

RESOLUTION NO. 2024-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EUREKA ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE TIRSBECK SURPLUS PROPERTY AND SUMMARY VACATION AND LOCAL COASTAL PROGRAM AMENDMENT PROJECT WHEREAS, the applicant, Alan Tirsbeck, is requesting the City of Eureka surplus and convey a City-owned 20-foot by 30-foot (600 square foot [sf]) parcel known as Assessor's Parcel Number (APN) 003-182-013 to the adjoining property owner (Alan Tirsbeck; APN 003-182-005; 2000 Broadway) (Project No. SP-21-0001), and vacate an approximately 20-foot by 130-foot alley easement over APNs 003-182-013 and -014 (Project No. SV-21-0002), of which the APN ending in -014 is also owned by the applicant; and

WHEREAS, the applicant is also requesting approval of a Local Coastal Program (LCP) Amendment (Project. No. LCP-23-0001) to change the Land Use Plan (LUP) (i.e. Coastal General Plan) land use designation from General Industrial (GI) to General Service Commercial (GSC), and change the Implementation Plan (i.e. Coastal Zoning Code) zoning designation from General Industrial (MG) to Service Commercial (CS) at their property known as 936 W Hawthorne Street (APN 003-182-010); and

WHEREAS, the applicant owns 2000 Broadway (APN 003-182-005) which currently has GSC/CS land use/zoning designations; therefore, changing the designations of 936 W Hawthorne Street would allow the two adjoining parcels under the same ownership to have consistent land use and zoning designations, facilitating the redevelopment of both parcels with new commercial and/or residential uses not allowed on the W Hawthorne Street parcel under the current industrial land use/zoning designations; and

WHEREAS, the entire proposed project: Tirsbeck Surplus Property and Right-of-Way Vacation and Local Coastal Program Amendment (SP-21-0001, SV-21-0002, and LCP-23-0001), is subject to environmental review in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, an Initial Study (IS) and Mitigated Negative Declaration (MND) pursuant to the provision of CEQA has been prepared for the entire project (ED-23-0002) and reflects the City of Eureka's independent judgment and analysis; and

WHEREAS, the IS/MND (State Clearinghouse [SCH] No. 2024010027) and Notice of Intent to Adopt (NOI) a Mitigated Negative Declaration was posted for review and comment in accordance with the provisions of CEQA from January 3, 2024 to February 2, 2024; and

WHEREAS, no public comments were received during the public comment period; and

WHEREAS, the MND concluded that with mitigation, no substantial adverse environmental impact will result from the proposed project, and

WHEREAS, on February 14, 2023, following the public hearing where no public comments were received, the Planning Commission of the City of Eureka considered the proposed MND for the entire project pursuant to CEQA Guidelines §15074(a), and then by a vote of 4 to 0 with one Commissioner absent, adopted two resolutions: Resolution No. 2024-03 and Resolution No. 2024-04 recommending the City Council approve the proposed LCP Amendment for 936 W Hawthorne Street (LCP-23-0001) and approve the surplus property and summary vacation within 2000 Broadway (SP-21-0001 and SV-21-0002); and

WHEREAS, the City Council of the City of Eureka held a duly noticed public hearing at City Hall in the City of Eureka on March 19, 2024 at 6:00 p.m. via Zoom and in person in the Council Chamber, to consider the project; and

WHEREAS, the City Council of the City of Eureka has reviewed the IS/MND and Mitigation Monitoring and Reporting Program (MMRP) for the entire project, and on the basis of the whole record including the IS/MND and MMRP, and after due consideration of all testimony, evidence, and reports offered at the public hearing, does hereby find and determine the following facts:

1. There is no substantial evidence that the project will have any significant effects on the environment with implementation of the mitigation measures.
2. Adherence to, and implementation of, the MMRP is included as a condition of approval in City Council Resolution No. 2024-xx for Surplus Property and Street Vacation (Project No. SP-21-0001 and SV-21-0002), and in City Council Resolution No. 2024-xx for the Local Coastal Program Amendment (Project No. LCP-23-0001), which were each adopted at their regular meeting on March 19, 2024.
3. 396 W Hawthorne Street is not covered by the City's Categorical Exclusion Order (E-88-2), and therefore any future redevelopment involving new structures or changes in density or intensity of use will require a Coastal Development Permit and subsequent environmental review which can address project-specific impacts that could not be identified at this time because no specific project on the entire project site has been proposed.

WHEREAS, the documents and other material which constitute the record of proceedings upon which the City Council's decision is based are maintained at City Hall of the City of Eureka by Development Services - Planning, 531 K Street, Eureka, CA.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Eureka does

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hereby adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Tirsbeck Surplus Property and Right-of-Way Vacation and Local Coastal Program Amendment.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka in the County of Humboldt, State of California, on the 19th day of March, 2024 by the following vote:

AYES: COUNCILMEMBERS
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS

Kim Bergel, Mayor of the City of Eureka

Attest:

Pamela J. Powell, City Clerk

Approved as to Administration:

Approved as to form:

Miles Slattery, City Manager

Autumn Luna, City Attorney