



CITY COUNCIL AGENDA REPORT

MEETING DATE: JULY 3, 2007

ITEM NUMBER:

SUBJECT: REZONE R-07-02, PLANNING APPLICATION PA-07-02, AND TENTATIVE TRACT MAP T-16990 FOR PROPERTY LOCATED AT 372/378/382 VICTORIA STREET

DATE: JUNE 20, 2007

FROM: PLANNING DIVISION/DEVELOPMENT SERVICES DEPARTMENT

PRESENTATION BY: CLAIRE L. FLYNN, SENIOR PLANNER

**FOR FURTHER INFORMATION CONTACT: CLAIRE L. FLYNN, AICP, SENIOR PLANNER
(714) 754-5278**

RECOMMENDED ACTION:

The Planning Commission recommends that City Council take the following actions:

- (1) Give first reading to Rezone Ordinance R-07-02 to change the zoning classification of the subject property from C1 (Local Business District) to PDR-HD (Planned Development Residential - High Density).
- (2) Adopt resolution to approve Planning Application PA-07-02 and Tentative Tract Map T-16990, by adoption of attached resolution.

BACKGROUND

On August 15, 2006, City Council considered General Plan screening request GPS-06-04 for a site-specific density of 26 dwelling units per acre. This proposal involved consolidation of five contiguous properties totaling 3.34 acres at 352-382 Victoria Street. The original proposal involved demolition of the 60 existing dwelling units and construction of up to 85 three-story, attached townhomes at 26 du/acre. Council supported the request and authorized processing of a master plan and rezone. Variances were not requested. This original proposal involved a General Plan amendment for the 26 du/ac density and a rezone to the PDR-HD zoning which would allow a three-story planned residential development.

Subsequent to the General Plan screening, the applicant was able to acquire three of the five parcels and therefore modified the original proposal. The project was modified from the *originally proposed* 85-unit, attached townhouse project on a 3.34-acre site to the *currently proposed* 30-unit, single-family detached residential project on a 1.68-acre site. These new homes will be ownership units.

The current project no longer requires a General Plan amendment for a site-specific 26 du/ac density because the rezone request represents a maximum 20 du/ac density. This 20 du/ac density conforms to the existing High Density Residential General Plan designation.

The current project requires a rezone to the PDR-HD zoning to allow the proposed three-story height limit and small-lot, common interest development. The subdivision application for Tentative Tract Map T-16990 indicates that the new single-family detached residences will be located on small lots consisting of the building footprint and front yard area. No variances are requested because the current project conforms to the PDR-HD zoning requirements.

On May 29, 2007, Planning Commission approved the project on a 5-0 vote. Please refer to the attached Planning Commission report for detailed information about this project (Meeting Minutes & Resolution, Attachments 6-7).

ANALYSIS

Project Location

The current project site now involves only three properties located at 372, 378, and 382 Victoria Street totaling 1.68 acres (Vicinity Map, Attachment 1). The 18 existing dwelling units on the site were originally built in the 1940's and 1950's. The current zoning classifications would allow a maximum of 28 dwelling units on the combined lots, or two units less than the current 30-unit project.

Proposed Project

The proposed project involves the following discretionary actions for the three properties located at 372/378/382 Victoria Street:

- ***Rezone R-07-02*** -- Rezone from R2-HD/R3 (Multiple-Family Residential) to PDR-HD (Planned Development Residential – High Density).
- ***Planning Application PA-07-02*** – Master Plan for a 30-unit, three-story, single-family, detached common-interest development. The PDR-HD zone allows a three-story height limit and does not establish specific requirements for minimum and average lot sizes. Therefore, current project does not involve any variance requests because it conforms with the PDR-HD zoning requirements.
- ***Tentative Tract Map T-16990*** -- Tract Map to subdivide the property for condominium purposes.

Lot Consolidation of Three Parcels

Lot consolidation was integral to the proposed development. The applicant has indicated that coordinating with multiple property owners to consolidate these properties was essential. The applicant was able to acquire three parcels (1.68 acres) and not five properties as originally proposed. Another modification to the original proposal involved a rezone request of 20 du/ac and instead of 26 du/ac.

Rezone R-07-02

The proposed project involves a rezone of the project site from R2-HD/R3 to Planned Development Residential - High Density (PDR-HD). Following are justifications for approval of the rezone request:

- The rezone complies with Zoning Code and General Plan at a maximum density of 20 dwelling units per acre. The master plan proposes a density of 18 dwelling units per acre.
- The rezone would be within the traffic capacity of the General Plan. In fact, the proposed project involves a reduction in General Plan traffic by 8-10 percent. Since the master plan proposes 30 dwelling units at 18 du/ac, the project traffic conditions are comparatively lower compared to General Plan conditions by 8-10 percent. (See Table A below).

Table A – Trip Generation Analysis

Traffic Scenario	AM Peak Hour Trips	PM Peak Hour Trips	Average Daily Trips
General Plan Conditions and Rezone to PDR-HD: (33 dwelling units @ 20 du/ac)	34	41	449
Proposed Project Conditions: (30 dwelling units @ 18 du/ac)	31	37	408
Percentage Decrease	-8%	-10%	-9%

Planning Application PA-07-02

The proposed project involves a master plan for a three-story, 30-unit single-family, detached common interest development. The 18 existing residences which were originally built in the 1940's and 1950's will be demolished. The following analysis summarizes the master plan's consistency with: 1) Zoning requirements for the PDR-HD zone and 2) City's Residential Design Guidelines. (Site Plan/Floor Plan/Elevations, Attachment 8).

- Overall architectural design promotes excellence and compatibility. The three-story project features Colonial Revival architecture. The identifying features of these modern, colonial-style homes include accentuated entry porches, front balconies, and symmetrically-balanced windows with double sashes. This type of architectural style lacks physically-articulated walls; however, varied surface materials and balconies add visual interest to compensate for the lack of façade articulation for this type of modern colonial architecture.
- Proposed parking meets City standards. The proposed project provides 90 parking spaces (60 spaces in two-car garages and 30 open parking spaces). Fifteen property owners will have exclusive rights over tenant open parking spaces, and fifteen guest parking spaces will be also available. Proposed parking is in accordance with the City's parking requirements.
- Three-story project gives consideration to adequate light and air to adjoining neighbors. The General Plan allows building height up to four stories in planned development zones. The proposed structures are three stories/33 feet in height, or seven feet taller than two story/27-foot tall residences. The residential design guidelines indicate that consideration be given to the effect of proposed development on the light, air, and privacy of adjacent properties. In this regard, the project observes increased side setbacks of 10 feet which help minimize shade/shadow effects.

As shown in the shade/shadow exhibits, as three-story structures, shade/shadow effects will primarily occur on the neighboring property to the north in the wintertime (Architect's Correspondence & Shade Exhibits, Attachment 5). These shadow effects would still occur with two-story structures located along a five-foot side setback. The length of shadows for a two-story structure compared to a three-story structure does not differ significantly. The proposed three-story buildings are sited as far from the neighbors as possible (10 foot side and rear setbacks).

Tract Map T-16690

The applicant is proposing a tract map to facilitate a single-family, detached development for homeownership, allowing the individual units to be sold independent of one another. The tract map involves the subdivision of the property into 30 numbered lots and one common lot. The average lot size is 1,521 sq.ft. with the largest lot being 1,924 sq.ft. and the smallest lot being 1,167 sq.ft. As discussed previously, the proposed PDR-HD zone does not establish minimum or average lot size requirements. Therefore, the tentative tract map complies with City Code and the State Subdivision Map Act.

ENVIRONMENTAL DETERMINATION

The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), CEQA Guidelines, and the City's environmental processing procedures. Pursuant

to Section 15332 (In-Fill Development Projects) of the California Environmental Quality Act (CEQA) Guidelines, this project is exempt from CEQA.

ALTERNATIVES CONSIDERED

The City Council has the following alternatives:

- 1) Approve rezone, planning application and tract map. Proposed residential development would be in conformance with the City's General Plan and PDR-HD zoning. This project would create new homeownership opportunities in the city.
- 2) Deny proposed project. The proposed three-story, small-lot subdivision would not be consistent with the current zoning. The applicant could not apply for a similar project until six months after the decision date.

LEGAL ANALYSIS

The City Attorney's office has approved the draft ordinance and resolution as to form.

CONCLUSION

The consolidation of three separate parcels on Victoria Street is integral to this redevelopment proposal. Staff considers this project as a good opportunity to redevelop a residential property and ultimately provide increased homeownership opportunities in Costa Mesa. If the proposed project were approved, this development would contribute 30 single-family residences to the City's housing stock.



CLAIRE L. FLYNN, AICP
Senior Planner



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

- Attachments:
1. Vicinity Map
 2. Site Photos
 3. Ordinance
 4. Resolution
 5. Architect's Correspondence & Shade/Shadow Exhibits
 6. PC Meeting Minutes of 5/29/2007
 7. PC Resolution of 5/29/2007
 8. Site Plan/Elevations/Floor Plans

Distribution: City Manager
Asst. City Manager
City Attorney
City Clerk
Public Svcs Director
Staff (4)
File (2)

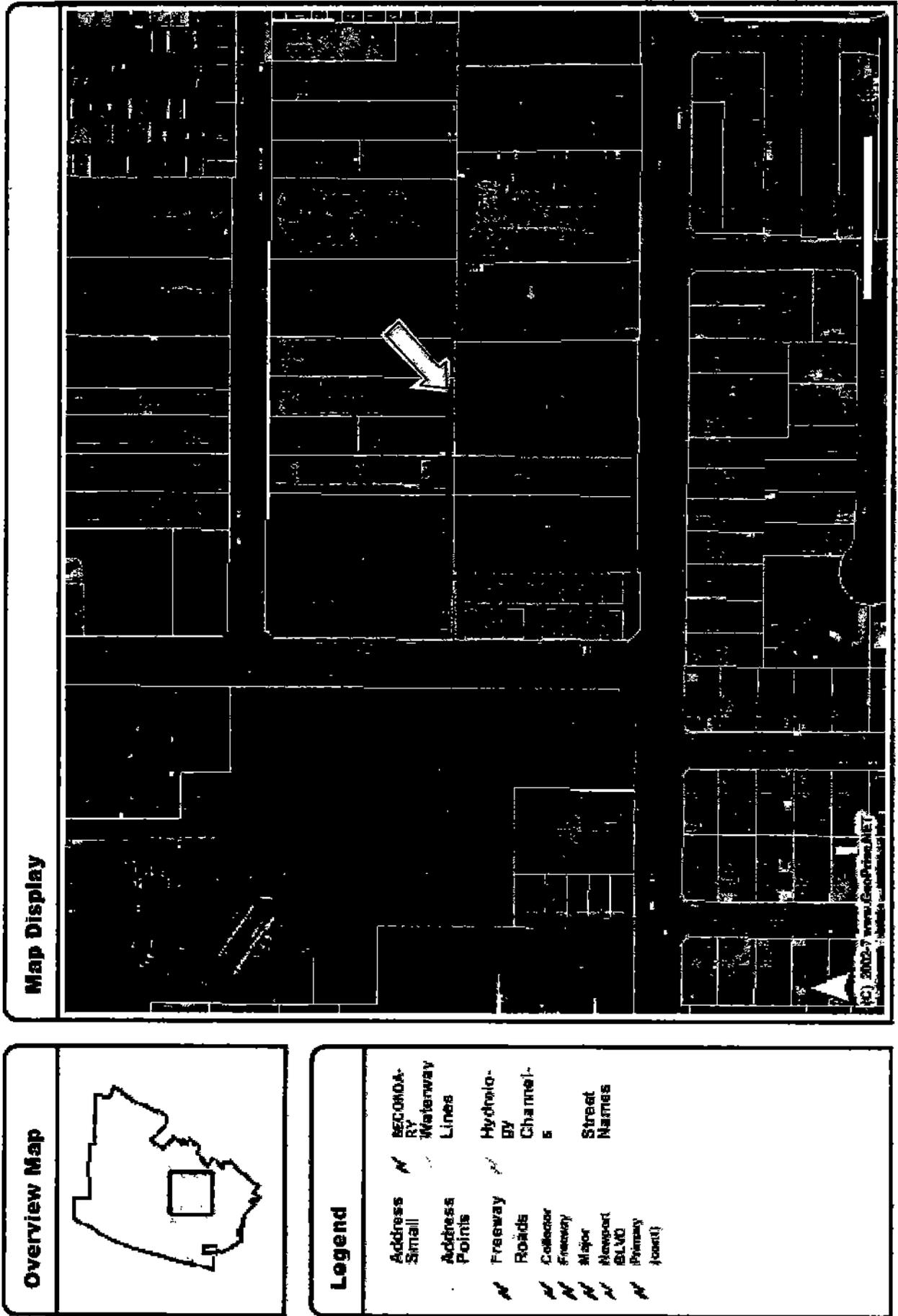
Bryan Coggins
The Preface Group
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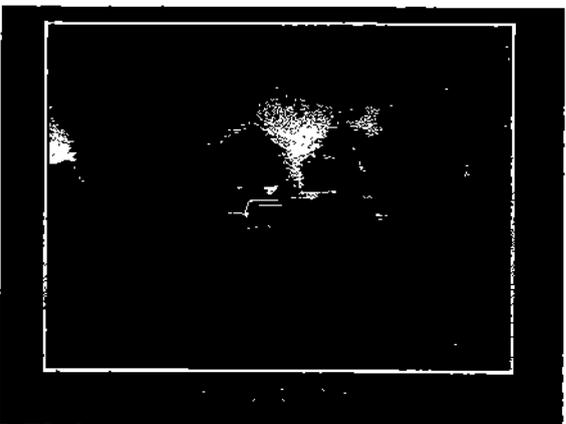
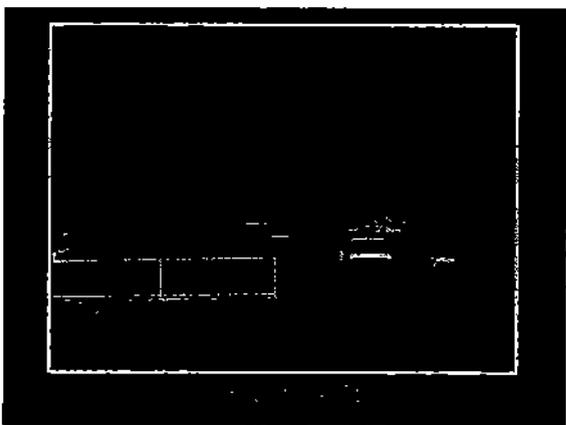
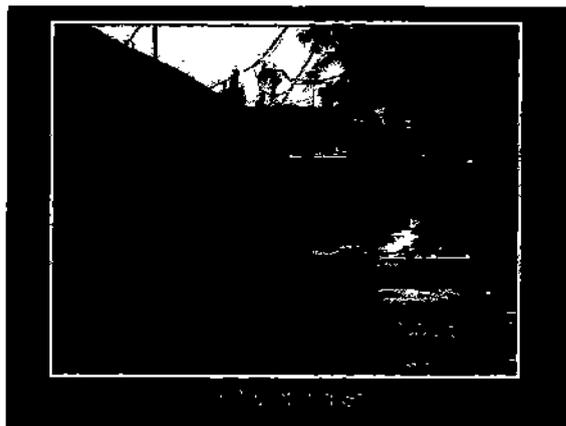
Alan Freeman
372 Victoria Street, LLC
1835 Newport Blvd A109
Costa Mesa, CA 92627

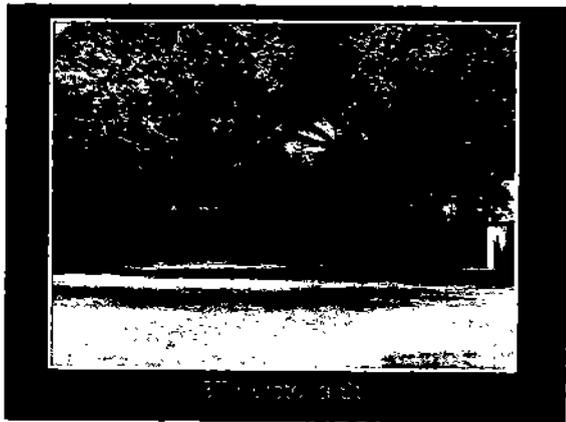
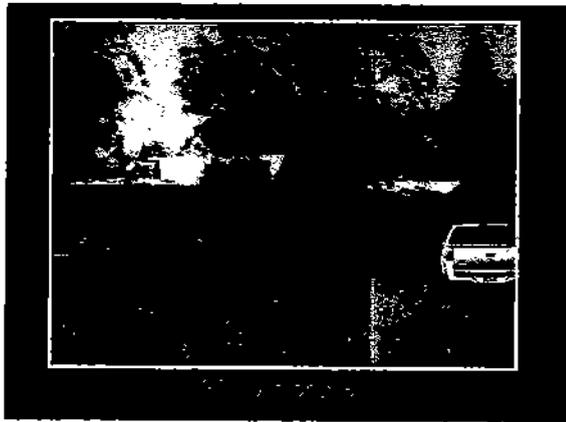
Joe Romero
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Tom Lee
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1807 San Gabriel Blvd., Suite A
San Gabriel, CA 91776

File: 070307R0604PA0652	Date: 061407	Time: 1:30 p.m.
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SITE PLAN SUMMARY

OWNER: THE PREFACE GROUP
 SITE ADDRESS: 372-378 VICTORIA STREET
 APN: 418A04001-001-07
 EXISTING ZONING: R-3
 PROPOSED ZONING: PDR-MD
 PROPOSED UNITS: 30 DETACHED HOMES
 LOT AREA: 73,000 S.F. (1.66 ACRES)
 DENSITY: 17.86 UNITS PER ACRE
 NET OPEN SPACE: 73,000 X .47% = 30,285 S.F.

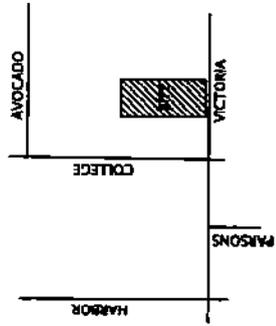
SITE SUMMARY:
 BLDG FOOTPRINT: 22,000 S.F. (R-2N)
 DRIVEWAY: 14,700 S.F. (C-1N)
 OPEN SPACE: 30,285 S.F. (40% PROVIDED AT ON-SITE)
 BALCONIES: 1,874 S.F. (2ND FLOOR OPEN SPACE)

PLAN SUMMARY:
 1 PLAN
 1ST FLOOR UNITS: 266 S.F.
 2ND FLOOR UNITS: 714 S.F.
 3RD FLOOR UNITS: 888 S.F.
 TOTAL LIVABLE AREA: 1,874 S.F.
 BALCONY: 58 S.F.

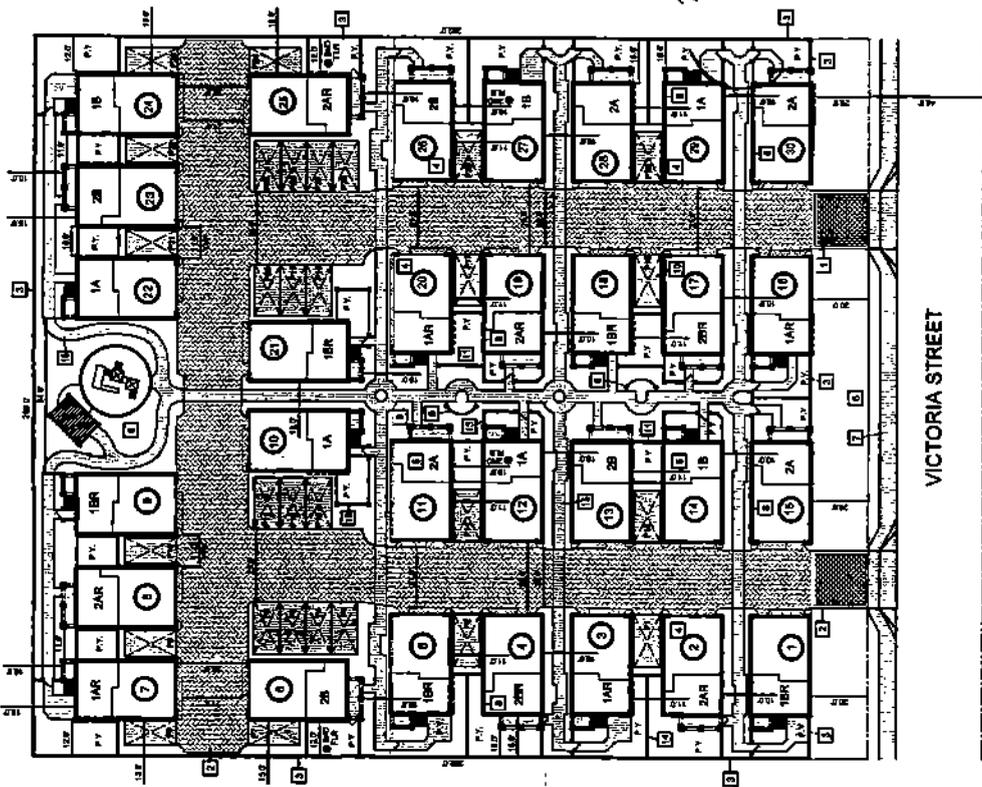
PARKING PROVIDED:
 7 CAR ATTACHED GARAGE/BAY (60 STALLS TOTAL)
 30 OPEN GUEST STALLS
 60 STALLS PROVIDED (2 STALLS PER UNIT)

LOT AREA SUMMARY

1-1	1,500 SF
2-1	1,500 SF
3-1	1,500 SF
4-1	1,500 SF
5-1	1,500 SF
6-1	1,500 SF
7-1	1,500 SF
8-1	1,500 SF
9-1	1,500 SF
10-1	1,500 SF
11-1	1,500 SF
12-1	1,500 SF
13-1	1,500 SF
14-1	1,500 SF
15-1	1,500 SF
16-1	1,500 SF
17-1	1,500 SF
18-1	1,500 SF
19-1	1,500 SF
20-1	1,500 SF
21-1	1,500 SF
22-1	1,500 SF
23-1	1,500 SF
24-1	1,500 SF
25-1	1,500 SF
26-1	1,500 SF
27-1	1,500 SF
28-1	1,500 SF
29-1	1,500 SF
30-1	1,500 SF



Mark Van Wechel
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 11111 BAYVIEW BLVD
 SAN FRANCISCO, CA 94134
 PHONE 770-7944



Site Plan

30 Unit Planned Development

372-378-382 Victoria Street
 Costa Mesa, California
 Scale: 1" = 20' Dec. 16, 2008

FIRE DEPARTMENT NOTES

1. FIRE SPRINKLERS REQUIRED
2. PROVIDE WATER MAIN, FIRE HYDRANTS, AND FIRE FLOW AS REQUIRED BY THE FIRE DEPARTMENT
3. REQUIRED FIRE FLOW SHALL BE 1,200 GPM AT 20 PSI FOR 3 HOURS ABOVE MAXIMUM DAILY DOMESTIC DEMAND
4. PROVIDE WEATHER ACCESS DURING CONSTRUCTION
5. INDICATE PRIVATE DRIVEWAY AS PRIVATE DRIVEWAY AND FIRE LANE ON FINAL MAP.
6. ALL FIRE HYDRANTS SHALL BE INSTALLED, TESTED AND INSPECTED PRIOR TO CONSTRUCTION
7. MARKED ACCESS MUST BE PROVIDED AND MAINTAINED THROUGHOUT CONSTRUCTION TO ALL REQUIRED FIRE DEPARTMENTS
8. PROVIDE FIRE DEPARTMENT ON CITY APPROVED STREET SIGN AND BUILDING ACCESS NUMBERS PRIOR TO OCCUPANCY
9. NO PARKING SHALL BE ALLOWED ALONG EITHER SIDE OF PRIVATE DRIVEWAY

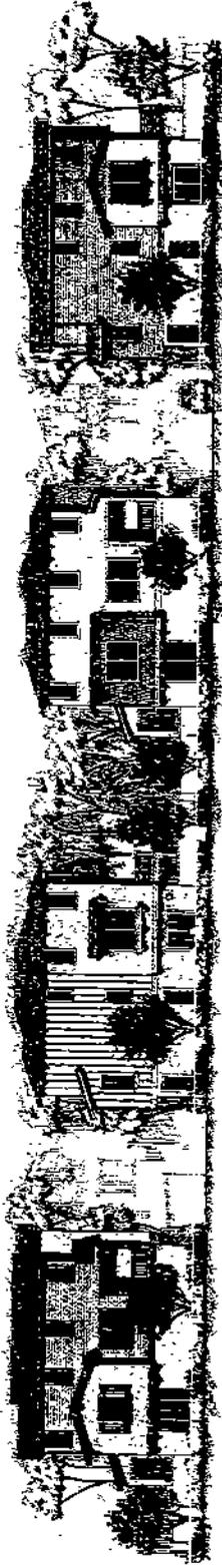
SITE PLAN NOTES

1. FIRE LANE
2. DECORATIVE CONCRETE INTERLOCKING PAVERS
3. 6" KEROLIT FLOOR BLOCK WALL - TAN COLOR
4. 2 CAR GARAGE WITH 16" WIDE DOOR
5. 3-SPACY OVERLAPPING TYP.
6. CONDUCT SITE DRAINAGE TO APPROVED DRAINAGE OUTLET
7. EXISTING SIDEWALK
8. CORRECT PRIMARY WINDOWS TYPICAL AT ELEVATIONS TO ADJACENT NEIGHBOR TO NEIGHBOR UNITS
9. COMMON LANDSCAPE AREA WITH GRASS, 180 PANTS, AND TYPICAL
10. 8.0 X 18 WALK GUEST PARKING BAY
11. PRIVATE OPEN SPACE (P.O.S.)
12. USE OF 2ND FLOOR ABOVE
13. 36" HIGH COURTYARD WALL
14. CAPTURED TOP WOOD/FENCE
15. CONCRETE WALKWAY

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Paseo Elevation



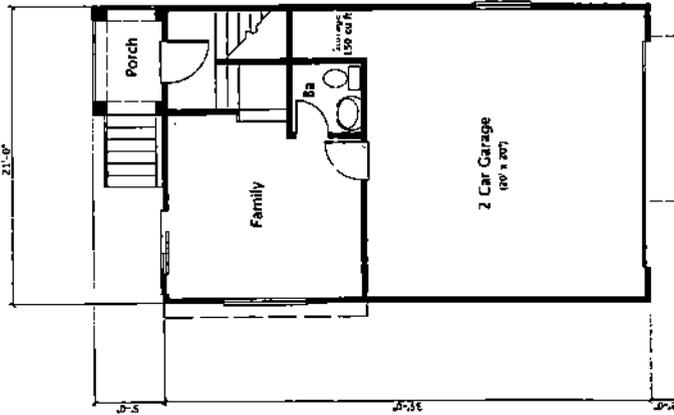
Victoria Elevation

30 Unit Planned Development

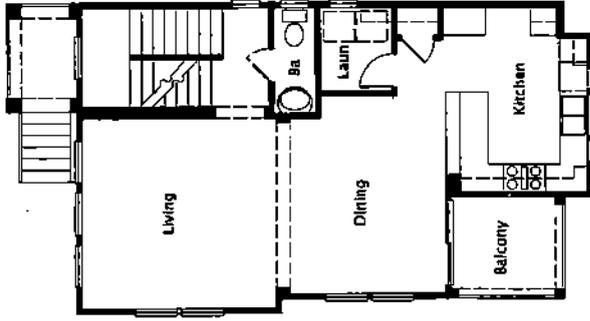
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372-376-182 Victoria Street
 Costa Mesa, California
 Scale: 1" = 4' Mar. 19, 2007

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 ARCHITECTURAL
 FIRM OF CALIFORNIA

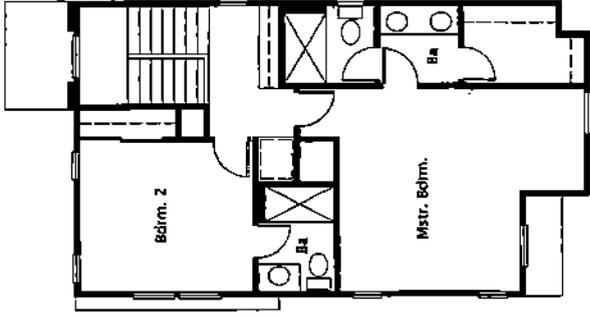


First Floor Plan



Second Floor Plan

Plan 1	
First Floor	285 s.f.
Second Floor	714 s.f.
Third Floor	668 s.f.
Total Livable	1,667 s.f.
Garage	420 s.f.
Balcony	58 s.f.



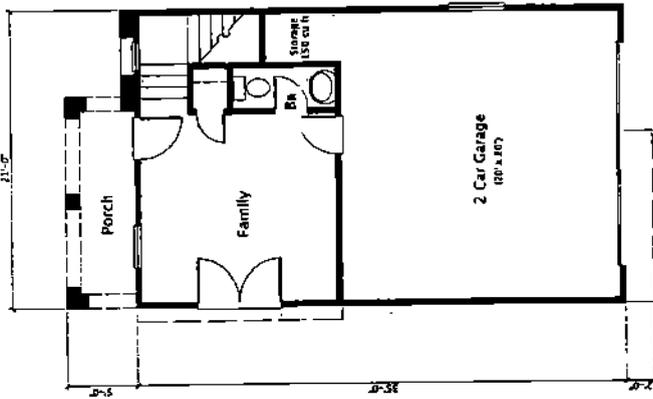
Third Floor Plan

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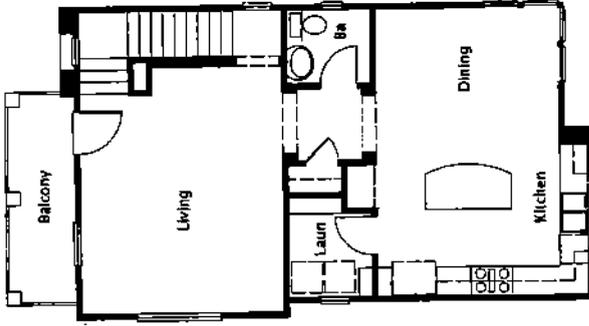
30 Unit Planned Development

372-378-382 Victoria Street
 Costa Mesa, California
 Scale: 1" = 4' Dec. 15, 2006

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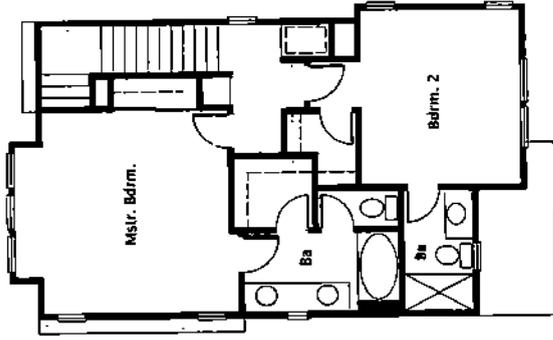


First Floor Plan



Second Floor Plan

Plan 2	
First Floor	285 s.f.
Second Floor	774 s.f.
Third Floor	676 s.f.
Total Livable	1,750 s.f.
Garage	420 s.f.
Balcony	75 s.f.



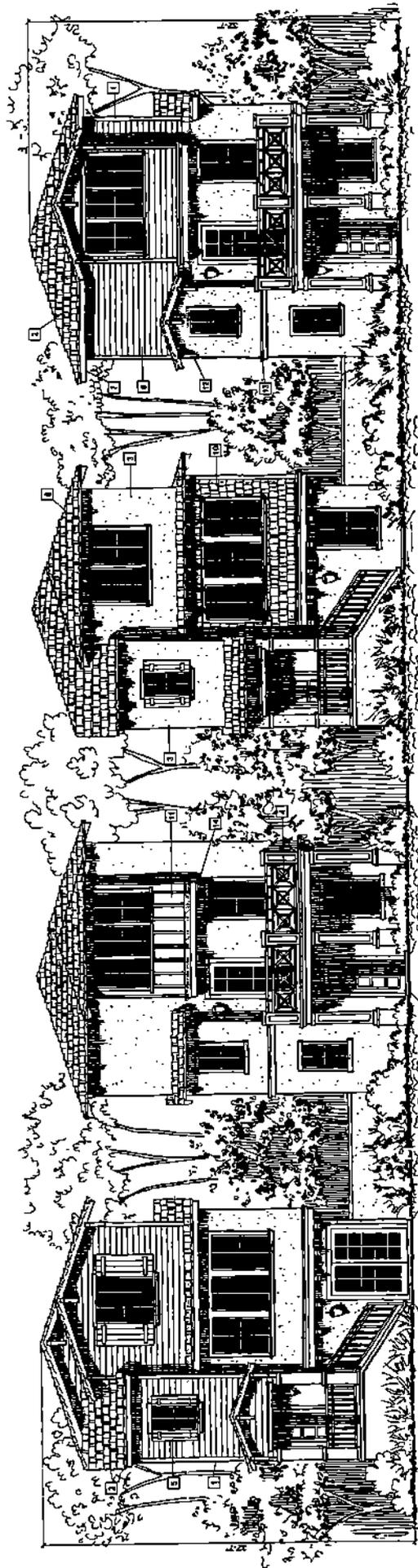
Third Floor Plan

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30 Unit Planned Development

372-378-382 Victoria Street
 Costa Mesa, California
 Scale: 1" = 4' Dec. 15, 2006

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Plan 2A

Plan 1A

Plan 2B

Plan 1B

Front Elevation

Material Schedule

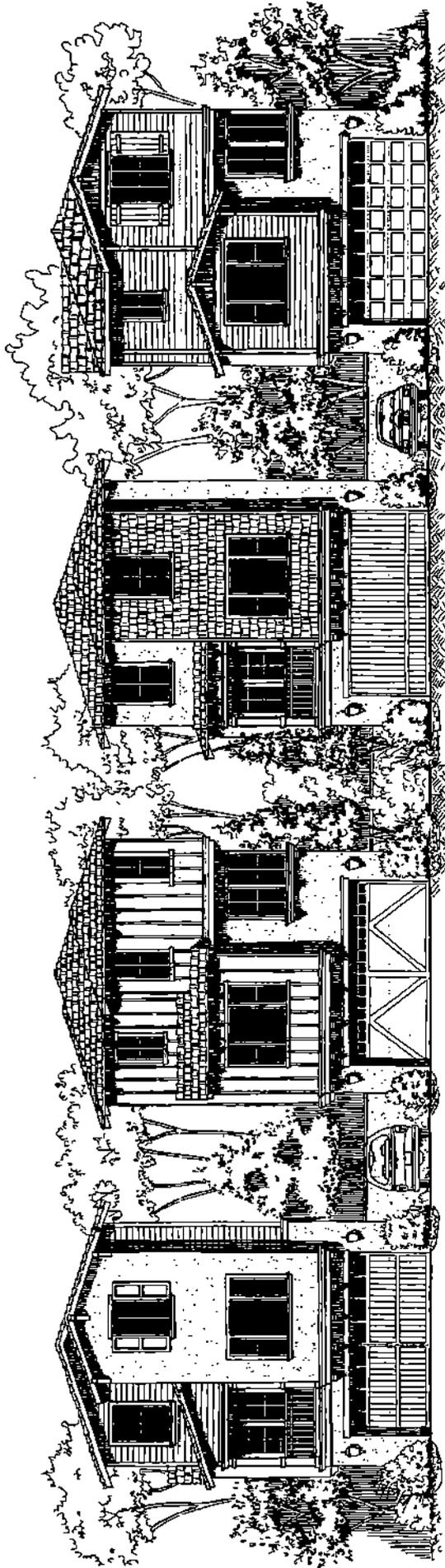
1. 2x4 Reserve Wood Trim
2. Stone Pattern Concrete Tile Roof
3. Slicks - Sand Finish
4. Decorative Wrought Iron
5. Decorative Wreath Brackets
6. Sectional Garage Door
7. 2 x 4 Reserve Wood Fascia/Flute
8. 3 x 6 Reserve Soffit Trim
9. 8" Lap Siding
10. Single Siding
11. Board and Batten Siding
12. Wood Clotpole
13. Faun Trim

30 Unit Planned Development

372-378-382 Victoria Street
 Costa Mesa, California
 Scale: 1" = 4' Dec. 15, 2005

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Plan 1B

Plan 2B

Plan 1A

Plan 2A

Driveway Elevation

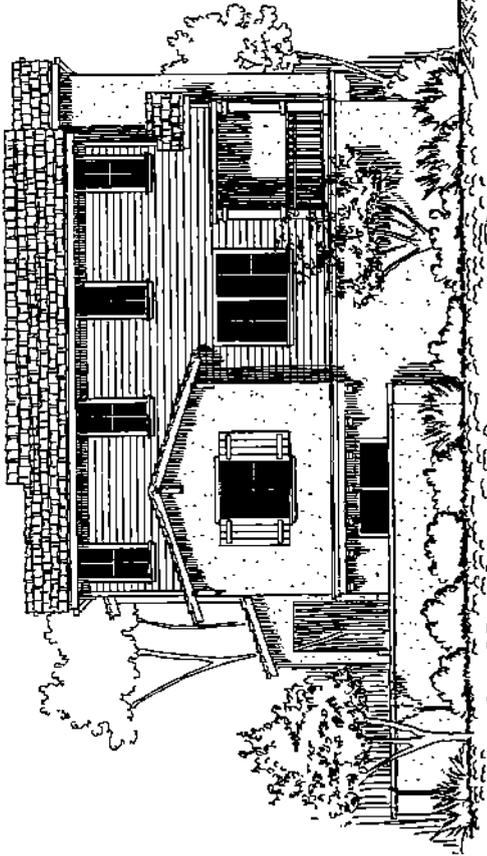
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30 Unit Planned Development

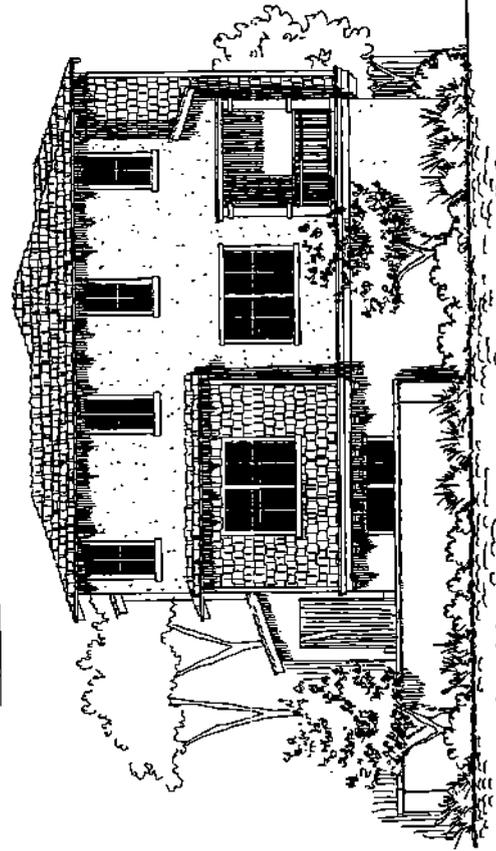
372-378-382 Victoria Street
 Costa Mesa, California
 Scale: 1" = 4' Dec. 15, 2006

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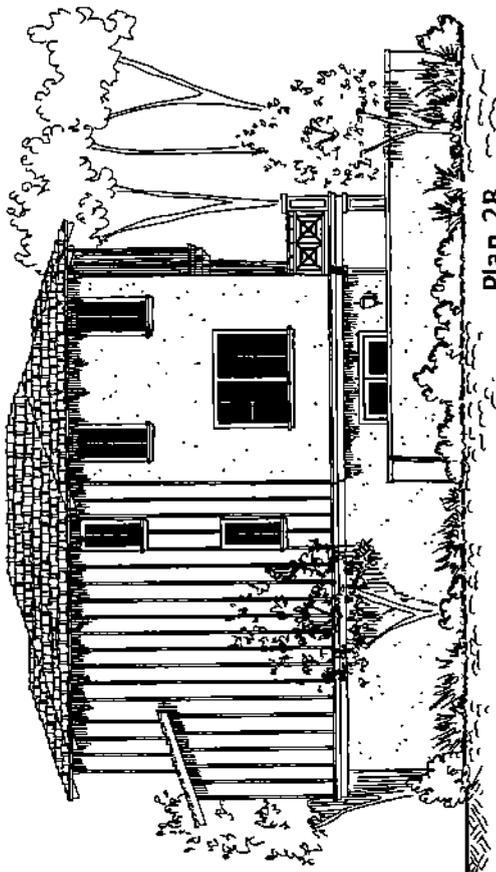
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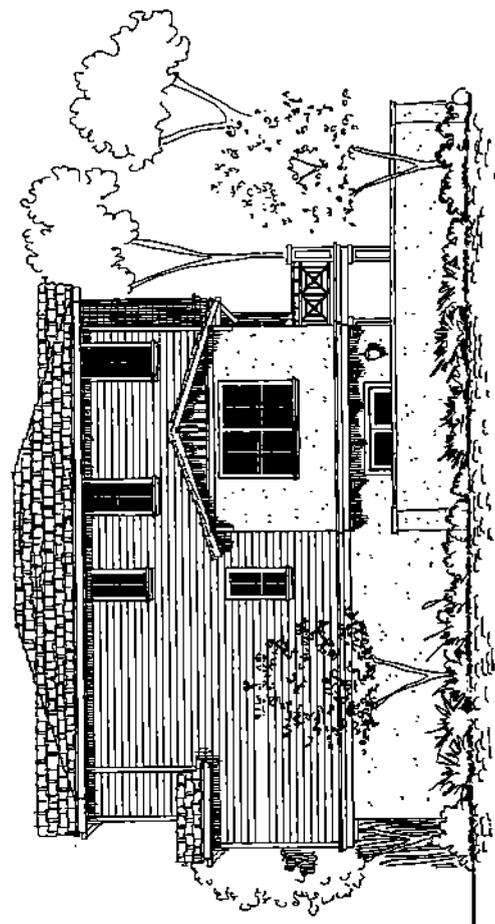
Plan 1B



Plan 1A



Plan 2B



Plan 2A

Victoria Elevation

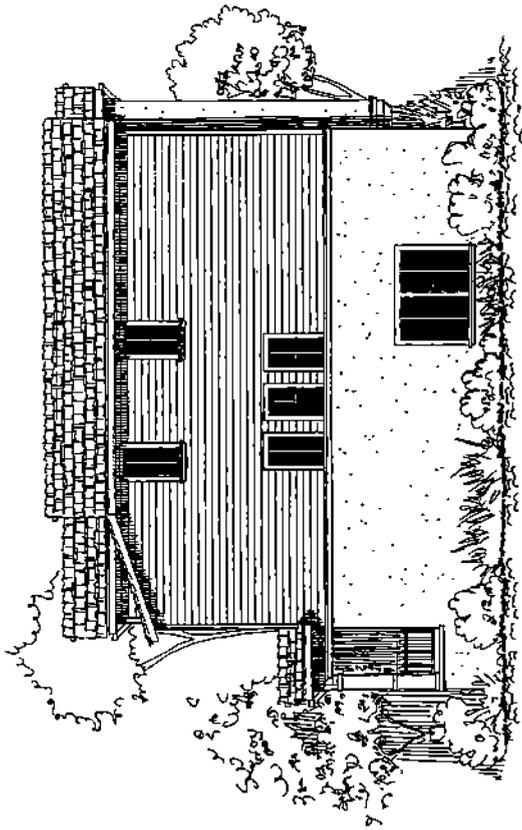
30 Unit Planned Development

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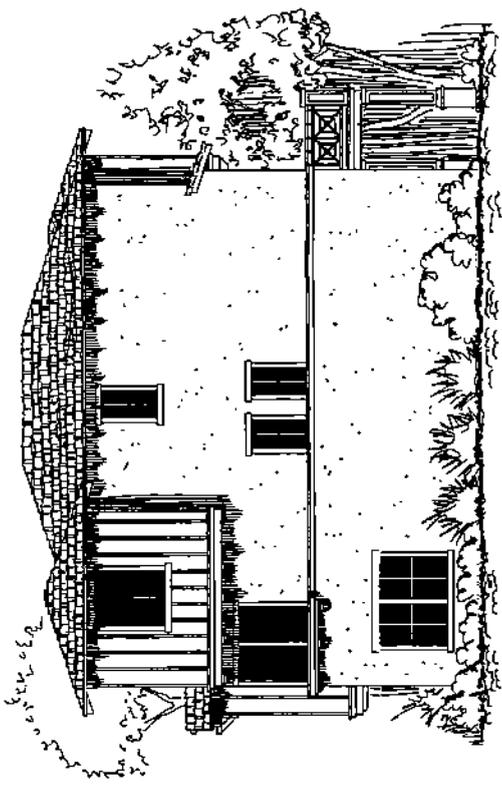
372-378-382 Victoria Street
 Costa Mesa, California
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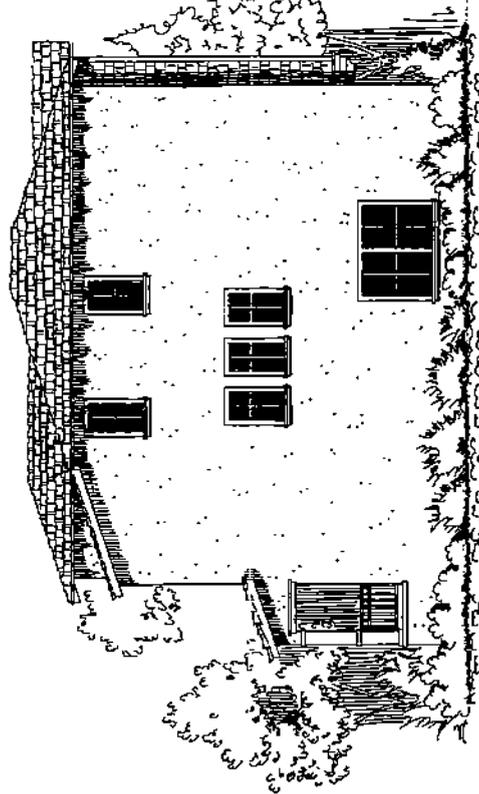
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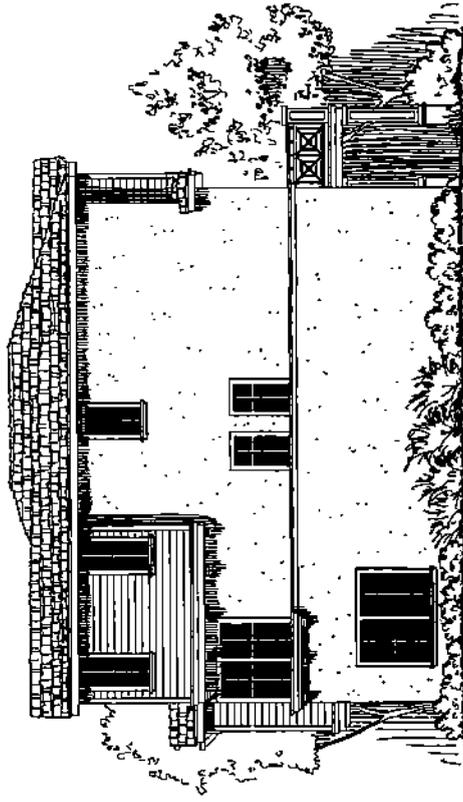
Plan 1B



Plan 2B



Plan 1A



Plan 2A

Side Elevations

30 Unit Planned Development

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372-378-382 Victoria Street
 Costa Mesa, California
 Scale: 1" = 8' Dec. 15, 2006



17

ORDINANCE NO. 07-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REZONING THREE PARCELS TOTALLING 1.68 ACRES FROM R2-HD AND R3 (MULTIPLE-FAMILY RESIDENTIAL) TO PLANNED DEVELOPMENT RESIDENTIAL HIGH DENSITY (PDR-HD) FOR PROPERTY LOCATED AT 372, 378, AND 382 VICTORIA STREET

THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY ORDAIN AS FOLLOWS:

WHEREAS, Rezone R-07-02 is consistent with the 2000 General Plan adopted in January, 2002 and Costa Mesa Zoning Code, as amended;

WHEREAS, Rezone R-07-02 involves the following: (1) Rezone of 382 Victoria Street from R3 (Multiple-Family Residential District) and (2) Rezone of 378 and 372 Victoria Street from R2-HD (Multiple-Family Residential District, High-Density) to PDR-HD (Planned Development Residential, High-Density);

WHEREAS, Rezone R-07-02 will allow development of the combined three parcels totaling 1.68-acre at a maximum density of 20 du/ac as allowed by the General Plan;

SECTION 1. REZONE. The City of Costa Mesa Official Zoning Map is hereby amended as follows:

a. There are hereby placed and included in the Planned Development Residential-High Density (PDR-HD) zoning district 1.68 acres, identified as Assessor Parcel Numbers 419-042-05, 419-042-06, and 419-042-07 and as described in attached Exhibit 1, situated in the City of Costa Mesa, County of Orange, State of California.

b. Pursuant to the provisions of Section 13-22 of the Costa Mesa Municipal Code, the Official Zoning Map of the City of Costa Mesa is hereby amended by the change of zone described in subsection a hereof and in the respective exhibit. A copy of the Official Zoning Map is on file in the office of the Planning Division.

SECTION 2. ENVIRONMENTAL DETERMINATION. The proposed rezone was processed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the City of Costa Mesa Environmental Guidelines, and is considered an exempt activity under CEQA Guidelines Section 15332. Class 32, related to infill development.

SECTION 3. INCONSISTENCIES. Any provision of the Costa Mesa Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to affect the provisions of this Ordinance.

SECTION 4. SEVERABILITY. If any provision or clause of this ordinance or the application thereof to any person or circumstances is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions or clauses or applications of this ordinance which can be implemented without the invalid provision, clause or application; and to this end, the provisions of this ordinance are declared to be severable.

SECTION 5. PUBLICATION. This ordinance shall take effect and be in full force thirty (30) days from and after the passage thereof, and, prior to the expiration of fifteen (15) days from its passage, shall be published once in the ORANGE COAST DAILY PILOT, a newspaper of general circulation, printed and published in the City of Costa Mesa or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the office of the City Clerk five (5) days prior to the date of adoption of this Ordinance, and within fifteen (15) days after adoption, the City Clerk shall cause to be published the aforementioned summary and shall post in the office of the City Clerk a certified copy of this Ordinance together with the names of the members of the City Council voting for and against the same.

PASSED AND ADOPTED this _____ day of _____ 2007.

Mayor of the City of Costa Mesa

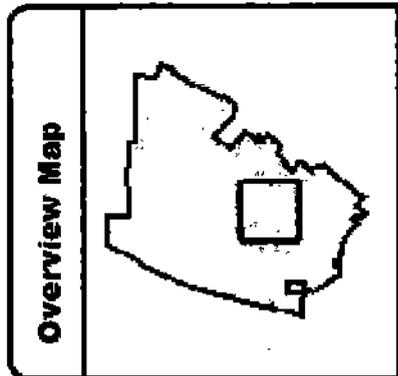
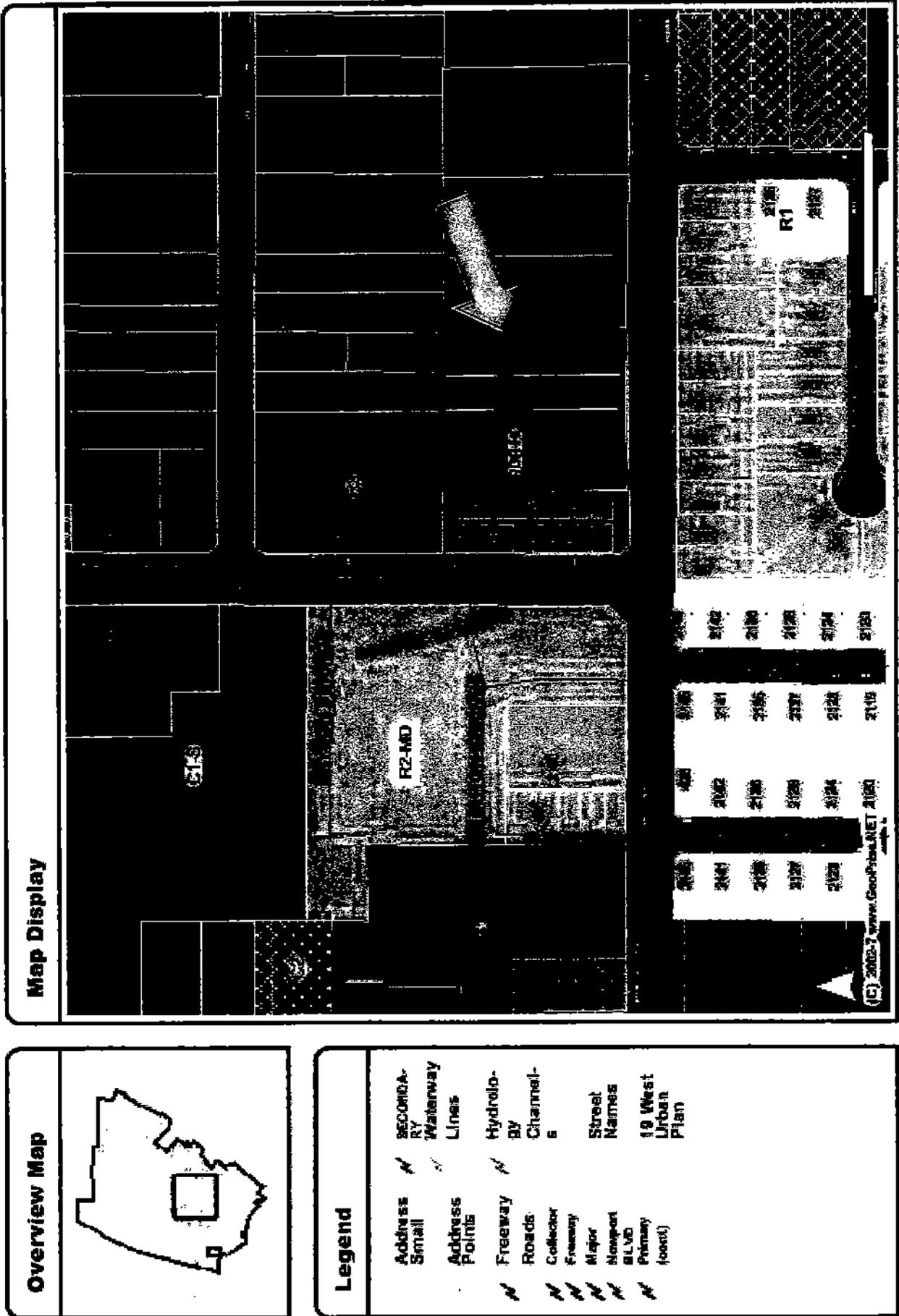
ATTEST:

APPROVED AS TO FORM:

City Clerk of the City of Costa Mesa

City Attorney

EXHIBIT 1



Legend

Address Small	SECURITY
Address Points	Waterway Lines
Freeway	Hydrology
Roads	Channel
Collector	Street Names
Freeway	19 West Urban Plan
Major	
Neighborhood	
BLVD	
Primary (local)	

RESOLUTION NO. 07-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-07-02 AND TENTATIVE TRACT MAP T-16990 AT 372, 378, AND 382 VICTORIA STREET

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

WHEREAS, an application was filed by Bryan Coggins of The Preface Group, as authorized agent for property owners, 372 Victoria Street, LLC, Victoria Street Development Company, L.C, and CF Enterprises;

WHEREAS, the proposed project involves the following: (1) Rezone R-07-02 for a rezone of the properties from R2-HD/R3 (Multiple-Family Residential) to PDR-HD (Planned Development Residential – High Density); (2) Planning Application PA-07-02 for a Master Plan for a 30-unit single-family, detached common-interest development; and (3) Tentative Tract Map T-16990 to subdivide the property for condominium purposes;

WHEREAS, the project site is real property located at 372, 378, and 382 Victoria Street totaling 1.68 acres;

WHEREAS, the proposed project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and is considered an exempt activity under CEQA Guidelines Section 15332, Class 32, related to infill development;

WHEREAS, duly noticed public hearings were held by the Planning Commission on May 29, 2007 and by the City Council on July 3, 2007 to allow for public comment on the proposed project and with all persons having been given the opportunity to be heard both for and against the proposed project;

WHEREAS, the Planning Commission adopted Resolution PC-07-43 which recommended the following actions to City Council: (1) give first reading to Ordinance for Rezone R-07-02 to change the zoning classification of the 1.68-acre subject site from R2-HD and R3 (Multiple Family Residential) to PDR-HD (Planned Development Residential – High Density); (2) approve Planning Application PA-07-02 and Tentative Tract Map T-16990, subject to conditions;

WHEREAS, City Council gave first reading to the Ordinance for Rezone R-07-02 by separate motion;

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 Rezone R-07-02/Planning Application PA-07-02/T-16990, based on the findings contained in Exhibit "A", and upon applicant's compliance with each and all of the conditions contained in Exhibit "B." Should any material change occur in the operation, or should the applicant fail to comply with the conditions of approval, this Resolution, and any recommendation for approval herein contained, shall be deemed null and void.

PASSED AND ADOPTED this 3rd day of January, 2007.

ALLAN MANSOOR, MAYOR
CITY COUNCIL OF THE CITY OF COSTA MESA

EXHIBIT "A"**FINDINGS**

- A. Rezone R-07-02 is consistent with the General Plan and Zoning Code, as amended. The rezone to PDR-HD is within the development capacity of the General Plan and would not exceed the maximum allowable density of the High-Density Residential land use designation. The rezone also included an analysis of the interface and compatibility between existing residential uses and the proposed three-story structures and was found to be compatible with the adjacent residential properties.
- B. The proposed master plan for a residential common interest development project and related improvements provide for residential home ownership and are in conformance with the goals, policies, and objectives of the Costa Mesa General Plan and provisions of the Zoning Code. Specifically, the master plan is in conformance with the broader goals of the General Plan for a single-family residential condominium project and exhibits excellence in design, site planning, integration of uses and structures and protection of the integrity of neighboring development. While the proposed master plan does not reflect the minimum/average lot sizes of traditional small-lot subdivisions in the City, these minimum/average lot size requirements are not applicable in planned development zones. Overall the proposed master plan represents a desirable product type in conformance with the General Plan.
- C. The proposed project complies with Costa Mesa Municipal Code Section 13-29(e) because:
- a. The proposed development and use is compatible and harmonious with uses both onsite as well as those on surrounding properties. Specifically, the proposed high-density residential development will replace existing structures originally built in the 1940s and 1950s. New minimum 6-foot tall perimeter block walls will provide noise attenuation and privacy from the adjacent properties.
 - 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. The project shall provide a standard residential drive approach from Victoria Street that shall be ungated to avoid vehicle queuing from the public street.
 - c. The planning application is for a project-specific case and does not establish a precedent for future development.
 - d. The cumulative effects of Rezone R-07-02, Planning Application PA-07-02, and Tract Map T-13990 have been considered.
- D. The project meets the purpose and intent of the Residential Design Guidelines which are intended to promote design excellence in new residential construction, with consideration given to compatibility with the established residential community. First, although the proposed units exceed the 80 percent second floor to first floor ratio recommended in the City's Residential Design Guidelines, the building massing will be primarily visible from within the development. Second, architectural treatments provide visual enhancements in the place of physically articulated wall planes. Third, the project features a 10-foot side

setback along the side property lines as recommended by the Residential Design Guidelines. Fourth, varied building materials and architectural elements (custom garage doors, wrought iron fencing, wooden shutters, stucco elements, enhanced entry porches, and balconies) contribute to a well-designed residential project.

- E. In conformance with the General Plan, the proposed project gives consideration to adequate light and air to adjoining neighbors. The Planned Development Residential zone allows building height up to four stories. The proposed structures are three stories/33 feet in height. While the proposed structures are 7 feet higher than a two story/27-foot tall residence, the project observes increased side setbacks of 10 feet which help minimize shade/shadow effects. Overall the project is found to be compatible with the adjacent residential properties.
- F. In accordance with State Law, the project has been reviewed for compliance with the California Environmental Quality Act and is considered an exempt activity under CEQA Guidelines Section 15332, Class 32, related to infill development. Thus, the evidence presented in the record as a whole indicates that the project will not individually or cumulatively have an adverse effect on the environment.
- G. The proposed project complies with minimum requirements for fire apparatus access through the provision of a 20-foot wide drivable area. Due to the 292-foot depth of the lot, the challenges associated with fire access may be minimized by the installation of residential sprinkler systems for all 30 dwelling units and two on-site fire hydrants to be installed pursuant to the direction of the Fire Marshal.
- H. 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.
- I. The future subdivision for condominium purposes and development of the property 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. The subdivision map application shall be processed and approved by the City prior to issuance of building permits to ensure compliance with the Subdivision Map Act requirements and provision of ownership dwelling units.
- J. 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).
- K. The project is subject to the City's adopted Traffic Impact Fee Program. The purpose of the fee is to fund the necessary transportation/circulation improvements which are related directly to the incremental traffic impacts imposed on the City's transportation system by new developments or expansion of existing developments. In accordance with the City of Costa Mesa Municipal Code Section 13-274(e), the developer of any development project subject to traffic impact fees may apply to the City Council for a waiver of the fee, or portion of the fee, based upon adequate documentation of the absence of any reasonable relationship or nexus between the circulation impacts of that development and the fee amount charged.
- L. The proposed use of the subdivision is for residential ownership purposes which is compatible with the objectives, policies, general plan land use designation, and programs

specified in the City of Costa Mesa 2000 General Plan.

- M. The subject property is physically suitable to accommodate Tract Map T-16990 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.
- N. The subdivision 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 subdivision.

EXHIBIT "B"

CONDITIONS OF APPROVAL

- Plng. 1. Address assignment shall be requested from the Planning Division prior to submittal of working drawings for plan check. The approved address of individual units, suites, buildings, etc, shall be blueprinted on the site plan and on all floor plans in the working drawings.
2. The approval of PA-07-02 and T-16990 is contingent upon City Council's final approval of the Rezone R-07-02 and shall not become effective until all other discretionary approvals are final and become effective.
3. Prior to issuance of building permits, applicant shall contact the U.S. Postal Service with regard to location and design of mail delivery facilities. Such facilities shall be shown on the site plan, landscape plan, and/or floor plan.
4. The conditions of approval or code provisions of PA-07-02/T-16990 shall be blueprinted on the face of the site plan as part of the plan check submittal package. The project shall comply with these requirements.
5. All residential units shall be "for sale" units. The site shall not be developed for apartments or other non owner-occupied units. The subdivision map must be final and recorded prior to issuance of building permits.
6. Street addresses shall be displayed on the front of each unit **and** on a complex identification sign visible from the street. Street address numerals shall be a minimum 6 inches in height with not less than ½-inch stroke and shall contrast sharply with the background.
7. The subject property's ultimate finished grade level may not be filled/raised unless necessary to provide proper drainage, and in no case shall it be raised in excess of 30 inches above the finished grade of any abutting property. If additional fill dirt is needed to provide acceptable on-site storm water flow to a public street, an alternative means of accommodating that drainage shall be approved by the City's Building Official prior to issuance of any grading or building permits. Such alternatives may include subsurface tie-in to public stormwater facilities, subsurface drainage collection systems and/or sumps with mechanical pump discharge in-lieu of gravity flow. If mechanical pump method is determined appropriate, said mechanical pump(s) shall continuously be maintained in working order. In any case, development of subject property shall preserve or improve the existing pattern of drainage on abutting properties. No cross lot drainage to adjacent properties shall be allowed.
8. To avoid an alley-like appearance, the private street shall not be entirely paved with asphalt nor be developed with a center concrete swale. The entry/exit drive of the private street shall be made of stamped concrete or pervious pavers. The final landscape concept plan shall indicate the landscape palette and the design/material of paved areas, and the landscape/hardscape plan shall be approved by the Planning Division prior to issuance of building permits.
9. The final landscape plan shall include recommended trees from the Appendix B and Appendix D of the Streetscape and Median Development Standards. Specifically, the front landscaped setback shall include Pistacia chinensis/Pinus canariensis/Tristania conferta or other tree species as deemed acceptable by the Development Services Director.
10. The site plan submitted with initial working drawings shall contain a notation

- specifying that the project is a single-family detached common interest development and shall specify the ultimate interior property lines.
11. The applicant shall contact the Planning Division to arrange Planning inspection of the site prior to the release of occupancy/utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
 12. Prior to issuance of building permits, applicant shall submit an acoustical study completed by a qualified acoustical engineer to verify the minimum height requirements for a sound wall or minimum building construction standards to comply with the City's Noise Ordinance for interior and exterior areas of the residential development.
 13. Prior to issuance of certificate of occupancy, the applicant shall construct a minimum 6-foot tall decorative block/sound wall around the perimeter of the project site. Where walls on adjacent properties already exist, the applicant shall work with the adjacent property owner(s) to prevent side-by-side walls with gaps in between them and/or provide adequate privacy screening by trees and landscaping. The block wall shall be constructed of slumpstone block at least 6 inches thick and shall be of consistent color and texture (Orco Block – La Paz) or match any existing masonry walls within the immediate street segment. Brick trim caps are required on all block walls. Refer to Section 8.06 of the City's Streetscape and Median Development Standards or contact the Planning Division for more information on this requirement.
 14. The applicant shall contact the current cable service provider prior to issuance of building permits to arrange for pre-wiring for future cable communication service.
 15. To the fullest extent possible, the landscape plan shall feature 24-inch box trees and 5-gallon shrubs that exceed the minimum size requirements of trees and shrubs as described in the City's landscaping standards to the satisfaction of the Development Services Director. The landscape plan shall also show decorative treatment (i.e. turf block, brick, aggregated) within the private driveway. The landscape plan shall be approved prior to issuance of building permits.
 16. If the project is constructed in phases, the decorative perimeter block/noise wall, landscaping within the street setback areas, and irrigation shall be installed prior to the release of utilities for the first phase.
 17. Closets in the first-floor family room are prohibited. The applicant shall ensure that closets are not shown in any of the floor plans of the different plan models.
 18. No modification(s) of the approved building elevations including, but not limited to, changes that increase the building height, removal of building articulation, design modifications to the custom-made garage doors, or a change of the finish material(s), shall be made during construction without prior Planning Division written approval. Failure to obtain prior Planning Division approval of the modification could result in the requirement of the applicant to (re)process the modification through a discretionary review process, or in the requirement to modify the construction to reflect the approved plans.
 19. No exterior roof access ladders, roof drain scuppers, or roof drain downspouts shall be permitted.
 20. The guest and resident only parking stalls shall be clearly distinguished either by signage, labeling the wheel stops, or other means as deemed appropriate by the Development Services Director prior to issuance of the first certificate of occupancy. A sign shall be posted indicating that violators shall have their vehicles towed at the vehicle owner's expense.

21. Minimum 36' inch high concrete/steel bollards shall be installed between the homes located on Lot 6, Lot 10, Lot 21, and Lot 25 and the open parking lots provided for guest parking prior to issuance of the first certificate of occupancy.
22. Applicant shall submit floor plans for all models, including reverse plan models, with the working drawings for plan check.
23. There shall be minimal nighttime lighting, primarily security purposes, of the common areas. Any lighting under the control of the applicant shall be directed in such a manner so as to not unreasonably interfere with the quiet enjoyment of the nearby residences abutting the project site.
24. Demolition permits for existing structures shall be obtained and all work and inspections completed prior to final building inspections. Applicant is notified that written notice to the Air Quality Management District may be required ten (10) days prior to demolition.
25. All backflow prevention devices, transformers, and other utility or ground-mounted equipment shall not be located in any landscaped setback visible from the street, except when required by applicable uniform codes, and shall be screened from view, under the direction of Planning Staff. The applicant shall show method of screening for all ground-mounted equipment (backflow prevention devices, Fire Department connections, electrical transformers, etc.) on the initial working plans.
26. The project site shall be graded in a manner to eliminate the necessity of retaining walls within the project site to the maximum extent feasible. This condition excludes the proposed perimeter retaining walls along the development lot lines.
27. Applicant shall submit a written determination from the Sanitary District and/or any contract trash collection service that on-site trash collection service can be provided to each individual dwelling unit. In addition, applicant shall sign and record a land use restriction prohibiting trash collection in the public right-of-way; if adequate, screened on-site storage for trash containers is provided; and with a limitation of no more than two trash containers per dwelling unit. Proof of compliance will be required prior to issuance of building permits.
28. Construction, grading, materials delivery, equipment operation or other noise-generating activity shall be limited to between the hours of 7 a.m. and 8 p.m., Monday through Friday, and between the hours of 8 a.m. and 6 p.m. on Saturday. Construction is prohibited on Sundays and Federal holidays. Exceptions may be made for activities that will not generate noise audible from off-site, such as painting and other quiet interior work.
29. Prior to issuance of building permits, the applicant shall provide the Conditions, Covenants, and Restrictions (CC&Rs) to the Development Services Director and City Attorney's office for review. The CC&Rs must be in a form and substance acceptable to, and shall be approved by the Development Services Director and City Attorney's office. The CC&Rs shall contain provisions that effectively implement the following parking-related requirements: (1) require that the homeowner's association (HOA) require homeowners to maintain a 20' x 20' unobstructed area in their enclosed garages to allow parking of two vehicles instead of any other purpose (e.g. storage); (2) require that the HOA contract with a towing service to enforce the parking regulations; and (3) require guest open parking spaces to be available for use for everyone in the development, inclusive of guests, residents, and any other authorized persons. Any subsequent revisions to the CC&Rs related to these parking provisions must be reviewed and approved by the City Attorney's office and the Development Services Director before they become effective.

30. Applicant shall provide proof of establishment of a homeowner's association prior to release of any utilities.
31. Garages for individuals units shall be equipped with automatic garage door openers and 18' wide, roll-up garage doors.
32. Prior to building permit issuance, the applicant shall submit a final tot lot plan for review and approval, which includes detailed playground specifications of manufactured play equipment. The playground plan shall depict safety fall zones, safety surfacing materials and construction specifications, manufacturer and model numbers of equipment and equipment deck heights. On a project-specific basis, the Development Services Director shall require that the playground plan adequately serve the anticipated number of users and their activities.
33. Stationary play equipment in the tot lot shall be located on turf, sand, or other treated surface to the satisfaction of the Development Services Director. Common outdoor play areas shall include a combination of both soft and hard surfaces. At least one of each type of ground level play equipment in the tot lot shall be handicapped accessible. A minimum of one shaded seating area shall be provided in the tot lot to encourage adult supervision of children.
34. Prior to issuance of a certificate of occupancy, the applicant shall submit a letter stating that the play equipment installation has been inspected by a person authorized by the manufacturer, that the equipment has been installed per manufacturer's specifications, and that it complies with the minimum playground safety regulations adopted by the State of California (California Code of Regulations, Title 22, Division 4, Chapter 22).
35. The applicant shall provide a minimum 42-inch high, reinforced, combination block wall/wrought iron fence with a self-latching gate to serve as a vehicle safety barrier around the perimeter of the tot lot. Any alternative barrier meeting the intent of this requirement may be approved by the Development Services Director. This barrier shall be installed prior to issuance of the first certificate of occupancy.
36. Demolition permits for existing structures shall be obtained and all work and inspections completed prior to final building inspections. Applicant is notified that written notice to the Air Quality Management District may be required ten (10) days prior to demolition.
- Bldg. 37. Applicant shall submit a soils report to the Building Division for this project concurrently with the submission of grading plans. One boring shall be at least 15 feet deep. Soils report recommendations shall be blueprinted on the plans.
38. Applicant shall submit grading, drainage, and erosion control plans for this project.
- Trans. 39. Applicant shall close unused drive approach(es) with curb and gutter.
40. The Type II residential drive approach shall be constructed to suit approved entry design to the satisfaction of the Transportation Manager. Drive aisles, parking stall configurations, and turning radius must comply with the City's parking design standards. Applicant shall comply with minimum clearance requirements from property lines and vertical obstructions.
41. Vehicle Entry/Security gates shall be prohibited unless an acceptable security gate plan is approved by the Transportation Manager at a later date.
42. Applicant shall provide 18-foot wide garage doors for all units.
43. Aisle width shall be a minimum of 20-feet at all landscaped planters.
- Eng. 44. Maintain the public right-of-way in a "wet-down" condition to prevent excessive dust and promptly remove any spillage from the public right-of-way by sweeping or sprinkling.

45. Applicant shall contact the Engineering Division to discuss requirements for on-site retention of stormwater flows.
46. Applicant shall comply with all of the engineering conditions for Tract Map T-16990 as set forth in the City Engineer's letter to the applicant dated April 16, 2007.
- Fire 47. Overhangs, eaves, awnings, etc. shall not encroach into the fire access area along the driveway.
48. Provide Residential Fire Sprinklers per NFPA Standard 13R for all dwelling units and two on-site fire hydrant to be located pursuant to the direction of the Fire Marshal.



CITY OF COSTA MESA

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

FROM THE DEPARTMENT OF PUBLIC SERVICES/ENGINEERING DIVISION

April 16, 2007

Costa Mesa Planning Commission
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92626

SUBJECT: Tract No. 16990
LOCATION: 372, 378 and 382 Victoria Street

Dear Commissioners:

Tentative Tract Map No. 16990 as furnished by the Planning Division for review by the Public Services Department, consisting of a one-lot subdivision for condominium purposes. Tentative Tract Map No. 16990 meets the approval of the Public Services Department, subject to the following conditions:

1. The Tract shall be developed in full compliance with the State Map Act and the City of Costa Mesa Municipal Code (C.C.M.M.C.), except as authorized by the Costa Mesa City Council and/or Planning Commission. The attention of the Subdivider and his engineer is directed to Section 13-208 through 13-261 inclusive, of the Municipal Code.
2. The Subdivider shall conduct soil investigations and provide the results to the City of Costa Mesa Engineering and Building Divisions pursuant to Ordinance 97-11, and section 66491(a) of the Subdivision Map Act.
3. Two copies of the Final Tract Map shall be submitted to the Engineering Division for checking. Map check fee shall be paid per C.C.M.M.C. Section 13-231.
4. In accordance with C.C.M.M.C. Section 13-230, the Subdivider shall submit street improvement plans and/or off-site plans at the time of first submittal of the Final Tract Map. Plan check fee shall be paid per C.C.M.M.C. Section 13-231.
5. The Final Tract Map and all off-site improvements required to be made, or installed by the Subdivider, shall meet the approval of the City Engineer. Prior to any on-site/off-site construction, permits shall be obtained from the City of Costa Mesa Engineering Division.
6. Off-site driveway approach shall comply with ADA and Title 24 Standards. All driveway locations and driveway design shall meet the approval of the City Engineer.
7. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then remove any existing driveways and/or curb depressions that will not be used and replace with full height curb and sidewalk at applicant's expense.

21. Survey monuments shall be preserved and referenced before construction and replaced after construction, pursuant to Section 8771 of the Business and Profession Code.
22. The elevations shown on all plans shall be on Orange County benchmark datum.
23. Prior to recordation of a Final Tract Map, submit required cash deposit or surety bond to guarantee monumentation. Deposit amount to be determined by the City Engineer.
24. Prior to occupancy on the Tract, the surveyor/engineer shall submit to the City Engineer a Digital Graphic File of the recorded Tract Map & As-Built of the off-site plans, reproducible mylar of the recorded Tract Map and seven copies of the recorded Tract Map.

Sincerely,



Ernesto Munoz, P. E.
City Engineer

/ch (Engr. 2007/Planning Commissior Tract 16990)



CITY OF COSTA MESA

CALIFORNIA 92628-1200

P.O. BOX 1200

FROM THE OFFICE OF THE TRANSPORTATION SERVICES MANAGER

May 1, 2007

Bryan Coggins
1835 Newport Boulevard, #A109
Costa Mesa, California 92627

RECEIVED
CITY OF COSTA MESA
DEVELOPMENT SERVICES DEPARTMENT
MAY - 1 2007

SUBJECT: DEVELOPMENT APPLICATION #PA-07-02, T-07-04, R-07-02 AT 372, 378, 382 VICTORIA

Dear Mr. Coggins:

The Costa Mesa City Council has adopted a Traffic Impact Fee program for all new developments and expansion of existing developments within the City. The purpose of the fee is to fund the necessary transportation/circulation improvements which are related directly to the incremental traffic impacts imposed on the City's transportation system by new developments or expansion of existing developments.

In addition, certain areas in the City are subject to the San Joaquin Hills Transportation Corridor Fee. This fee is imposed by the Transportation Corridor Agencies (TCA).

As a result of a review of your proposed development project, staff has determined that the following fees will be conditioned to your project.

- **City Traffic Impact Fee – \$30,046.00**
- **San Joaquin Hills Transportation Corridor Fee – N/A**

Details of the above fee calculations are attached for your review. While these fees and the payment schedule may not appear as part of conditions of approval imposed by the Planning Division, they are included as part of the **Code Requirements** specified for your project. Each of these fees are subject to annual review and increase each year.

In accordance with City of Costa Mesa Municipal Code Section 13-274 (e), the developer of any development project subject to the City Traffic Impact fee program may apply to the City Council for a waiver of the fee, or portion of the fee, based upon adequate documentation of the absence of any reasonable relationship or nexus between the circulation impacts of that development project and the amount of the fee charged.

The application for a fee waiver shall be made in writing and filed with the City Clerk not later than:

- a. 10 days prior to the public hearing on the development permit application for the project; or
- b. If no public hearing is required, at the time of the filing of the request for a building permit.

If you have any questions regarding the above calculations or fee programs, please contact Dennis Johnson, Assistant Engineer, at (714) 754-5180.

Sincerely,


PETER NAGHAVI, Manager
Transportation Services

c: Planning Division
Dennis Johnson, Assistant Engineer

Elizabeth Gonzalez, Engineering Technician II

Attachment

77 FAIR DRIVE

PHONE: (714) 754-5334 • TDD: (714) 754-5244 • www.ci.costa-mesa.ca.us

37

380 / 378 / 372 Victoria St.

FLYNN, CLAIRE PROJECT ARCHITECT'S CORRESPONDENCE

From: VWARDCHINC@aol.com
Sent: Friday, May 18, 2007 7:33 AM
To: FLYNN, CLAIRE
Cc: bryan@prefacegroup.com
Subject: 30 Unit Victoria

Claire,

Regarding our structure height, we are at an overall height of 32'-7". I agree there is about a 7 foot difference in our structure height above a typical 2 story home. Often ceiling heights in 2 story homes are higher, have steeper roof pitches, or deeper overhangs which would combine to reduce the impacts in some cases below a 7 foot differential. Shading impacts on adjacent properties are typically influenced greater by depth of roof overhang and exterior building wall heights rather than overall structure height, but the 7 foot difference is a fair number for purposes of our discussion.

Our closest 3 story condition occurs at only 2 units (unit #s 6 and 25), this dimension to the property line is 13 feet. At the balance of the units in the project our setback is 15 feet at all 3 story conditions. Our 10 foot setback conditions are porches and covered entries only and are below 2 stories in height. We designed this site plan purposefully to minimize the impact of a 3 story dwelling on adjacent properties.

The worst case shadow analysis positions we have studied are at 10 am and 2pm on December 21. At these times there is a solar altitude of 26 degrees. Our unit #s 6 and 25 produce a shadow that is 6'-4" longer than a typical 2 story structure during those time periods.

On June 21 at 10am and 2pm the solar angle is at 62 degrees. During those time periods our buildings actually produce a shadow that is 4'-1" shorter than a typical 2 story building.

On February 20 at 10:30 and 1:30 the shadows projected by our Unit #s 6 and 25 are the same as those that would be projected by a 2 story building 5 feet away from a property line.

[This brief analysis demonstrates that our project as designed has no greater solar impacts to neighboring properties than a 2 story project built to city allowable setbacks. With differences that are as small as these it is not possible to pick a single hour in a year and make a determination as to which project has greater average solar impacts.] ✓

Please do not hesitate to contact me if you need additional information. Thank you for your assistance with our project.

Erick Van Wechel
 Van Wechel Architects
 (858) 774-4710 mobile

See what's free at AOL.com.

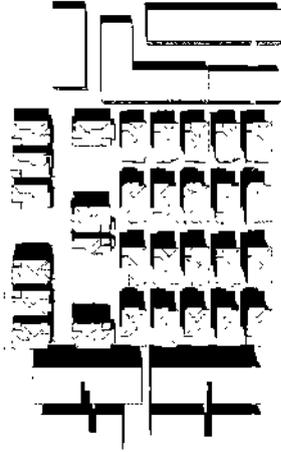
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05/29/2007

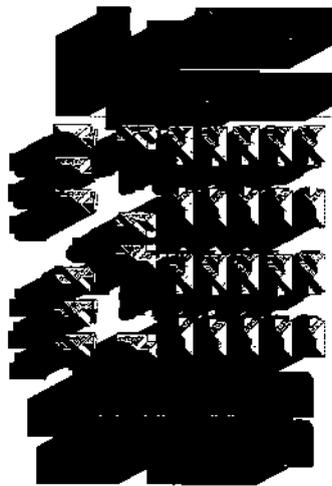
ATTACHMENT 5



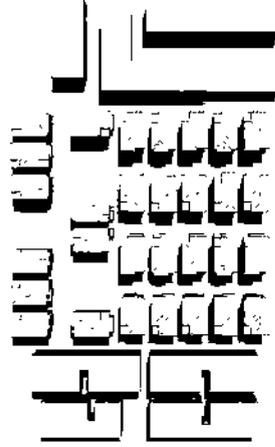
December 21, 2 pm



June 21, 2 pm



December 21, 10 am



June 21, 10 am



30 Unit Planned Development

The Preface Group
 1835 Newport Blvd., Suite A109
 Costa Mesa, CA 92627
 (949) 350-6657

372-378-382 Victoria Street
 Costa Mesa, California
 Scale: 1" = 4' Mar. 19, 2007



**REGULAR MEETING OF THE CITY OF
COSTA MESA PLANNING COMMISSION
May 29, 2007**

The Planning Commission of the City of Costa Mesa, California, met in regular session at 6:30 p.m., May 29, 2007, at City Hall, 77 Fair Drive, Costa Mesa, California. The meeting was called to order by Chairman Hall.

I. PLEDGE OF ALLEGIANCE TO THE FLAG.

Commissioner Clark led the Pledge of Allegiance.

II. ROLL CALL: Chair: Donn Hall
Vice Chair: James Fisler
Commissioners: Sam Clark, Eleanor Egan, and James Righeimer

Present: Chair - Donn Hall
Vice Chair James Fisler
Commissioner Sam Clark
Commissioner James Righeimer

Absent: Commissioner Eleanor Egan

Also Present: Planning Commission Secy. R. Michael Robinson
Deputy City Attorney Tom Duarte
Acting City Engineer Bart Mejia
Senior Planner Claire Flynn
Assistant Planner Rebecca Robbins

III. MINUTES: Minutes for the meeting of May 14, 2007

The Chair approved the minutes as distributed.

The Chair acknowledged Peter Buffa, former Mayor of Costa Mesa, in the audience.

IV. PUBLIC COMMENTS:

There were no public comments.

V. PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:

There were no Planning Commissioner comments.

VI. CONSENT CALENDAR:

- 1. **From the meeting of May 14, 2007, General Plan Conformity Finding for the proposed vacation of Paularino Avenue between Airway Avenue and John Wayne Airport.**

The Chair asked if anyone wished to remove this item from the Consent Calendar for separate discussion, and no one wished to do so.

**MOTION: Adopt Planning Commission Resolution PC-07-42 finding that the City of Costa Mesa's proposed vacation of excess public right-of-way of Paularino Avenue between Airway Avenue and property owned by John Wayne Airport (JWA) is in conformity with the City of Costa Mesa's 2000 General Plan.
 Moved by Commissioner Sam Clark, seconded by Commissioner James Righeimer.**

The motion carried by the following roll call vote:

Ayes: Chair Donn Hall, Vice Chair James Fislser, Commissioner Sam Clark, and Commissioner James Righeimer

Noes: None.

Absent Commissioner Eleanor Egan

VII. PUBLIC HEARINGS:

- 1. **Rezone R-07-02, Planning Application PA-07-02, and Tentative Tract Map T-16990, for Bryan Coggins, agent for 372 Victoria Street, LLC, for: (1) Rezone from R2-HD/R3 (Multiple-Family Residential) to PDR-HD (Planned Development Residential - High Density); (2) Master Plan for a 30-unit single-family, detached common-interest development; and (3) Tract Map to facilitate the project located at 372, 378, and 382 Victoria Street. Environmental Determination: exempt.**

Senior Planner Claire Flynn gave a presentation highlighting

that the project was within the General Plan density and did not include any variances. Ms. Flynn noted that the Planning Commission was provided correspondence from the project architect containing the shade/shadow exhibits. Since the proposed structures were seven feet taller than a two-story structure and were also located at a 10-foot side setback, the architect's conclusion was that the shadow effects from the proposed three-story structures were comparable to that of a two-story structure.

Bryan Coggins of The Preface Group, agent for the property owners, indicated that he agreed to the conditions of approval. He gave a presentation emphasizing the difficulty of consolidating the three properties into a single development. Mr. Coggins' presentation included photographs of a townhouse project by Laing Homes in Newport Beach, and he expressed that these types of three-story developments are becoming more common.

Mr. Coggins responded to questions from Commissioner Righimer relating to the site plan and outside parking. No one else wished to speak and the Chair closed the public hearing.

Vice Chair Fislser commended Mr. Coggins on the project and made a motion.

MOTION: Recommend that City Council, by adoption of Planning Commission Resolution PC-07-43, give first reading to the ordinance for Rezone R-07-02 to change the zoning classification from R2-HD/R3 to PDR-HD as shown in Exhibit "A", and based on the evidence in the record and findings contained in Exhibit "B", subject to conditions in Exhibit "C", approve Planning Application PA-07-02 and Tentative Tract Map T-16990. Moved by Vice Chair James Fislser, seconded by Commissioner Sam Clark.

During discussion on the motion, the Chair, Commissioner Clark, and Commissioner Righimer expressed their support for the project.

The motion carried by the following roll call vote:

Ayes: Chair Donn Hall, Vice Chair James Fisler,
Commissioner Sam Clark, and Commissioner James
Righeimer

Noes: None.

Absent: Commissioner Eleanor Egan

Tentative Tract Map T-17161, for Morse-Boudreaux Architects, authorized agent for Craig and Jeff Hermann, to facilitate a 5-unit, three-story, attached multi-family residential condominium, approved under PA-06-67, located at 1974 Meyer Place, in the Mesa West Residential Ownership Urban Plan, Mixed-Use Development overlay zone, and R2-HD zone. Environmental determination: exempt.

Assistant Planner Rebecca Robbins reviewed the information in the staff report and gave a presentation. Ms. Robbins indicated that the 5-unit residential development located in the Mesa West Residential Ownership Urban Plan area was previously approved by the Planning Commission. There were no questions of staff.

Craig Hermann, applicant, Lake Forest, agreed to the conditions of approval and gave a presentation. No one else wished to speak and the Chair closed the public hearing.

MOTION: Approve by adoption of Planning Commission resolution under Planning Application PA-06-67, based on the findings contained in Exhibit "A" and subject to the conditions in Exhibit "B".

Moved by Commissioner James Righeimer, seconded by Commissioner Sam Clark.

During discussion on the motion, Vice Chair Fisler asked if approval of the tentative tract map was included in the motion. The Chair noted that the motion needed to be modified to include approval of the tentative tract map and both the maker of the motion and the second agreed to the modification.

MOTION: Approve Tentative Tract Map T-17161 under Planning Application PA-06-67, by adoption of Planning Commission Resolution PC-07-44, based on the findings

CITY OF COSTA MESA
Development Services Department
Post Office Box 1200
Costa Mesa, California 92628-1200

PROJECT NO: Rezone R-07-02, Planning Application PA-07-02 & TTM T-16990

DATE: June 1, 2007

At its regular meeting of May 29, 2007, the Planning Commission recommended City Council to give approval (4-0, Egan absent) by adoption of Planning Commission Resolution PC-07-43. The proposed project involves the following discretionary actions for the three properties located at 372/378/382 Victoria Street: Rezone Rezone-R-07-02- Rezone from R2-HD/R3 (Multiple-Family Residential) to PDR-HD (Planned Development Residential-High Density), PA-07-02- Master Plan for a 30-unit single-family, detached common-interest development. T-16990-Tract Map to subdivide the property for condominium purposes.

This decision will become final unless appealed by 5 p.m. June 8, 2007, by the filing of the necessary form and fees with the City Clerk's office, located at 77 Fair Drive, Costa Mesa.

Should you have any questions, please contact project planner Claire Flynn at (714) 754-5278.

Sincerely,



DONALD D. LAMM
Deputy City Manager-Development Services Director

CC:
File

Byran Coggins
The Preface Group
1835 Newport Blvd., A109
Costa Mesa, CA 92627

Alan Freeman
372 Victoria St. LLC
1835 Newport Blvd., A109
Costa Mesa, CA 92627

Joe Romero
Victoria St. Dev. Co., LLC
628 N Diamond Bar Blvd.
Diamond Bar, CA 91765

Tom Lee
CF Enterprises
1807 San Gabriel Blvd., Suite A
San Gabriel, CA 91776

RESOLUTION NO. PC-07-43

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA RECOMMENDING CITY COUNCIL APPROVAL OF THE FOLLOWING: (1) REZONE R-07-02 TO PDR-HD ZONE; (2) PLANNING APPLICATION PA-07-02, AND (3) TENTATIVE TRACT MAP T-16990 AT 372, 378, AND 382 VICTORIA STREET

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

WHEREAS, an application was filed by Bryan Coggins of The Preface Group, as authorized agent for property owners, 372 Victoria Street, LLC, Victoria Street Development Company, LLC, and CF Enterprises;

WHEREAS, the proposed project involves the following: (1) Rezone R-07-02 for a rezone of the properties from R2-HD/R3 (Multiple-Family Residential) to PDR-HD (Planned Development Residential – High Density); (2) Planning Application PA-07-02 for a Master Plan for a 30-unit single-family, detached common-interest development; and (3) Tentative Tract Map T-16990 to subdivide the property for condominium purposes;

WHEREAS, the project site is real property located at 372, 378, and 382 Victoria Street totaling 1.68 acres;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on May 29, 2007 to allow for public comment on the proposed project and with all persons having been given the opportunity to be heard both for and against the proposed project;

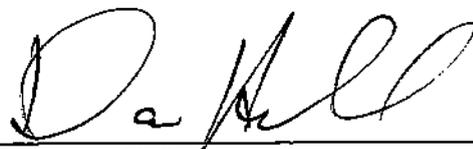
WHEREAS, the proposed project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and is considered an exempt activity under CEQA Guidelines Section 15332, Class 32, related to infill development;

BE IT RESOLVED that the Planning Commission **RECOMMENDS CITY COUNCIL TO GIVE FIRST READING** of the Ordinance to change the zoning classification of the 1.63-acre subject site from R2-HD and R3 (Multiple Family Residential) to PDR-HD (Planned Development Residential – High Density), ~~as shown in Exhibit "A."~~

BE IT FURTHER RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "B", ~~subject to the conditions contained in Exhibit "C"~~, the Planning Commission hereby **RECOMMENDS CITY COUNCIL TO APPROVE** Planning Application PA-07-02 and Tentative Tract Map T-16990.

BE IT FURTHER RESOLVED that the 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 Rezone R-07-02/Planning Application PA-07-02/T-16990 and upon applicant's compliance with each and all of the conditions ~~contained in Exhibit "C."~~ Should any material change occur in the operation, or should the applicant fail to comply with the conditions of approval, this Resolution, and any recommendation for approval herein contained, shall be deemed null and void.

PASSED AND ADOPTED this 29th day of May, 2007.



Chair, Donn Hall
Costa Mesa Planning Commission

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 of the planning application is valid for one (1) year and will expire at the end of the period unless building permits are obtained and construction commences, or the applicant applies for and is granted an extension of time.
 2. Approval of the tract map is valid for two (2) years and will expire at the end of that period unless the final map is recorded, or the applicant applies for and is granted an extension of time. A written request for an extension of time must be received by Planning staff prior to the expiration of the planning action.
 3. Pay Park fee prior to approval of final map by City Council. Applicable fee shall be that fee in effect at the time the subdivision application was submitted on **February 16, 2007.**
 4. Pay all other development impact fees, including drainage fees, based on the time the application was deemed complete on **April 10, 2007.**
 5. Proof of recordation of the final parcel map shall be submitted prior to issuance of building permits.
 6. Included in the required CC&Rs shall be a provision that will permit the installation of solar heating systems, subject to applicable zoning district requirements, the Uniform Building Code, and associated ordinances, and reasonable architectural review by the project's architectural review committee.
 7. The CC&Rs shall include a provision as to use and maintenance of all guest parking spaces, driveways and common open space.
 8. Proof of recordation of the final tract map shall be submitted prior to final building inspections.
 9. Included in the required CC&Rs shall be a provision that will permit the installation of solar heating systems, subject to applicable zoning district requirements, the Uniform Building Code, and associated ordinances, and reasonable architectural review by the project's homeowner's association/architectural review committee.
 10. CC&Rs and articles of incorporation and bylaws for the homeowners' association shall be reviewed and approved by both the Planning Division and the Department of Real Estate (DRE) prior to recordation. CC&Rs shall include provisions as required in Costa Mesa Municipal Code section 13-41, as well as applicable conditions of approval and code requirements. The applicant shall provide the Planning Division proof of review and approval of the CC&Rs by the DRE prior to recordation. A copy of the recorded CC&Rs shall be submitted to the Planning Division prior to the release of utilities for the units.
 11. The CC&Rs shall include a provision as to the use and maintenance of all guest parking spaces, driveways, and common open spaces.
 12. The CC&Rs shall include a provision prohibiting trash collection within the public right-of-way, limiting each dwelling unit to a maximum of two (2) trash containers, and delineating where trash containers may be stored to ensure adequate screening from on- and off-site areas and to prevent interference with the required vehicle storage area.
 13. A minimum 10-foot by 20-foot clear interior dimension shall be provided for all single-width garages and a minimum 20-foot by 20-foot clear interior

- dimension shall be provided for all double-width garages.
14. Development shall comply with all requirements of Section 13-32 and Chapter V, Article 2, of Title 13 of the Costa Mesa Municipal Code relating to development standards for residential projects and common interest developments.
 15. Minimum garage door widths shall be 8 feet for single-width garages and 16 feet for double-width garages.
 16. Open parking stalls shall be double-striped in accordance with City Standards.
 17. The paving under covered parking spaces shall be Portland Cement Concrete (PCC).
 18. All landscaped areas shall be separated from paved vehicular areas by 6-inch high continuous Portland Cement Concrete (PCC) curbing.
 19. All on-site utility services shall be installed underground.
 20. Installation of all utility meters shall be performed in a manner so as to obscure the installation from view from any place on or off the property. The installation vault, wall cabinet, or wall box under the direction of the Planning Division.
 21. Five (5) sets of detailed landscape and irrigation plans shall be required as part of the project plan check review and approval process. Three (3) sets shall be provided to the representative water agency and two (2) set shall be submitted to the Planning Division for review. Plans shall be approved by the water agency with two (2) approved sets forwarded by the applicant to the Planning Division for final approval prior to issuance of building permits.
 22. Two (2) sets of landscape and irrigation plans, approved by both the water agency and the Planning Division, shall be attached to two of the final building plan sets.
 23. Landscape and irrigation plans shall meet the requirements set forth in Costa Mesa Municipal Code Sections 13-103 through 13-108 as well as irrigation requirements set forth by the water agency. Consult with the representative water agency. Mesa Consolidated Water District, Engineering Division, (949) 631-1291.
 24. Landscaping and irrigation shall be installed in accordance with the approved plans prior to final inspection or occupancy clearance.
 25. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections, final occupancy and final releases will not be granted until all such licenses have been obtained.
 - Bldg. 26. 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.
 27. Comply with the requirements of the Uniform Building Code as to design and construction and CCR Title 24 pertaining to "Disabled Access Regulations."
 28. Applicant shall contact the Building Safety Division, prior to recordation of the parcel map, to provide proof that the Uniform Building Code requirements for condominiums have been satisfied.
 29. New buildings over 3 stories and/or subterranean structures shall comply with the In-Building Public Safety Radio System Coverage report. The Radio System Report shall be certified by an FCC-licensed radio technician as provided by the property owner/applicant. The technician is required by Section 5-133 to conduct initial tests and shall be employed by the owner, the engineer or architect of record, or agent of the owner, but not by the

- contractor or any other person responsible for the work.
30. Prior to or concurrent with the submittal of plans for building plan check, the applicant shall prepare and submit documentation for compliance with the State Water Resources Control Board (SWRCB) Water Quality Order 99-08-DWQ; National Pollutant Discharge Elimination System (NPDES) Permit No. CAS000002 for Storm Water Discharges Associated with Construction Activity (General Permit); the California Regional Water Quality Control Board (RWQCB) Santa Ana Region Order No. R8-2002-0010 and NPDES Permit No. CAS618030; and, the City of Costa Mesa Ordinance No. 97-20 for compliance with NPDES Permit for the City of Costa Mesa. Such documentation shall include a Storm Water Pollution Prevention Plan (if over 5 acres) and a Water Quality Management Plan (WQMP) identifying and detailing the implementation of the applicable Best Management Practices (BMPs).
31. The project applicant shall require the contractor to comply with the SCAQMD's regulations during construction, including Rule 402 which specifies that there be no dust impacts offsite sufficient to cause a nuisance, and SCAQMD Rule 403, which restricts visible emissions from construction. Specific measures to reduce fugitive dust shall include the following:
- a. Moisten soil prior to grading.
 - b. Water exposed surfaces at least twice a day under calm conditions and as often as needed on windy days when winds are less than 25 miles per day or during very dry weather in order to maintain a surface crust and prevent the release of visible emissions from the construction site.
 - c. Treat any area that will be exposed for extended periods with a soil conditioner to stabilize soil or temporarily plant with vegetation.
 - d. Wash mud-covered tires and under-carriages of trucks leaving construction sites.
 - e. Provide for street sweeping, as needed, on adjacent roadways to remove dirt dropped by construction vehicles or mud which would otherwise be carried off by trucks departing project sites.
 - f. Securely cover loads of dirt with a tight fitting tarp on any truck leaving the construction sites to dispose of excavated soil.
 - g. Cease grading during periods when winds exceed 25 miles per hour.
 - h. Provide for permanent sealing of all graded areas, as applicable, at the earliest practicable time after soil disturbance.
32. The proposed project shall comply with Title 24 of the California Code of Regulations established by the Energy Commission regarding energy conservation standards. The project applicant shall incorporate the following in building plans:
- Solar or low emission water heaters shall be used with combined space/water heater units.
 - Double paned glass or window treatment for energy conservation shall be used in all exterior windows.
 - Buildings shall be oriented north/south where feasible.
33. Applicant shall obtain approval of a tentative tract map prior to issuance of building permits.
34. The applicant shall design the project so that each proposed lot shall drain to the future common lot. Cross lot drainage shall not be permitted.
- Trans. 35. Residential driveway approaches and parking areas shall be constructed in

- compliance with City standards.
36. Any unused or demolished driveway approaches shall be restored with full height curb and gutter.
 37. Fulfill mitigation of off-site traffic impacts at the time of issuance of building permit by submitting to the Planning Division the required traffic impact fee pursuant to the prevailing schedule of charges adopted by the City Council. The traffic impact fee is calculated based upon the average daily trip generation rate of 9.57 trip ends per total square footage for the proposed project and includes a credit for any previously existing use. At the current rate, the traffic impact fee is estimated at \$30,046.00.
 38. Construct residential drive approach at location submitted on site plan. Comply with minimum clearance requirements from property lines and any vertical obstructions.
 39. Relocate all affected utilities and parkway trees in public right-of-way to accommodate new drive approaches.
 40. Applicant is hereby advised that no tree removal from the public right-of-way will be permitted without specific approval from the Parks and Recreation Commission and compliance with conditions of approval/mitigation measures as determined by the Commission to relocate the trees and/or compensate the City for the loss of trees from the public right-of-way. The approval process may take up to three months; therefore, the applicant is advised to identify all trees affected by the proposed project and make timely application to the Commission to avoid any delays.
 41. Construct residential drive approach at location submitted on site plan. Comply with minimum clearance requirements from property lines and any vertical obstructions.
 - Fire 42. Provide approved smoke detectors to be installed in accordance with the 2005 Edition of the Uniform Fire Code.
 43. Provide individual numeric signage for proposed residences with minimum 6" height.
 44. Provide (1) Fire Hydrant per plan.
 - Parks/
Pkwys 45. Applicant is advised that removal of existing trees within the public right-of-way shall not be permitted without approval from the Parks and Recreation Commission, and compliance with any applicable requirements or conditions as determined by the Parks and Recreation Commission. If any existing trees within the public right-of-way are proposed to be removed, approval by the Parks and Recreation Commission shall be required prior to the issuance of any permits.
 46. Park fees for the proposed development shall be remitted prior to approval of the final map.
 47. Street trees along the landscape frontage shall meet with the approval of the Parks and Parkways Division, if required.

SPECIAL DISTRICT REQUIREMENTS

The requirements of the following special districts are hereby forwarded to the applicant:

- Sani 1. Applicant will be required to construct sewers to serve this project, at his own expense, meeting the approval of the Costa Mesa Sanitary District.
2. County Sanitation District fees, fixture fees, inspection fees, and sewer permit are required prior to installation of sewer. To receive credit for buildings to be demolished, call (714) 754-5307.

3. Applicant shall submit a plan showing sewer improvements that meets the District Engineer's approval to the Building Division as part of the plans submitted for plan check.
4. The applicant is required to contact the Costa Mesa Sanitary District at (714) 754-5307 to arrange final sign-off prior to certificate of occupancy being released.
5. Unless an off-site trash hauler is being used, applicant shall contact the Costa Mesa Sanitary District at (714) 754-5043 to pay trash collection program fees and arrange for service for all new residences. Residences using bin or dumpster services are exempt from this requirement.
6. Applicant shall contact Costa Mesa Sanitary District at (949) 654-8400 for any additional district requirements.
- AQMD 7. Applicant shall contact the Air Quality Management District (800) 288-7664 for potential additional conditions of development or for additional permits required by the district.
- School 8. Pay applicable Newport Mesa Unified School District fees to the Building Division prior to issuance of building permits.
- State 9. Comply with the requirements of the California Department of Food and Agriculture (CDFA) to determine if red imported fire ants (RIFA) exist on the property prior to any soil movement or excavation. Call CDFA at (714) 708-1910 for information.