the tract.

F. The discharge of sewage from this subdivision into the public sewer system will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000 of the Water Code).

G. 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.

H. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT "B" (Revised)

CONDITIONS OF APPROVAL

Plng. 1. CC&Rs, articles of incorporation, if any, and bylaws for the property owners association, if any, shall be reviewed and approved by the Planning Division and City Attorney prior to recordation solely to ensure compliance with the following provisions (and with City's approval not to be unreasonably withheld):

a. The use, maintenance and repair of common facilities and areas contained on Parcels 2, 11, 13, and 14, including, but not limited to, the use of Parcel 13 consistent with the Declaration referred to in subparagraph d below, parking availability, and landscaping; provided, however, that, unlike Parcel 13, any CC&Rs for Parcel 14 shall not require Parcel 14 to be open to, used for, or be subject to the Declaration or for the benefit of the City or the general public.

b. That the owners of Parcels 1, 3, and 4 shall be entitled to the use of Parcels 2 and 14 or Parcels 2 and 14 shall be owned in common by at least the owners of Parcels 1, 3, and 4.

c. That the owners of Parcels 5 through 10 shall be entitled to the use of Parcel 11 or Parcel 11 shall be owned in common by at least the owners of Parcels 5 through 10.

d. That Parcel 13 shall be owned in common, by at least the owners of Parcels 8 and 9. Any person or entity who becomes an owner of any of the Parcel numbers 8 and 9 shall be jointly and severally liable for performance of all Declarant obligations as such obligations are described in that certain Declaration of Special Land Use Restrictions, Orange County Recorder No. 20020365226, regarding the Noguchi California Scenario, made and entered into by FSP Two Town Center, L.L.C., on January 22, 2002. This provision only shall remain in effect for a term of fifty (50) years from the Effective Date of Development Agreement No. DA-00-04.

e. Any subsequent material amendments, revisions or changes to the provisions in the CC&Rs relating to the items subject to City review and approval as set forth above shall be deemed void unless prior review and approval is obtained from the City Attorney's Office of the City of Costa Mesa.

f. A Property Owner's Association shall be created for purposes of managing common area maintenance of Parcel 14 if Parcels 1, 3 or 4 are not owned by the same entity. A Property Owner's Association shall be created for purposes of managing common area maintenance of Parcel 13 if at any time Parcels 5 through 10 are not owned by the same entity.

g. A copy of the recorded CC&Rs shall be submitted to the Planning Division upon recordation.

CODE REQUIREMENTS

The following list of federal, state and local laws applicable to the project has been compiled by staff for the applicant's reference. Any reference to "City" pertains to the City of Costa Mesa.

Plng. 1. Approval shall be for a period of two years. Within this time period, map shall be recorded unless applicant applies for and is granted an extension of time by the Costa Mesa Planning Commission.

Bldg. 2. Comply with the requirements of the California Code of Regulations, Title 24, also known as the California Building Standards Code, as amended by the City of Costa Mesa.

Eng. 3. Submit for approval an off-site plan to the Engineering Division and grading plan to the Building Division that shows sewer, water, existing parkway improvements and the limits of work on the site, and hydrology calculations, both prepared by a civil engineer or architect. Construction access approval must be obtained prior to building or engineering permits being issued by the City of Costa Mesa. Pay offsite plan check fee to the Engineering Division. An approved offsite plan and fee shall be required prior to engineering/utility permits being issued by the City.

4. Two copies of the final map and property boundary closure calculations shall be submitted to the Engineering Division for checking.
5. Submit Title Report Update of subject property.
6. The parcel map shall be developed in full compliance of CCMMC Section 13-208 through 13-261 inclusive.
7. Prior to recordation of a final map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the county surveyor and shall submit to the City Engineer and the County Surveyor a digital-graphics file of said map in a manner described in Subarticle 11, section 7-9-330 of the Orange County Subdivision Code and Orange County Subdivision Code.
8. Submit cash deposit or surety bond to guarantee monumentation prior to approval of map. Amount to be determined by the City Engineer.
9. Survey Monuments shall be preserved and referenced or set pursuant to Section 8771 of the Professional Land Surveyors Act and Business and Professions Code.
10. Dedicate all vehicular and pedestrian access rights to Anton Boulevard and Avenue of the Arts, except at approved locations.

EXHIBIT2

RESOLUTION NO. 02-78

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-02-33, A FINAL MASTER PLAN FOR TWO TOWN CENTER, AND ADOPTING THE MITIGATED NEGATIVE DECLARATION FOR TWO TOWN CENTER.

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

WHEREAS, Planning Application PA-02-33 was filed by David Armstrong of Commonwealth Partners, with respect to the real property located in the Two Town Center subarea at 3201 Park Center Drive of South Coast Plaza Town Center;

WHEREAS, the applicant requests final master plan approval of an 18-story, approximately 400,000 square foot building in Two Town Center and a minimum 705-space, five-level parking structure, and related demolition of existing structures and relocation of surface parking;

WHEREAS, Planning Application PA-02-33 also includes an amendment to South Coast Plaza Town Center (SCPTC) Preliminary Master Plan PA-00-38 and variance from the Bristol Street setback requirement for the proposed parking structure (20'-required, 0'-proposed);

WHEREAS, the applicant submitted a parking analysis for the Two Town Center project area, that analyzed existing parking demand, applied appropriate parking rates established in the South Coast Plaza Town Center's shared parking analysis and concluded the additional parking demand associated with the proposed project can be met by the proposed 5-level parking structure;

WHEREAS, a mitigated negative declaration was prepared to identify any environmental impacts from changes to the Two Town Center project previously examined in Final Program EIR No. 1047, and the public review and comment period was from August 28, 2002 to September 16, 2002; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on September 23, 2002, at the conclusion of which, Planning Commission recommended that City Council approve said application;

WHEREAS, a duly noticed public hearing was held by City Council on October 21, 2002.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", subject to the conditions contained in Exhibit "B", and subject to the mitigation measures contained in Exhibit "C", the City Council hereby approves Planning Application PA-02-33 with respect to the property described above;

BE IT RESOLVED that the City Council hereby adopts the mitigated negative declaration which indicates that the proposed project will not result in any potentially significant impacts other than previously identified in Final Program EIR No. 1047;

BE IT RESOLVED that Table 2 and Figure 1 of the SCPTC Preliminary Master Plan is hereby amended as shown in Exhibit "D"; and

BE IT FURTHER RESOLVED that the 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-02-33 and upon applicant's compliance with each and all of the conditions and mitigation measures contained in Exhibits "B" and "C". 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 or mitigation measures.

PASSED AND ADOPTED this 21st day of October, 2002.

Mayor of the City of Costa Mesa

ATTEST:

Deputy City Clerk of the City of Costa Mesa

APPROVED AS TO FORM:

for City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, Julie Folcik, Deputy City Clerk and ex-officio Clerk of the City Council of the City of Costa Mesa, hereby certifies that the above foregoing Resolution No. 02-78 was duly and regularly passed and adopted by said City Council at a regular meeting thereof held on the 21st day of October, 2002, by the following roll call vote:

AYES: Dixon, Monahan, Cowan, Steel

NOES: Robinson

ABSENT: None

IN WITNESS WHEREOF, I have hereby set my hand and affixed the Seal of the City of Costa Mesa this 22nd day of October, 2002.

Julie Folcik

Deputy City Clerk and ex-officio Clerk of the
City Council of the City of Costa Mesa

EXHIBIT "A"

FINDINGS

A. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(5)(a) in that the proposed Two Town Center Master Plan meets the broader goals of the General Plan, the North Costa Mesa Specific Plan, and the Zoning Code, by exhibiting excellence in design, site planning, integration of 5-level parking structure and 18-story high rise office building in the existing Town Center development, and protection of the integrity of the existing commercial and cultural arts development in the South Coast Plaza Town Center.

B. The proposed project complies with Costa Mesa Municipal Code Section 13-29 (e) because:
   a. There is a compatible and harmonious relationship between the proposed project and site development and the building and site developments and uses that exist or have been approved for South Coast Plaza Town Center.
   b. Safety and compatibility of the design of the buildings, parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.
   c. The proposed project complies with applicable performance standards prescribed in the Zoning Code.
   d. The project is consistent with the City of Costa Mesa 2000 General Plan and the North Costa Mesa Specific Plan.
   e. The planning application is for a project-specific case and does not establish a precedent for future development.
   f. The cumulative effects of all planning applications have been considered.

C. The information presented substantially meets required conditions for variance approval specified in Costa Mesa Municipal Code Section 13-29(g)(1) in that special circumstances applicable to the property exist to justify granting of the variance from the Bristol Street setback requirement (0'-proposed, 20'-required). Strict application of development standards deprives the property of privileges enjoyed by owners of other property in the vicinity under identical zoning classification. Specifically, since the surroundings include the approximately 25-foot wide landscaped area between the western property line and Bristol Street, and the I-405 freeway off-ramp area, the immediate surroundings satisfies the intent of a street setback for landscaping purposes for screening the prominence of the parking structure. Granting the variance shall not constitute a grant of special privileges inconsistent with the limitation upon other properties in the vicinity and zone in which the property is situated.

D. The proposed project is consistent with the South Coast Plaza Town Center Preliminary Master Plan PA-00-38 as amended by adoption of this resolution.

E. The project, as conditioned, is consistent with Article 22 1/2, Transportation System Management of Title 13, of the Costa Mesa Municipal Code in that the development project's traffic impacts will be mitigated by the payment of traffic impact fees and the implementation of specified intersection improvements.

F. Section 15168 of the California Environmental Quality Act (CEQA) Guidelines allows a lead agency to use a previously-certified Final Program EIR for subsequent activities. Since the proposed project will have effects that were not examined in Final Program EIR No. 1047 for South Coast Plaza Town Center, Section 15168 (c) (1) requires preparation of a new Initial Study leading to a Negative Declaration.

The proposed project is within the scope of Final Program EIR No. 1047 which adequately describes significant environmental effects for the purposes of CEQA. Since Final Program EIR No. 1047 provides the basis in the Initial Study/Negative Declaration for determining whether the proposed project may have any significant effects, it is incorporated into the Negative Declaration by reference. The proposed project will not result in any potentially significant impacts other than previously identified in Final Program EIR No. 1047.

The proposed project is within the scope of Final Program EIR #1047 for the following reasons:

a. The proposed project will not allow a land use intensity and/or density that would be inconsistent with the corresponding 2000 General Plan land use designation. Therefore, the proposed project will not alter the impact analyses contained in Final Program EIR #1047.

b. There have not been substantial changes with respect to the circumstances under which the project will be undertaken that would require important revisions to previous Final Program EIR #1047 due to the involvement of new significant environmental impacts not covered in the Final Program EIR #1047.

c. Modifications to the proposed project subsequent to the approval of Final Program EIR are within the scope described in the Program EIR, and there are no substantial changes to the environmental analysis on the significant effects of the project, the severity of the significant effects, the feasibility of the mitigation measures and alternatives.

d. New mitigation measures provided in the Negative Declaration relate to consistency with applicable land use plans and policies involving the following: (1) approval of a Final Master Plan, (2) an amendment to the South Coast Plaza Preliminary Master Plan and (3) approval of a variance from the Bristol Street setback requirement.

EXHIBIT "B"

CONDITIONS OF APPROVAL

Plng.	1.	The project shall comply with applicable mitigation measures of Final Program Environmental Impact Report #1047 (Mitigation Monitoring Program attached for reference) and the Owner's obligations specified in Development Agreement DA-00-04.
	2.	Street addresses shall be displayed on the freestanding sign or, if there is no freestanding sign, on the fascia or store front adjacent to the main entrance of the building, in a manner visible to the public street and on the building face/wall/fence visible to the public alley, if applicable. Numerals shall be a minimum 12" in height with not less than ¾" stroke and shall contrast sharply with the background. Identification of individual units shall be provided adjacent to the unit entrances. Letters or numerals shall be 4" in height with not less than ¼" stroke and shall contrast sharply with the background.
	3.	The conditions of approval and ordinance or code provisions of Planning Application PA-02-33 shall be blueprinted on the face of the site plan.
	4.	The applicant shall contact the Planning Division to arrange a Planning Division inspection of the site prior to issuance of a final certificate of occupancy. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
	5.	Any new transformers, backflow preventers, and any other above-ground utility improvements, shall be located outside of the required street setback area and shall be screened from view, under the direction of Planning staff.
	6.	The proposed 5-level parking structure shall be screened with plant materials at the south and west elevations and the rooftop level, or enhanced with any other comprehensive and appropriate beautification effort to the satisfaction of the Planning Division.
Eng.	7.	The applicant shall extend the existing right-turn lane to the new driveway approach and shall dedicate a street and highway easement behind the existing right-of-way line on Anton Boulevard at the proposed driveway entrance.
	8.	The applicant shall have haul routes approved by the Engineering Division prior to issuance of a building permit.
Trans.	9.	The applicant shall relocate the street light and traffic signal pull box to accommodate the new driveway on Anton Boulevard.
	10.	The applicant shall close unused driveway approach(es) with full height curb and gutter.
	11.	The applicant shall remove or relocate the parkway tree to accommodate proposed extension of the right-turn pocket on Anton Boulevard to the new entry.
	12.	The applicant shall close the median opening on Anton Boulevard to prohibit left-turn access into and out of the expanded driveway.
	13.	The applicant shall remove or relocate the parkway tree to accommodate the proposed extension of the right-turn pocket on Anton Boulevard to the new entry.

14. The applicant shall install appropriate striping on the proposed driveway to allow for two entrance lanes into the project site to prevent stacking of vehicles on Anton Boulevard.

15. The applicant shall identify traffic flow, access control gates, and parking alignment (if any) for the drive aisle located north of the proposed courtyard.

16. The applicant shall install stop signs for traffic exiting the new access drive at the south end of Park Center Drive.

Police 17. Prior to issuance of a building permit, the applicant shall cooperate with the Police Chief regarding incorporation of proper design features into building plans to increase safety, deter criminal activity, and provide for emergency vehicle access, to the satisfaction of the Police Chief or his designee. These features shall be based on suggestions provided to the applicant by the Police Department.

18. To encourage and facilitate pedestrian activity between the west and east sides of Park Center Drive, the applicant, in conjunction with Planning and Transportation Services staff, shall prepare a pedestrian circulation study and make recommendations related to a mid-block crossing, as needed. This plan shall be subject to review and approval by the Planning Commission prior to building permit issuance.

19. With regards to the landscaped areas along Bristol Street and the Interstate-405 off-ramp area, the applicant shall do the following:

    a. Obtain an encroachment permit from the City of Costa Mesa to maintain a landscaped area within the City's right-of-way along the east side of Bristol Street, from Interstate-405 to Anton Boulevard.

    b. Enter into an agreement with the City of Costa Mesa which shall require the applicant to assume the City's maintenance responsibilities for the landscaped areas within the State of California Department of Transportation (CALTRANS) right-of-way, located on the south and west property lines of the Two Town Center area.

ATTACHMENT 2

IRVINE COMPANY Since 1864 | OFFICE PROPERTIES

September 21, 2011

City of Costa Mesa
77 Fair Drive
Costa Mesa, California 92628

RE: Pacific Arts Plaza
3201 Park Center Drive
PA-02-33: Extension Request

Dear Planning Department:

This letter is to request consideration of a time extension related to PA-02-33 within North Costa Mesa Specific Plan and Two Town Center Development Agreement, specifically relating to the development of an 18-story office building at 3201 Park Center Drive. We are requesting a 2-year extension of the final master plan PA-02-33.

Please call Jason Knudson at 949-720-2947 should you have any questions, comments or concerns.

Sincerely,

Tim Carey
Vice President, Development
Irvine Company Office Properties

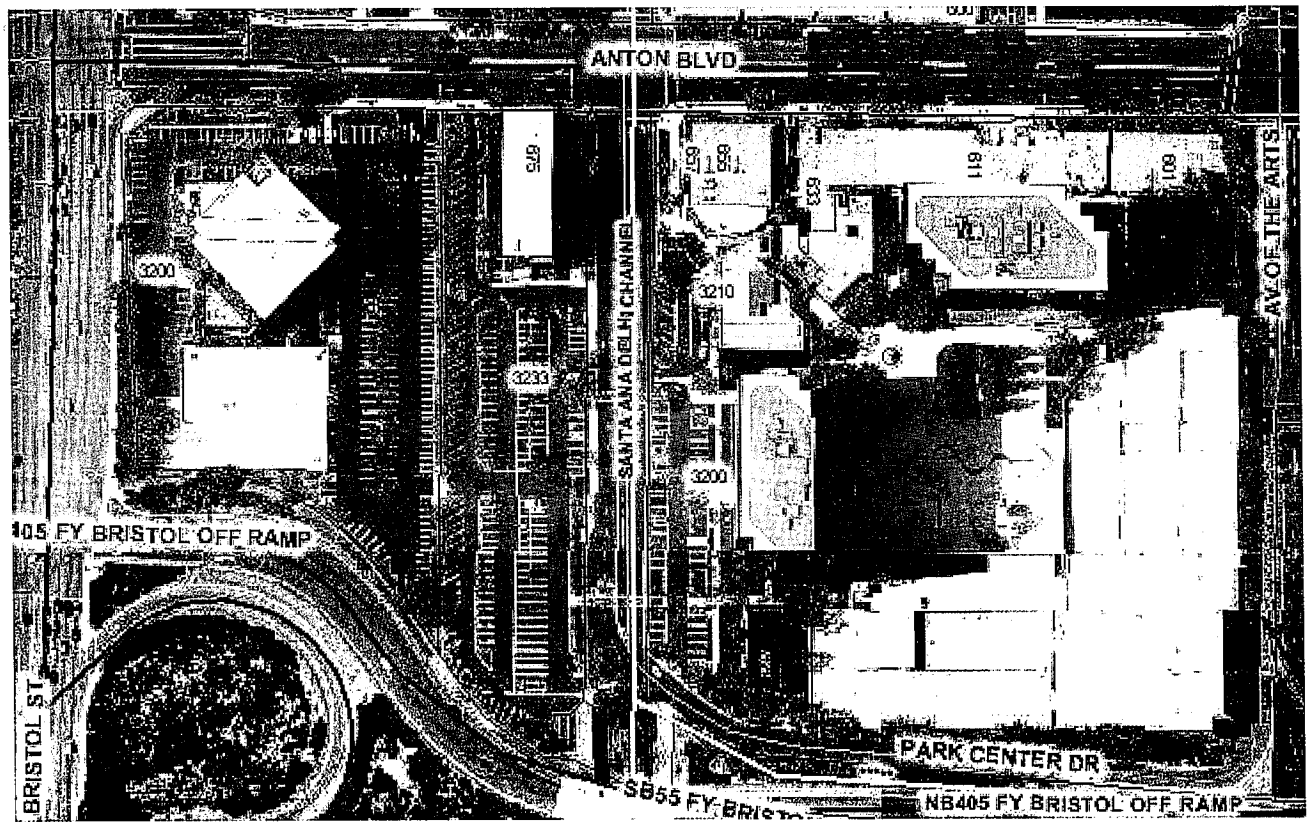
111 Innovation Drive, Irvine, CA 92617 949.720.2000

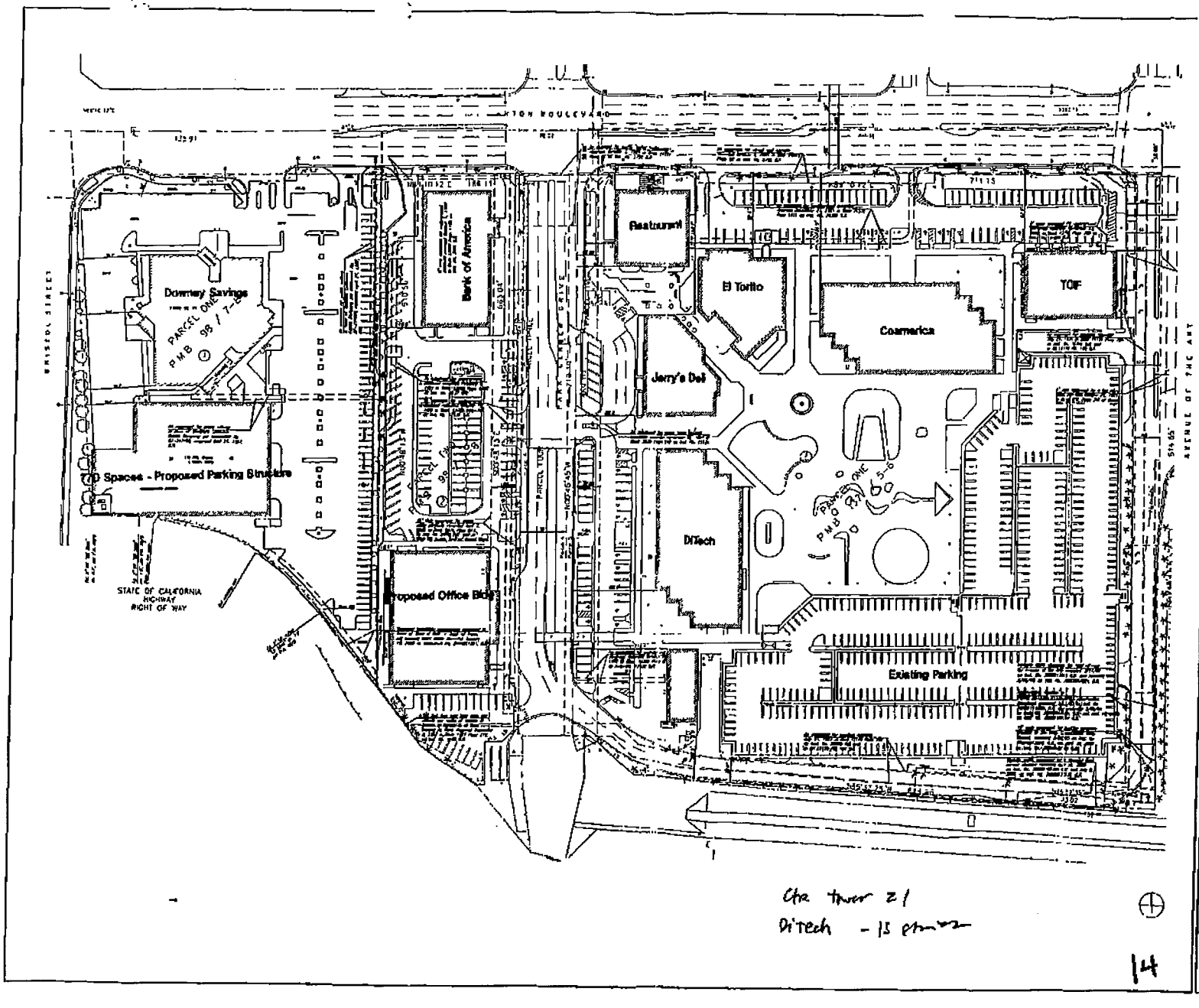
Vicinity Map

Pacific Arts Plaza

PA-02-33

VPM-03-250





JOHNSON FAIN PARTNERS

CWP
COMMONWEALTH PARTNERS, LLC

TWO TOWN CENTER

EXISTING SITE PLAN

EX-01

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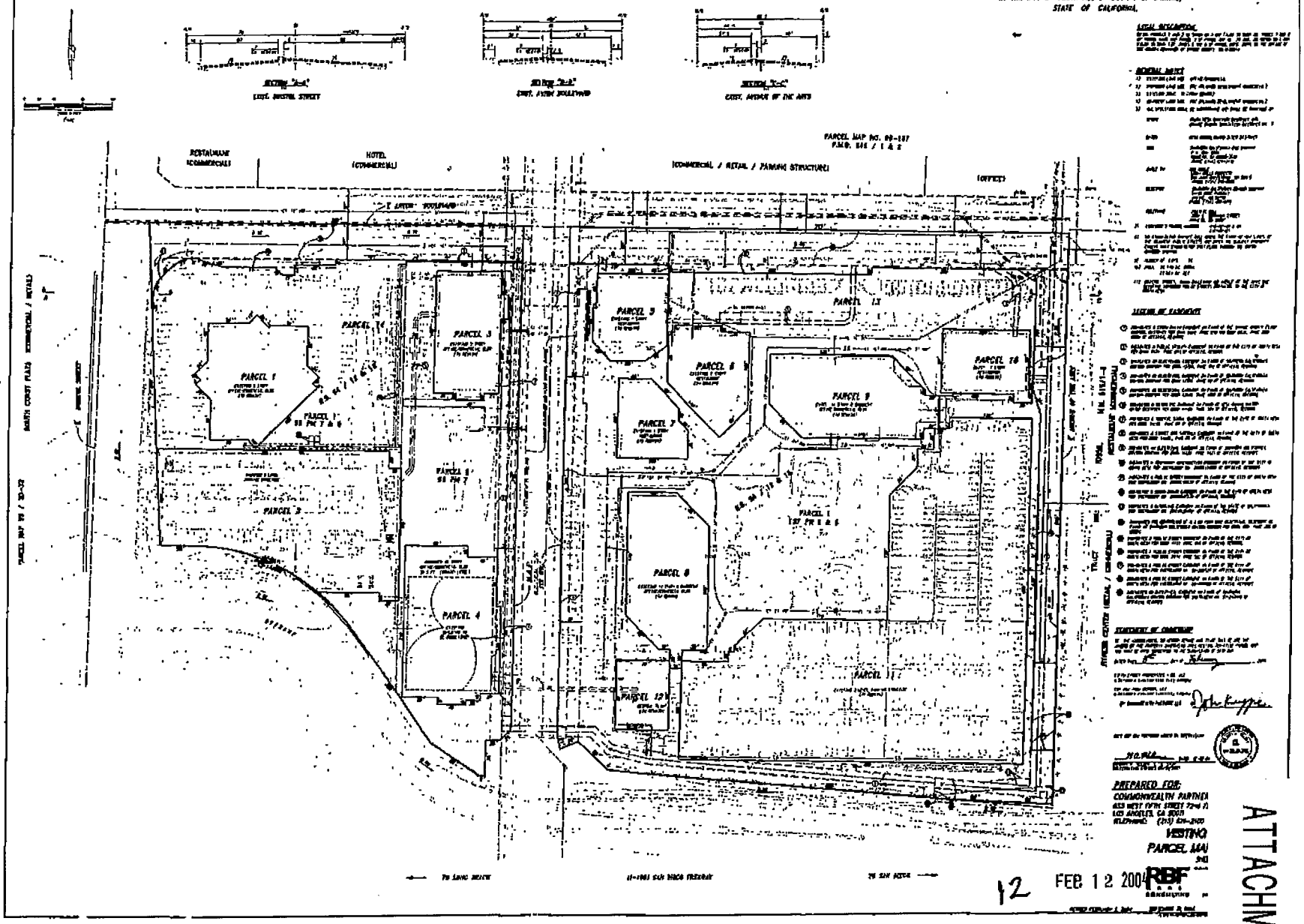
ATTACHMENT 4

VESTING TENTATIVE PARCEL MAP NO. 2003-250

IN THE CITY OF COSTA MESA, COUNTY OF ORANGE,
STATE OF CALIFORNIA.



PREPARED FOR:
COMMONWEALTH PARTNERS
655 WEST FIFTH STREET 72nd FL
LOS ANGELES, CA 90071
(213) 624-2400

VESTING
PARCEL MAP
SHEET 1

RBF CONSULTING

FEB 12 2004

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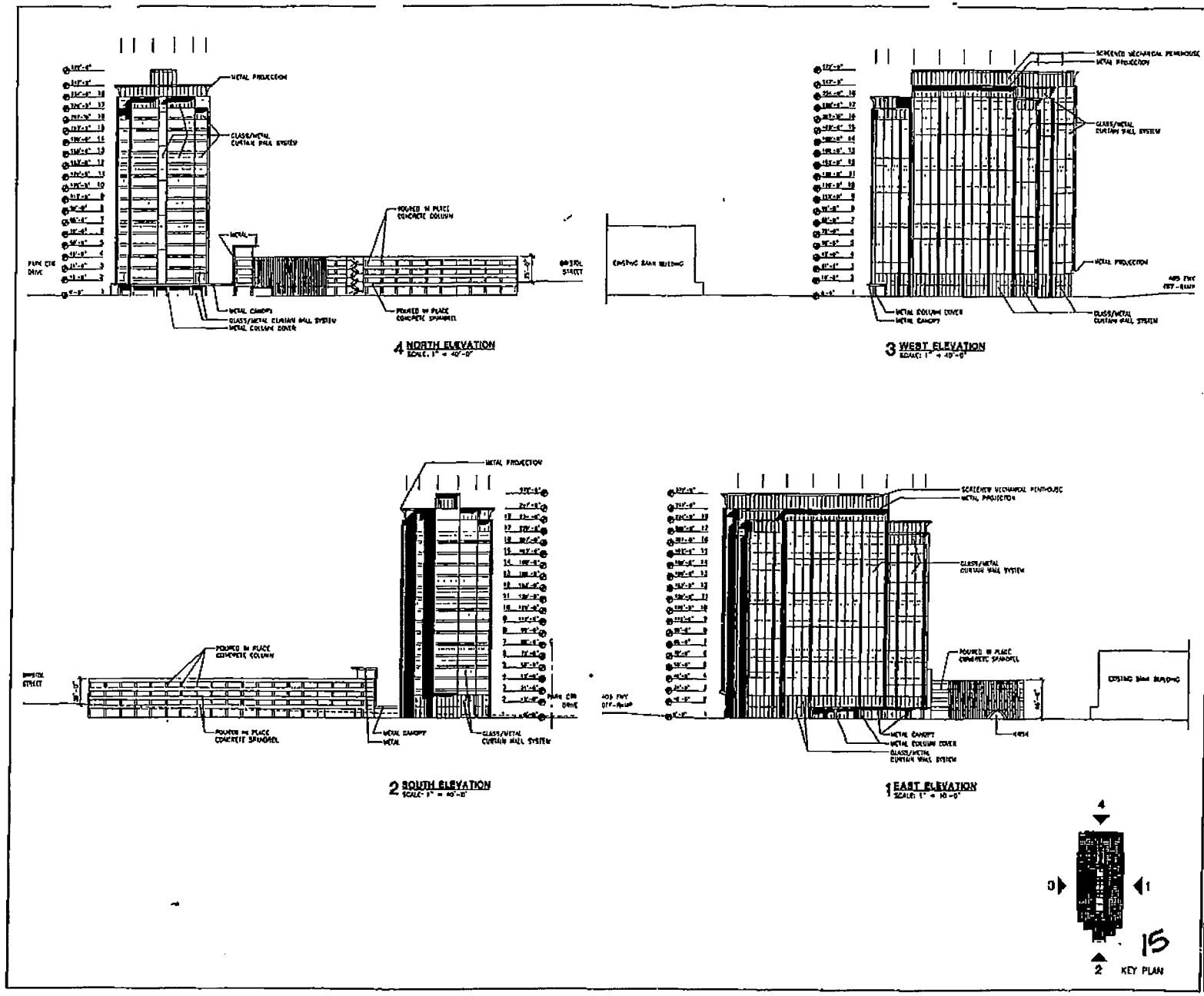
ATTACHMENT 5



4 NORTH ELEVATION
SCALE: 1" = 40'-0"

3 WEST ELEVATION
SCALE: 1" = 40'-0"

2 SOUTH ELEVATION
SCALE: 1" = 40'-0"

1 EAST ELEVATION
SCALE: 1" = 40'-0"

JOHNSON FAIN PARTNERS

ARCHITECTURE • PLANNING • INTERIORS

OWNER

CWP
COMMONWEALTH PARTNERS

MASTER PLAN SUBMITTAL

TWO TOWN CENTER

COSTA MESA, CALIFORNIA

COMMONWEALTH PARTNERS, LLC

EXTERIOR ELEVATIONS

SCALE:

DATE
SEE ISSUE DESCRIPTION

CADD FILE
CW-EX04.DWG

PROJECT NUMBER

SHEET NUMBER

EX-04

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