

**DRAFT RESOLUTION NO. PC-2025-****A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA RECOMMENDING THE CITY COUNCIL OF THE CITY OF COSTA MESA ADOPT FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT (SCH No. 2024060115), AND ADOPT A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE HIVE LIVE PROJECT LOCATED AT 3333 SUSAN STREET INCLUDING A THREE PHASE DEVELOPMENT WITH UP TO 1,050 DWELLING UNITS AND 3,603 SQUARE FEET OF RETAIL SPACE**

WHEREAS, pursuant to Public Resources Code, section 21067 and State California Environmental Quality Act ("CEQA") Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.) sections 15051 and 15367, the City is the lead agency for the proposed Project; and

WHEREAS, in accordance with State CEQA Guidelines, section 15063, the City prepared an Initial Study to determine whether an Environmental Impact Report (EIR) was required for the Project; and

WHEREAS, pursuant to CEQA (Pub. Res. Code, § 21000 et seq.: "CEQA") and the State CEQA Guidelines, the City has determined that an Environmental Impact Report should be prepared pursuant to CEQA to analyze all potential adverse environmental impacts of the proposed Project; and

WHEREAS, the City sent a Notice of Preparation ("NOP") of a Draft EIR to the Office of Planning and Research, responsible and trustee agencies, and other interested parties and published the NOP in the Daily Pilot, a newspaper of general circulation, on or about June 6, 2024; and,

WHEREAS, the NOP was circulated for 30 days pursuant to State CEQA Guidelines, sections 15082(a) and 15375 to invite comments from responsible and trustee agencies and other interested parties regarding the scope of the environmental impact report; and

WHEREAS, the City held a public scoping meeting on June 17, 2024 to receive public comments on the proposed Project and its potential impacts on the physical environment; and

WHEREAS, the City received written comments in response to the NOP, which assisted the City in narrowing the issues and alternatives for analysis in the Draft EIR; and

WHEREAS, on or about February 14, 2025, the City initiated a 45-day public review period on the Draft EIR by filing a Notice of Availability with the State Office of Planning and Research, publishing the notice in the Daily Pilot, a newspaper of general circulation, and releasing the Draft EIR (SCH No. 2024060115) for public review and comment; and

WHEREAS, pursuant to State CEQA Guidelines, section 15086, the City consulted with and requested comments from all responsible and trustee agencies, other regulatory

agencies, and other interested parties during the 45-day comment period, which ended on March 31, 2025; and

WHEREAS, during the public review period, copies of the Draft EIR were provided to public agencies and organizations, and were available for review online at the City website, and at City Hall, the Mesa Verde Library, and the Costa Mesa Library (Donald Dungan Library); and

WHEREAS, the City received written comments during the public review period for the Draft EIR; and

WHEREAS, the City has prepared a Final EIR, consisting of comments received during the 45-day public review and comment period on the Draft EIR, written responses to those comments, and revisions and errata to the Draft EIR. For the purposes of this Resolution, the "EIR" shall refer to the Draft EIR, including all of the technical studies and appendices to the Draft EIR, together with the other sections of the Final EIR, including all of the technical studies and appendices to the Final EIR; and

WHEREAS, environmental impacts identified in the Final EIR that the City finds are less than significant and do not require mitigation are described in Exhibit C, Findings of Fact pursuant to CEQA, attached hereto and incorporated herein by this reference; and

WHEREAS, environmental impacts identified in the Final EIR as potentially significant, but which the City finds can be mitigated to a less than significant level through the imposition of all feasible mitigation measures identified in the Final EIR, are described in Exhibit C, Findings of Fact pursuant to CEQA, attached hereto and incorporated herein by this reference; and

WHEREAS, no environmental impacts were identified in the Final EIR as significant and unavoidable; and

WHEREAS, the existence of any cumulative environmental impacts resulting from the Project identified in the Final EIR are described in Exhibit C, Findings of Fact, attached hereto and incorporated herein by this reference; and

WHEREAS, the existence of any growth-inducing impacts resulting from the Project identified in the Final EIR are described in Exhibit C, Findings of Fact and Statement pursuant CEQA, attached hereto and incorporated herein by this reference; and

WHEREAS, alternatives to the Project that might eliminate or reduce significant environmental impacts are described in Exhibit C, Findings of Fact pursuant to CEQA, attached hereto and incorporated herein by this reference; and

WHEREAS, the Mitigation Monitoring and Reporting Program sets forth the mitigation measures to which the City shall bind itself in connection with this Project and is attached hereto as Exhibit B; and

WHEREAS, as contained herein, the City has endeavored in good faith to set forth the basis for its decision on the proposed Project; and

WHEREAS, all the requirements of CEQA and the State CEQA Guidelines have been satisfied by the City in the EIR, which is sufficiently detailed so that all of the potentially significant environmental effects of the proposed Project have been adequately evaluated; and

WHEREAS, the EIR prepared in connection with the proposed Project sufficiently analyzes both the feasible Mitigation Measures necessary to avoid or substantially lessen the proposed Project's potential environmental impacts and a range of feasible alternatives capable of eliminating or reducing these effects in accordance with CEQA and the State CEQA Guidelines; and

WHEREAS, all of the findings and conclusions made by the City Council pursuant to this Resolution are based upon the oral and written evidence presented to it as a whole and not based solely on the information provided in this Resolution; and

WHEREAS, the City's Planning Commission held a study session on May 27, 2025 and duly noticed public hearing on June 9, 2025, during which the Planning Commission considered the Draft EIR, the Project and associated actions, and during these public hearings all persons wishing to testify in connection with the Draft EIR and the Project were heard, and the Planning Commission fully studied the Draft EIR and the Project; and

WHEREAS, on June 9, 2025, the Planning Commission recommended that the City Council certify the EIR and approve the Project; and

WHEREAS, the City has not received any comments or additional information that produced substantial new information requiring recirculation or additional environmental review under Public Resources Code sections 21166 and 21092.1 and State CEQA Guidelines, section 15088.5; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF COSTA MESA RECOMMENDS AS FOLLOWS:**

**SECTION 1. FINDINGS OF FACT.** In accordance with State CEQA Guidelines, sections 15091 and 15093, the City Council hereby adopts the CEQA Findings of Fact pursuant to CEQA, attached hereto as Exhibit C and incorporated herein by this reference as if fully set forth herein.

**SECTION 2. MITIGATION MONITORING AND REPORTING PROGRAM.** Pursuant to Public Resources Code, section 21081.6, the City Council hereby adopts the Mitigation Monitoring and Reporting Program attached hereto as Exhibit B and incorporated herein by this reference. The City finds that the Mitigation Monitoring and Reporting Program is designed to ensure that, during the implementation of the Project, the City and any other responsible parties implement the components of the Project and comply with the mitigation measures identified in the Mitigation Monitoring and Reporting Program. To the extent there is any conflict between the Mitigation Monitoring and Reporting Program, and the Final EIR, the terms and provisions of the Mitigation Monitoring and Reporting Program shall control.

BE IT FURTHER RESOLVED that if any section, division, sentence, clause, phrase or portion of this resolution, or the documents in the record in support of this resolution, are for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.

**PASSED AND ADOPTED this 9th day of June, 2025.**

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Jeffrey Harlan, Chair  
Costa Mesa Planning Commission

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

I, Carrie Tai, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution No. PC-2025-\_\_\_\_ was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on June 9, 2025 by the following votes:

AYES:           COMMISSIONERS

NOES:           COMMISSIONERS

ABSENT:        COMMISSIONERS

ABSTAIN:       COMMISSIONERS

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Carrie Tai, Secretary  
Costa Mesa Planning Commission

Resolution No. PC-2025-\_\_\_\_