



# **CITY COUNCIL AGENDA REPORT**

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**MEETING DATE:** FEBRUARY 22, 2005

**ITEM NO:**

**SUBJECT:** APPEAL OF PLANNING APPLICATION PA-04-41  
654 WEST 18<sup>TH</sup> STREET, COSTA MESA

**DATE:** FEBRUARY 10, 2005

**FROM:** DEVELOPMENT SERVICES DEPARTMENT – PLANNING DIVISION

**PRESENTATION BY:** WENDY SHIH, ASSOCIATE PLANNER

**FOR FURTHER INFORMATION CONTACT:** WENDY SHIH, ASSOCIATE PLANNER (714)754-5136

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## **RECOMMENDED ACTION**

Conduct public hearing and either uphold, reverse, or modify Planning Commission's decision.

## **BACKGROUND**

At their meeting of January 24, 2005, by a vote of 3 to 0, the Planning Commission approved Planning Application PA-04-41 for a design review to allow the construction of a 6-unit, 2-story, small lot common interest development (condominiums) with minor modifications for a 1 ft. encroachment (5 ft. required; 4 ft. proposed) into the left (west) side setback for a garage, and to allow a reduction in driveway width (16 ft. required; 12 ft. – 15 ft. proposed). Theresia Gunther, owner of the adjacent property to the right (east), appealed the decision due to concerns regarding noise impacts and proximity of the parallel parking spaces to her property and structures, located to the right (east) side of the subject site, and potential damage to the existing block wall that separates their properties due to the location of the parallel parking stalls.

## **ANALYSIS**

Pursuant to Costa Mesa Municipal Code (CMMC) Sec. 13-93 (1), driveways providing access to 2 or more dwelling units must be at least 16 ft. wide. Code allows approval of a "minor modification" to reduce the minimum driveway width to not less than 10 ft. if it is found that the reduction will not be materially detrimental to the health, safety, and general welfare of persons residing on or near the property, and if the improvement enhances the overall design of the project. Planning Commission approved a minor modification to reduce the driveway width to 12 – 15 ft. because it accommodates landscaping on both sides of the driveway to enhance the development, and because the City's Transportation Services Division confirmed that the reduced driveway width still provides adequate on-site circulation for all 6 units. The project was designed to include an on-site turnaround that is approved by the Transportation Services Division.

The Zoning Code allows parking along property lines as long as it is not within any building setback area abutting a public street. Four parallel guest/resident parking spaces are proposed along the right (east) property line. The majority of the units will have a two-car garage; therefore, resident parking should occur within the garages. The required CC&Rs will contain a provision to prohibit garages to be used as storage. The parallel parking spaces do not reduce the garage back-out distance, and the Transportation Services staff has no objections to the proposed configuration. There is also an existing 6 ft. high block wall along the perimeter of the property to provide buffering from adjoining properties.

With exception of the requested minor modifications, the project meets all residential development standards and the intent of the residential design guidelines.

### **ALTERNATIVES CONSIDERED**

1. If the appeal of the design review and minor modification is denied, the project may be constructed as proposed.
2. If the appeal is upheld, the property could not be built as proposed. The applicant could not submit substantially the same type of design for six months.

### **FISCAL REVIEW**

Fiscal review is not required.

### **LEGAL REVIEW**

Legal review is not required.

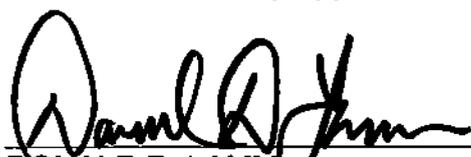
### **ENVIRONMENTAL REVIEW**

Pursuant to Section 15303 (New Construction) of the California Environmental Quality Act (CEQA) Guidelines, this project is exempt from CEQA.

### **CONCLUSION**

Excluding exceptions proposed in this permit, the Planning Commission found that the project meets or exceeds all applicable residential development standards and the intent of the design guidelines. Approval of the proposed project will allow the replacement of rental units with a development that will provide desired home ownership opportunities in the City's west side.

  
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WENDY SHIH  
Associate Planner

  
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DONALD D. LAMM  
Deputy City Mgr. – Dev. Svs. Director

Attachments:     Zoning/Location Map  
                         Plans  
                         Photo Exhibit  
                         Draft City Council Resolution  
                         Exhibit "A" – Draft Findings  
                         Exhibit "B" – Draft Conditions of Approval  
                         Appeal Application

Minutes of Planning Commission meeting of January 24, 2005  
Planning Division Staff Report  
Planning Commission Resolution  
Exhibit "A" – Findings  
Exhibit "B" - Conditions

Distribution: City Manager  
City Attorney  
Assistant City Attorney  
Public Services Director  
City Clerk (2)  
Staff (4)  
File (2)

Johnny Lu  
1 South Fair Oaks Ave., #207  
Pasadena, CA 91105

Theresia Gunther  
10562 Tampion Ave.  
Garden Grove, CA 92843

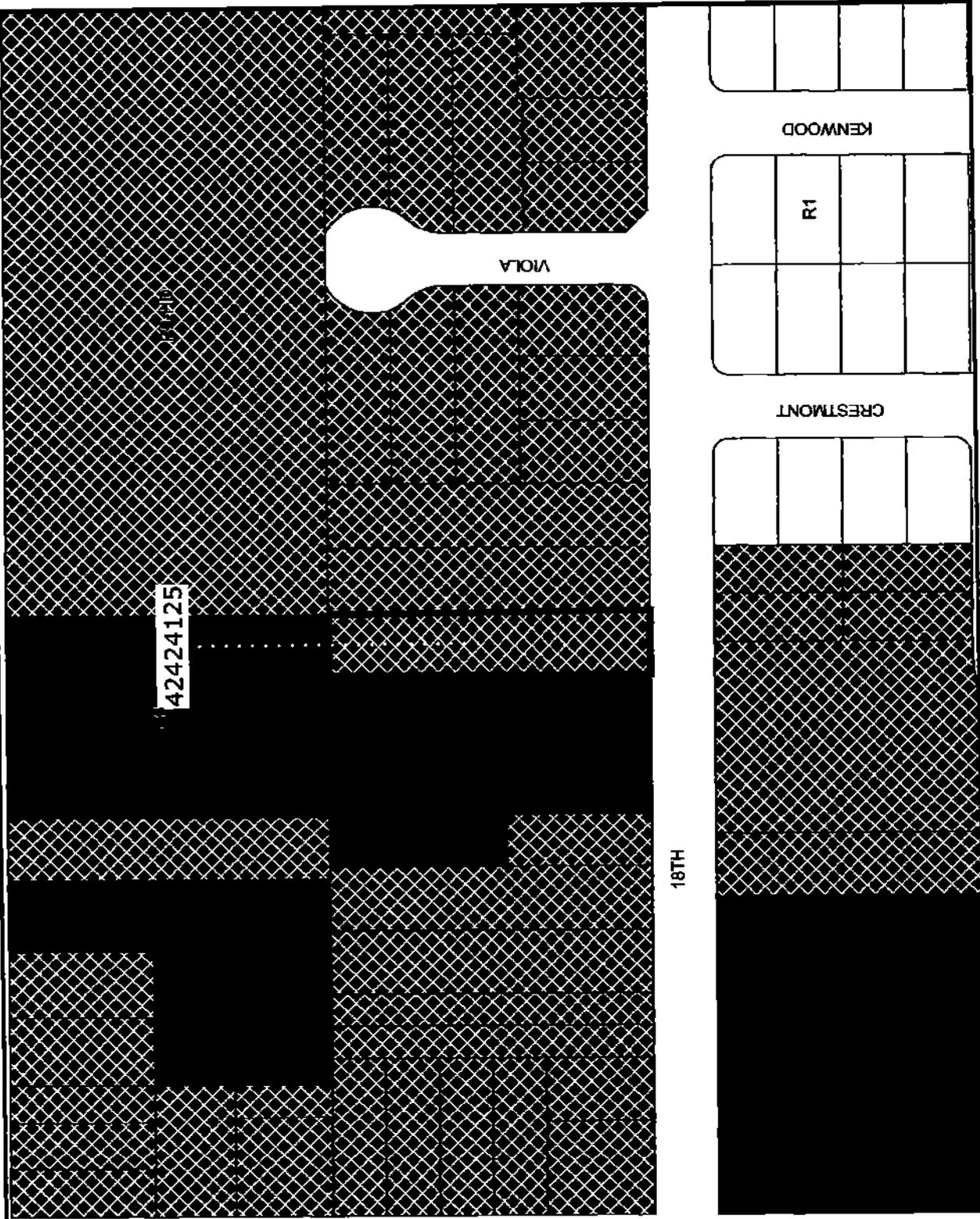
File: 022205PA0441Appeal	Date: 020205	Time: 900a.m.
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# ZONING/LOCATION MAP

PA-04-41

42424125



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# AERIAL PHOTOGRAPH

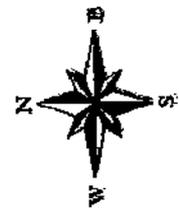
PA-04-41

42424125



## Legend

- Selected Features
- Street Names
- Parcel Lines
- City Boundary
- Dwelling General
- General Plan Specific Land
- Ortho Photography Parcels



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# **CITY OF COSTA MESA**

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DEVELOPMENT SERVICES DEPARTMENT

**FOR ATTACHMENTS NOT INCLUDED IN THIS  
REPORT, PLEASE CONTACT THE CITY CLERK'S  
OFFICE AT (714) 754-5121**