

RESOLUTION NO. PC-2023-18

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA FINDING THAT THE PROPOSED VACATION OF EXCESS UTILITY EASEMENT AREA LOCATED AT 1940 WALLACE AVENUE IS IN CONFORMANCE WITH THE CITY OF COSTA MESA GENERAL PLAN

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA FINDS AND DECLARES AS FOLLOWS:

WHEREAS, at the request of the property owner, TN Apartments, LLC, the City of Costa Mesa Public Services and Public Works Departments have reviewed a request to vacate an excess portion of utility easement located near Sterling Avenue on the private property located at 1940 Wallace Avenue;

WHEREAS, the Government Code of the State of California, Section 65402, provides in part that a local agency shall not acquire real property nor abandon or dispose of any real property, nor construct a public building or structure in any county or city, until the location, purpose, and extent of such activity has been reported upon as to conformity with the adopted General Plan applicable thereto;

WHEREAS, the Costa Mesa City Council adopted the City of Costa Mesa 2015-2035 General Plan (General Plan) on June 21, 2016;

WHEREAS, the subject property, 1940 Wallace Avenue (APN 422-262-14), is located on the eastern side of Wallace Avenue, between West 19th Street and West 20th Street and contains a two-story, ten-unit multifamily building and a detached, one-story accessory dwelling unit at the rear of the property. The property is zoned R2-HD (Multiple-Family Residential District, High Density) and has a General Plan Land Use Designation of High Density Residential;

WHEREAS, the proposed vacation of approximately 889 square feet of utility easement area is consistent with certain applicable General Plan Housing Element goals and policies including but not limited to Housing Element Goal No. 1 to “preserve and enhance the City’s existing housing supply”, Housing Element Goal No. 2 to “facilitate the creation and availability of housing for residents at all income levels and for those with

special housing needs", and Housing Program 3E to "promote the development of accessory dwelling units (ADUs)";

WHEREAS, the subject utility easement is shown in Attachment 2 to the Planning Commission Agenda Report dated June 12, 2023;

WHEREAS, the Costa Mesa Planning Commission reviewed the proposed vacation of utility easement on June 12, 2023, at a public hearing; and

WHEREAS, the project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City's environmental procedures, and has been found to be exempt pursuant to CEQA Guidelines Section 15061(b)(3) (General Rule), in that it can be seen with certainty that there is no possibility that the proposed determination for General Plan Conformance for the vacationing of an easement will have a significant effect on the environment;

NOW, THEREFORE, BE IT RESOLVED that, the Planning Commission does hereby adopt this Resolution pursuant to Government Code Section 65402 that finds that the proposed vacation of utility easement area at 1940 Wallace Avenue is in conformance with the City of Costa Mesa General Plan in regard to purpose, location and extent.

PASSED AND ADOPTED this 12th day of June, 2023.

 *vice chair*

Adam Ereth, Chair
Costa Mesa Planning Commission

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

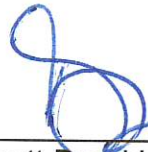
I, Scott Drapkin, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution No. PC-2023-18 was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on June 12, 2023 by the following votes:

AYES: Toler, Andrade, Rojas, Vivar, Zich

NOES: None

ABSENT: Ereth, Taber

ABSTAIN: None



Scott Drapkin, Secretary
Costa Mesa Planning Commission