ATTACHMENT 6
PLANNING COMMISSION STAFF REPORTS AND ATTACHMENTS

PLANNING COMMISSION AGENDA REPORT

MEETING DATE: APRIL 13, 2015 **ITEM NUMBER:** PH-2

SUBJECT: **GENERAL PLAN AMENDMENT GP-14-03, REZONE R-14-03, PLANNING APPLICATION PA-14-19, AND VESTING TENTATIVE TRACT MAP VT-17779 FOR A 28-UNIT RESIDENTIAL DEVELOPMENT AT 1239 VICTORIA STREET**

DATE: **APRIL 6, 2015**

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

PRESENTATION BY: **MEL LEE, SENIOR PLANNER**

FOR FURTHER INFORMATION CONTACT: **MEL LEE, AICP (714) 754-5611**
mel.lee@costamesaca.gov

DESCRIPTION

The proposed (revised) project description is as follows:

1. ***Initial Study/Mitigated Negative Declaration (IS/MND):*** This document analyzes the environmental impacts of the project and describes mitigation measures and conditions of approval to minimize impacts to below a level of significance.

2. ***General Plan Amendment GP-14-03:*** General Plan amendment to change of Land Use Designation from Neighborhood Commercial (NC) to High Density Residential (HDR).

3. ***Rezone R-14-03:*** Rezone from Administrative and Professional (AP) District to R2-HD (Multiple-Family Residential District, High Density). The R2-HD zone allows a maximum density of 14.5 dwelling units per acre.

4. ***Planning Application PA-14-19:*** A Design Review for development of a 28-unit Residential Planned Development at the site of an existing commercial/light industrial use. The project consists of the development of 28 single-family, detached residences with a net density of 14 dwelling units per acre. The three bedroom residences are three-stories with roof decks and have attached two-car garages. A total of 56 garage parking spaces, 42 driveway spaces, and 14 guest parking spaces are proposed (112 total spaces, four spaces per unit).

The following Variances from the R2-HD development standards are requested:

- **Open Space** - a minimum of 40 percent required, 34.9 percent proposed.
- **Rear Setback** (20 feet required for second story; 10 feet proposed for second and third stories).
- **Building Height** (maximum 2 stories/27 feet required; 3 stories/roof deck/37 feet proposed).

An Administrative Adjustment is required for the front building setback (20 feet required; 14 feet proposed).

A Minor Modification is required to deviate from the distance from main buildings (10 feet required, 8 feet proposed).

5. ***Vesting Tentative Tract Map VT-17779:*** Subdivision of a 2.04-acre property for homeownership.

APPLICANT

The applicant is Trumark Homes, representing the property owner, Westar Holdings, Inc.

RECOMMENDATION

Adopt resolution recommending that the City Council:

(1) Adopt the Initial Study/Mitigated Negative Declaration.

(2) Adopt General Plan Amendment GP-14-03.

(3) Give first reading to Rezone Ordinance R-14-03.

(4) Approve Planning Application PA-14-19 and Vesting Tentative Tract Map VT-17779.

PLANNING APPLICATION SUMMARY – REVISED PROJECT

Location:	1239 Victoria Street	**Application:**	GP-14-03, R-14-03, PA-14-19, and VT-17779

Request: 28 Detached Residential Units (General Plan Amendment, Rezone, Master Plan w/Deviations, and Vesting Tentative Tract Map)

SUBJECT PROPERTY:		**SURROUNDING PROPERTY:**	
Zone:	AP (Exist.); R2-HD (Prop.)	**North:**	Acr. Victoria Street, I&R, (Vista Park)
General Plan:	Neigh. Comm. (Exist.); High Density Residential (Prop.)	**South:**	R1, Residences
Lot Dimensions:	Irregular	**East:**	C1 (Retail Ctr.), R2-MD and R1 (Residences)
Lot Area:	2.04 Acres (88,608 SF)	**West:**	R2-MD, Multi-Family Residences (Under Construction)

Existing Development: Office Building (To Be Demolished)

DEVELOPMENT STANDARD COMPARISON (R2-HD STANDARDS USED FOR COMPARISON PURPOSES)

R2-HD Development Standard	Required/Allowed	Proposed/Provided
Lot Size:		
Lot Width	100 FT	283 FT
Lot Area	12,000 SF (.27 Acres)	2.04 Acres (88,608 SF)
Density/Intensity:		
DU's/ Acre	1 du/3,000 SF (14.5 DU's/Acre – 29 Units Total)	1 du/3,174 SF (14 DU's/Acre – 28 Units Total)
Building Coverage (Development Lot)		
Buildings	NA	21,362 SF (24%)
Paving	NA	36,322 SF (41.1%)
Open Space (Total)	35,443 SF (40 %)	30,924 SF (34.9%)(1)
TOTAL		88,608 SF (100%)
Common Open Space	NA	1,861 SF
No. of Stories/Building Height	2 Stories / 27 FT	3 Stories + Roof Deck / 37 FT(1)
Setbacks (Buildings)		
Front	20 FT	14 FT(2)
Side (Left/Right)	5 FT / 5 FT	6 FT / 7 FT
Rear	10 FT (1 Story) 20 FT (2 Story)	10 FT (2-3 Story)(1)
Rear Yard Lot Coverage	1,200 SF (25% Max.)	720 SF (15%)
Distance Between Buildings	10 FT	8 FT(3)
Parking		
Covered	56	56
Open	56	42
Guest	NA	14
TOTAL	112 Spaces	112 Spaces
Interior garage dimension	20 FT X 20 FT	20 FT X 20 FT

NA = Not Applicable or No Requirement
(1) Total of three Variances requested (see staff report discussion).
(2) Administrative Adjustment requested (see staff report discussion).
(3) Minor Modification requested (see staff report discussion).

CEQA Status	Initial Study/Mitigated Negative Declaration
Final Action	City Council

BACKGROUND

Project Site/Environs

The project site consists of one parcel totaling 2.04 acres. The property currently contains an existing two-story office building. The existing structure was built in phases with the original northeast building constructed in 1960. An addition was added in 1966 with the final building addition completed in 1968.

The building, owned by Westar Nutrition, who also used to be one of the tenants, is approximately 55,000-square feet and includes office space, research and development, production space, and warehouse areas that are mostly vacant. The site is currently zoned AP (Administrative and Professional District) and has a General Plan land use designation of Neighborhood Commercial (NC).

Surrounding properties to the east, southwest and south are developed with multi-family residential and single-family residential homes. The property abutting the site to the east at the corner of Victoria Street and Valley Road contains a multiple tenant retail shopping center (Victoria Square). Vista Park is located to the north across Victoria Street from the subject site.

The property to the west is currently being developed with a 17-unit, two- and three-story residential project (Westreef), which was approved by the Planning Commission on February 25, 2013 as Planning Application PA-12-24 and Tentative Tract TT-17508, which was upheld by the City Council on April 2, 2013.

Revisions to the Proposed Project

On March 23, 2015, Planning Commission conducted a public hearing to receive public comment on the proposed 28-unit detached residential community. Subsequent to the meeting, the applicant has revised the project; the table below briefly summarizes the key changes in the required discretionary approvals between the original project and revised project.

Summary of Revisions to the Proposed Project

	Original Project	Revised Project
A.	Rezone to PDR-HD (Max. 20 dwelling units per acre)	Rezone to R2-HD (Max. 14.5 dwelling units per acre)
B.	Variances from: 1. Perimeter Open Space: (a minimum depth of 20 feet is required; a minimum depth of 11 feet with an average depth of 20 feet is proposed); 2. Open Space: (a minimum of 42 percent	Variances from: 1. Open Space - a minimum of 40 percent required, 34.9 percent proposed. 2. Rear Setback (20 feet required for second story; 10 feet proposed for second and third stories).

	Original Project	Revised Project
	of the total site area is required, 34.9 percent proposed); 3. Common Open Space: (50 percent of the open space required to be common open space; 10 percent common open space proposed).	3. Building Height (maximum 2 stories/27 feet required; 3 stories/roof deck/37 feet proposed).
C.	No Administrative Adjustment or Minor Modification requested.	An Administrative Adjustment is required for the front building setback (20 feet required; 14 feet proposed). A Minor Modification is required to deviate from the distance from main buildings (10 feet required, 8 feet proposed).

Proposed Development

The proposed three-story, 28-unit development, which is mostly unchanged from what was presented to the Planning Commission on March 23, 2015, is described below.

Unit Type Summary (No Changes for R2-HD)

	Plan 1	Plan 2
Unit Size (Not Including Garage)	**1,997 Sq. Ft.**	**2,244 Sq. Ft.**
Total No. of Units	**14**	**14**
No. Bedrooms and Baths	**3 Bed, 3 Bath (1)**	**3 Bed, 3.5 Bath**
No. of Stories	**3 + Roof Deck**	**3 + Roof Deck**
Roof Deck Sq. ft.	**418 Sq. Ft.**	**522 sq. ft.**
No. Of Garage Spaces	**2**	**2**
No. Of Open Spaces (In Driveway)	**2**	**1**
Total Resident Spaces	**56**	**42**
No. Of Open Spaces (Guest)	**14**	
Total Parking	**112 Spaces**	

1. An optional den and powder room can be substituted for the 3rd bedroom and bathroom on the second floor for Plan 1.

On-Site Parking and Circulation

The project provides a total of 56 garage parking spaces, 42 driveway spaces, and 14 guest spaces are proposed, for a total of 112 on-site parking spaces or four spaces per unit, which complies with Code. The 14 on-site guest spaces are proposed to be parallel

to the 24-foot wide private street provided within the project. The vehicular circulation has been reviewed and approved by the Transportation Services Division, subject to a condition of approval that limits cars exiting the westerly driveway to right-turns only by the construction of a raised median on Victoria Street.

Perimeter Walls/Fences

The majority of the existing perimeter block walls abutting the project to the sides and rear meet or exceed the required 6-foot minimum height, appear to be in good condition, and are proposed to remain in place. However, staff notes that a portion of the block wall along the rear (abutting the R1 zoned properties) is less than 6 feet in height and appears to abut a rear yard wooden fence along several of the properties. Staff is recommending, as a condition of approval, that this wall be replaced with a decorative block wall a minimum of 7 feet in height and that the applicant work with the adjacent property owners to eliminate side-by-side walls with gaps in between them.

Building Architecture

The proposed architecture is a contemporary design of stucco with fiber cement siding and stone veneers. The proposed colors are light and charcoal grays, whites, and earthen tones. Projections are included to maximize floor space on upper floors and provide building articulation, texture and color variation throughout the project's design. Staff is recommending, as a condition of approval, the upper level windows be designed to minimize direct views into second-floor windows for residences on abutting properties.

Open Space

The project provides a total of 34.9 percent open space; as a result, approval of the reduced open space is subject to variance findings. Perimeter open space and common open space, which applied to the previously proposed PDR-HD zone, do not apply to the R2-HD zone (see table below). The variance findings are discussed later in this report.

Open Space Code Comparison

	PROVIDED	PDR-HD	R2-HD
Total Open Space	**34.9% (1)**	**42%**	**40%**
Common Open Space	**10%**	**50% of Total Open Space**	**NA**
Perimeter Open Space	**11 FT**	**20 FT**	**NA**

NA=Not Applicable or No Requirement
(1) Variance required

Building Height, Setbacks, and Building Separation Requirements

The PDR-HD zone does not specify development standards with regard to building height and setbacks. They do, however, apply to the R2-HD zone (see table below). The variance and administrative adjustment findings are discussed later in this report.

Building Height, Setback, And Building Separation Code Comparison

	PROVIDED	PDR-HD	R2-HD
No. Of Stories/Bldg. Ht.	**3 Stories/37 FT (1)**	**NA**	**2 Stories/ 27 Feet**
Front Setback	**14 FT (2)**	**NA**	**20 FT**
Side Setback (L/R)	**6 FT/7FT**	**NA**	**5 FT/5 FT**
Rear Setback (2+Stories)	**10 FT (1)**	**NA**	**20 FT**
Building Separation	**8 FT (3)**	**NA**	**10 FT**

NA=Not Applicable or No Requirement
(1) Variance required.
(2) Administrative adjustment required.
(3) Minor modification required.

Vesting Tentative Tract Map (No Change for R2-HD)

The vesting tentative tract map proposed is for a common interest residential development subdivision with 28 numbered lots to accommodate the units and 4 lettered lots to accommodate the common areas and private streets. All common areas including the driveway and parking spaces will be commonly used and maintained by a homeowners association.

ANALYSIS

Follow-up to the Planning Commission meeting of March 23, 2015

The following table provides a summary of the responses to the project issues raised at the hearing, which are discussed in detail later in this report:

Summary Of Responses To Comments Received At Planning Commission Meeting

COMMENT	RESPONSE
1. The proposed PDR-HD zoning would allow for a maximum density of 20 units per acre to be built on the site (40 units).	Request revised to R2-HD zone for a maximum of 14.5 dwelling units per acre (see staff report discussion).
2. Overall Trip Generation and Safety of vehicles entering and exiting the site need to be examined.	The traffic study prepared for the project is attached to report for reference and discussed in greater detail later in this report.
3. The project includes several variance requests.	See variance discussion later in this report.
4. Consideration of additional on-site guest parking spaces above Code-required parking should be provided.	Applicant is working with the owner of Victoria Square retail center for off-site parking for guests visiting the project.

5. Consideration of the height and massing of the project related to the existing residential properties immediately abutting the project site.	Applicant is working with adjacent neighbors to address their concerns (see update letter from applicant attached to report).
6. Additional information needed related to the number of units allowed under the City's High Density Residential designation compared to surrounding cities.	A comparison table of density ranges in other Cities is provided.
7. Traffic accident data on Victoria Street adjacent to the project site requested.	Traffic accident data is attached to report.

1. Change in the Rezone Request to R2-HD

A concern was raised during the March 23, 2015 meeting was the proposed zone change to PDR-HD, which allows a maximum density of 20 units per acre, or a total of 40 units for the 2.04 acre project site, if a development different from the proposed project were to be approved. As a result, the applicant revised the request for a zone change to R2-HD, which allows a maximum density of 14.5 units per acre, or a total of 29 units for the project site (28 units are currently proposed).

Because there are some differences between the development standards of the R2-HD zone versus the PDR-HD zone, the application was re-noticed reflecting the difference in development standards as they pertain to building, height, setbacks, and open space, some of which still require the approval of deviations from the code via a variance, administrative adjustment and minor modification as noted in the Zoning Code Summary Table on Page 2 of this report. However, it should be noted that there are no major changes to the design of the project itself in terms of overall number of units, building height, on-site parking spaces, or building setbacks.

The following sections describes the various components of the development, with an indication if there was change in the development standards with respect to the newly proposed R2-HD zoning.

2. Overall Trip Generation and Traffic Safety and Circulation along Victoria Street.

The traffic study prepared for this project was included as Appendix F in the IS/MND prepared for the project and has been attached to this report for reference. The traffic study was prepared by Linscott, Law, & Greenspan Engineers (LLG) and included the following:

- Traffic generation forecast of the proposed project compared to the existing use on the property.
- Evaluation of the project access and on-site circulation, including the safety aspect of the proposed driveways on Victoria Street.

The traffic study was reviewed and approved by the City's Transportation Services Division.

Traffic Generation Forecast. When the proposed project is compared to the existing land use, the proposed project will result in 139 fewer daily trips, 40 fewer AM peak hour trips and 26 fewer PM peak hour trips, which is summarized in the tables below:

Project Trip Generation Forecast (Proposed Project)

Daily 2-Way	AM Peak Hour			PM Peak Hour		
	Enter	Exit	Total	Enter	Exit	Total
9.52	0.19	0.56	0.75	0.63	0.37	1.00
8.11	1.01	0.21	1.22	0.16	0.91	1.07
268	5	16	21	18	10	28
406	51	10	61	8	46	54
-139	**-46**	**+6**	**-40**	**+10**	**-36**	**-26**

Notes:
TE/DU = Trip end per dwelling unit
TE/TSF = Trip end per 1,000 square feet

The table below compares the trip generation of the proposed project to the existing use and the maximum building area allowed under the existing AP zoning:

Land Use	Units	AM	PM	Daily
Proposed 28-unit Residential Development	28 units	21	28	268
Existing Use (Office/Warehouse) 55,000 sq.ft. Building	55,000 sq.ft. (nonconforming size)	132	197	1,987
Existing Zoning (Administrative/Professional offices)	26,581 sq.ft. 0.30 FAR	64	95	965

As shown above, the proposed project would have a lesser impact on the surrounding street system than the existing land use during the critical weekday AM hour and PM peak hour. Given the reduction in traffic generation resulting from the proposed project, no traffic impacts are forecast and no traffic mitigation is required.

Traffic Safety. A substantially clear line of sight is required to be maintained between the driver of a vehicle waiting at a driveway and the driver of an approaching vehicle on Victoria Street. Adequate time must be provided for the waiting vehicle to either cross

all lanes of through traffic, or turn right or left, without requiring the through traffic to radically reduce their speed. Due to the horizontal and vertical curvature of Victoria Street, LLG prepared a Sight Distance Evaluation for the two driveways as part of the traffic study for the project, which, as noted earlier, was included as Appendix F to the IS/MND and is attached separately to this report for reference.

The study conducted by LLG concluded that adequate sight distance is provided for the two driveways serving the project. Further, the results of the Sight Distance Evaluation for the curvature of Victoria Street concluded that there are no obstructions to the line of sight at either driveway, and that curbside parking was not a factor due to the no parking restrictions on Victoria Street.

3. ***Project includes several variance requests related to building height and setbacks compared to the surrounding residential uses.***

Variances and Administrative Adjustment

For the variances from open space, building height, and rear yard setback, and administrative adjustment from front yard setback, staff believes that approval of the variances are justified based on the following:

- *Because of special circumstances applicable to the property, the strict application of development standards deprives the property of privileges enjoyed by others in the vicinity.* The purpose of the setback requirements is to provide a visual buffer between the public sidewalk and any perimeter walls or buildings. The proposed project is located on site that has several special circumstances due to lot shape and topography. Specifically, the northerly boundary of the site, along the Victoria Street frontage, has a 30% slope, preventing a typical orientation of a building at 90° angle to the street. Additionally, although the site does not provide the minimum required setback as measured from its narrowest point (at Lot 28) the proposed development provides the average required perimeter landscaping since several areas exceed 20 feet in depth (33 feet in depth in front of Lot 17, for example).

  With regard to overall open space and building height, the same conditions for unusual lot shape and topography as discussed above apply. Additionally, the project proposes roof top decks for each unit ranging in size from 418 square feet to 522 square feet in addition to the ground-level private yard area for each lot. Roof decks are not typically calculated as part of the required open space; however, if the variance were to be approved to allow the roof decks to count as open space, it would add 13,524 square feet of open space to the project, thereby meeting the intent of the Zoning Code open space requirement.

- *The deviation authorized does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated.* Although the abutting Westreef project provided code-compliant open space (40% required; 45% provided) the approval also

included a variance from the 20-foot front landscape requirement (20 feet required; 10 feet proposed) and rear yard setback requirement (20 feet required; 15 feet proposed). Therefore, the strict application of the setback requirements for this project deprives the subject property of privileges enjoyed by others in the vicinity.

The existing residential properties along Gleneagles Terrace, Sea Bluff Drive, and Valley Road consist of one- and two-story structures. The proposed units will be 3-stories / 37 feet in height with a roof deck on the top story. For the building height variance is required, the following table provides context for multi-family residential developments in the area that have been approved with a three-story building height.

Address	Case No.	Description
2209 – 2219 Pacific Avenue	**PA-87-172 Approved 10/1987**	**Variance from building height for a 21-unit apartment project (two stories allowed; three stories approved).**
1259 Victoria Street (Westreef)	**PA-12-24 Approved 4/2013**	**Variance from building height for Building Complex 1 and 3 (two stories/27 feet allowed; three stories/35-37 feet approved)**

While the subject property is not located along the bluff crest, other multi-family projects have been approved with encroachment into setback requirements. The table below provides some context of other projects with approved encroachments, in this case, into the bluff crest.

Address	Case No.	Proposal	Approved/Denied
2171 thru 2189 Pacific Avenue	ZE-79-141	Variance to allow a 47-unit condo project to encroach into the bluff crest	Approved by PC on 4/13/81(5-0)
2209 thru 2219 Pacific Avenue	PA-87-172	Variance from number of building stories for a 21- unit apartment project (two-story allowed; 3 stories proposed)	Approved by PC on 10/12/87 (4-1)
2231 Pacific Avenue	ZE-79-21	Variance to allow a 14-unit condo project to encroach into the bluff crest	Approved by PC on 8/13/79 (4-0)
2267 Pacific Avenue	ZE-78-55	Variance to allow a 6-unit condo project to encroach into the bluff crest plus deviation from garage requirements	Approved by PC on 6/12/78 (5-0)

- *The proposed project is consistent with the General Plan/Zoning Code with regard to use, density and intensity.* As noted earlier, the HDR (High Density Residential) General Plan Land Use designation allows residential development of up to 14.5 dwelling units/acre on this site; the proposed project is 14 dwelling units/acre and complies with all other applicable provisions of the Zoning Code for residential developments in the R2-HD zone. Therefore, the granting of the deviation will not allow a use, density, or intensity which is not in accordance with the general plan designation and any applicable specific plan for the property.

Minor Modification

- *The minor modification is for a relatively minor 2-foot reduction in the building separation for the units.* The project would still be subject to Code requirements as they pertain to Building and Fire safety. In addition, the reduction will not be materially detrimental to the health, safety, and general welfare of persons residing or working within the immediate vicinity of the project or to property and improvements within the neighborhood. As noted earlier, the project consists of quality architecture and building materials and is compatible and enhances the architecture and design of the existing and anticipated development in the vicinity.

4. *Consideration of additional on-site guest parking spaces.*

The applicant is working with the property owner of the Victoria Square retail center to seek a shared access, ingress/egress, and parking easement to allow overflow guest parking in the evening hours. The applicant will provide an update on any progress at the public hearing for this project.

5. *Comparison of residential density classifications in other Cities.*

The following table compares the High Density Residential (HDR) designations with other cities:

COMPARISONS OF HIGH DENSITY RESIDENTIAL MAXIMUMS

Fountain Valley	**20 units per acre**
Garden Grove	**60 units per acre**
Huntington Beach	**35 units per acre**
Irvine	**40 units per acre**
Newport Beach	**50 units per acre**
Santa Ana	**35 units per acre**
Westminster	**25 units per acre**
Costa Mesa	**20 units per acre (unless site-specific densities have been previously approved – i.e. North Costa Mesa Specific Plan)**

6. *Traffic Accident Data*

Traffic accident data compiled for the last 10 years by the Traffic Safety Division of the Costa Mesa Police Department is attached to this report. According to the summary, the total number of collisions near the intersection of Victoria Street and Valley Road (east of the project site) from January 1, 2005 to March 26, 2015 are as follows:

- Total Collisions: 15
- Injury Collisions: 11
- Fatal Collisions: 0

According to the Transportation Services Division, the number of collisions is not considered high or at a level that would require any special attention.

PROPOSED GENERAL PLAN AND ZONING CODE CONFORMANCE

The proposed project would be in conformance with the following planning documents:

- General Plan
- Zoning Code

Conformance with the City of Costa Mesa General Plan

Future development of all land within the City of Costa Mesa is guided by the General Plan adopted in 2002. The Land Use Element of the General Plan directs long-range development in the City by indicating the location and extent of development to be allowed. The General Plan sets forth land use goals, policies, and objectives that guide new development. The proposed General Plan land use designation for the project area is High Density Residential (14.5 dwelling units to the acre maximum) which is compatible with the proposed zone change to R2-HD.

The following analysis evaluates the proposed project's consistency with specific goals, and objectives of the General Plan, Land Use Element.

- **Goal LU-1:** *It is the goal of the City of Costa Mesa to provide its citizens with a balanced community of residential, commercial, industrial, recreational, and institutional uses to satisfy the needs of the social and economic segments of the population and to retain the residential character of the City; to meet the competing demands for alternative developments within each land use classification within reasonable land use intensity limits; and to ensure the long term viability and productivity of the community's natural and man-made environments.*

  Consistency: The project will provide additional ownership housing opportunities because the project is for 28-home ownership units. The Initial Study/Mitigated Negative Declaration prepared for the project did not identify any adverse impacts to the natural environment and will not increase the need for significant infrastructure improvements. Therefore, the proposed project is consistent with this General Plan goal.

- **Objective LU-1A:** *Establish and maintain a balance of land uses throughout the community to preserve the residential character of the City at a level no greater than can be supported by the infrastructure.*

  Consistency: The proposed project is an infill redevelopment project replacing an underutilized commercial building with residential uses. The Initial Study/Mitigated Negative Declaration prepared for the project indicates that adequate infrastructure (i.e., roads, emergency, and utility services) is available to serve the proposed project. Therefore, the proposed project is consistent with this General Plan objective.

- **Objective LU-1A.4:** *Strongly encourage the development of...residential uses and owner-occupied housing where feasible to improve the balance between rental and ownership housing opportunities.*

  Consistency: The project is consistent with the proposed High Density Residential General Plan Designation of the property. The project has been specifically designed for owner-occupied housing units. Therefore, the proposed project is consistent with this General Plan objective.

- **Objective LU-1F.5:** *Provide opportunities for the development of well planned and designed projects which, through vertical or horizontal integration, provide for the development of compatible residential uses within a single project or neighborhood.*

  Consistency: The project has been designed with appropriate building articulation, setbacks and offsets to ensure that it is compatible with surrounding properties and uses. Therefore, the project is consistent with this General Plan objective.

- **Goal LU-2:** *It is the goal of the City of Costa Mesa to establish development policies that will create and maintain an aesthetically pleasing and functional environment and minimize impacts on existing physical and social resources.*

  Consistency: The project would allow for the redevelopment of property containing an underused commercial building. The proposed project would enhance the visual appearance of the site through implementation of the proposed landscape plan. In addition, the project would provide a high-quality architectural design to the project area. As required by a standard condition of approval on the project, landscaping treatment along the street frontage will be reviewed to ensure that adequate landscaping is provided to soften the edges of the development and provide compatibility with the surrounding area. As a result, the proposed project is supportive of this General Plan goal.

- **Objective LU-2A:** *Encourage new development and redevelopment to improve and maintain the quality of the environment.*

  Consistency: As discussed later in this report, an Initial Study/Mitigated Negative Declaration was prepared for this project per the provisions of the California Environmental Quality Act (CEQA). The purpose of the IS/MND is to identify any environmental impacts and, if an impact is determined, if it can be mitigated below a level of significance. Because the IS/MND determined that the project would not result in the loss of any habitat, or require extensive infrastructure improvements to provide service to the site, the proposed project is consistent with this objective.

Conformance with the Zoning Code

With the exception of the requested deviations, the proposed project meets or exceeds the intent of the City's Zoning Code with regard to the development standards for the R2-HD zone.

Justifications for Approval

Pursuant to Title 13, Section 13-29(g), Findings, of the Costa Mesa Municipal Code, the Planning Commission shall find that the evidence presented in the administrative record substantially meets specified findings. Staff recommends approval of the proposed project, based on an assessment of facts and findings below which are also described in more detail in the draft approval resolution.

General Plan Amendment

Although Code Section 13-29(g) does not specify findings for General Plan Amendments, the project conforms to the specific goals and objectives of the General Plan Land Use Element as discussed in the previous section of this report.

Rezone

- *The proposed rezone is consistent with the Zoning Code and the General Plan*. The proposed project meets or exceeds the intent of the City's Zoning Code with regard to the development standards for the R2-HD zone, including density and on-site parking. The General Plan land use designation for the project area is High Density Residential (14.5 dwelling units to the acre maximum), which is compatible with the proposed zone change to R2-HD. The applicant is not seeking the maximum build out potential of 29 dwelling units within the R2-HD zone (28 units proposed). The project provides a maximum density of 14 dwelling units to the acre (28 units total). The maximum density is based on the gross acreage of the site.

  The following table provides a comparison of the maximum densities allowed in multi-family residential zones in the surrounding area.

Address	Zoning	Maximum Density Allowed	Proposed/Existing Density
Proposed Project	**R2-HD**	**14.5 du's per acre**	**14 du's per acre**
WestReef 1259 Victoria	**R2-MD**	**12 du's per acre**	**12 du's per acre**
Stonybrook, Meadowview, Sea Cove Lane	**PDR-MD**	**12 du's per acre**	**12 du's per acre**

Design Review

- *The project exhibits excellence in design, site planning, integration of uses and structures, and protects the integrity of neighboring development*. The project will provide an ownership in-fill residential development that will be complementary to an urban setting. The proposed architecture and site design will enhance the street view and will be compatible with existing development in the area. The overall architectural design promotes excellence and compatibility. The variety of building elevations, materials and staggered massing diminishes the boxy design appearance consistent with the City's Residential Design Guidelines.

- *The project will provide on-site parking spaces that meets current parking standards (112 spaces required; 112 spaces proposed)*. As noted earlier, the project provides a total of 56 garage parking spaces, 42 driveway spaces, and 14 guest spaces are proposed, for a total of 112 on-site parking spaces or four spaces per unit, which complies with Code. Additionally, the applicant is continuing to work with the owner of Victoria Square to secure off-site parking for future guests of the project.

Vesting Tentative Tract Map

- *The creation of the subdivision and related improvements is consistent with the General Plan and the Zoning Code, is physically suitable to accommodate the subdivision in terms of type, design, and density of development, and is consistent with the State Subdivision Map Act.* The overall design reflects a quality project that is consistent with the intent of the Zoning Code and General Plan. The creation of the subdivision is consistent with General Plan Land Use Element in that the project complies with Objectives 1A.4, 2A.7, and 2A.8 by developing owner-occupied housing to improve the balance between rental and ownership housing opportunities.

ENVIRONMENTAL DETERMINATION

An Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared for the project in accordance with the California Environmental Quality Act (CEQA). In accordance with CEQA Guidelines Section 15073, the IS/MND was made available for a 30-day public review and comment period beginning on February 25, 2015, until March 27, 2015. A copy of the IS/MND is included with this report under separate cover. The consultant has prepared an addendum to the IS/MND reflecting the proposed changes to the project, and is preparing a Responses to Comments received during the March 23, 2015 Planning Commission hearing, which will be provided separately prior to the meeting.

Summary of Environmental Impacts and Mitigation Measures

Under CEQA, a "significant impact" represents a substantial or potentially substantial adverse physical change to the environment. In evaluating specific effects of the project on the environment, the IS/MND identifies thresholds of significance for each effect, evaluates the potential environmental change associated with each effect, and then characterizes the effects as impacts. With the implementation of the mitigation measures identified in the IS/MND for the proposed project, all potentially significant impacts have been reduced to less than significant levels, as summarized in the following table:

Summary of Potentially Significant Environmental Impacts		
Potentially Significant Environmental Effects	**Mitigation Measures**	**Level of Significance After Mitigation**
Noise	**NOI-1: Sound Attenuation Walls.**	**Less than significant**

Source: Trumark IS/MND

LEGAL REVIEW

The City Attorney has reviewed the draft ordinance and resolutions and they have been approved as to form by the City Attorney's Office.

ALTERNATIVES

1. *Approve the project with modifications*. The Planning Commission may suggest specific changes that are necessary to alleviate concerns. If any of the additional requested changes are substantial, the item should be continued to a future meeting to allow a redesign or additional analysis. In the event of significant modifications to the proposal, should the Planning Commission choose to do so, staff will return with a revised resolution incorporating new findings and/or conditions.

2. *Deny the project*. If the Planning Commission believes that there are insufficient facts to support the findings for approval, Planning Commission must deny the application and provide facts in support of denial to be included in the attached draft resolution for denial. If the project were denied, the applicant could not submit substantially the same type of application for six months. The existing Neighborhood Commercial zoning would be in place.

CONCLUSION

Approval of the project will allow development of a 28-unit detached residential ownership development. The project satisfies the required findings for the proposed project and is

deemed to be a high-quality development, therefore it is consistent with the intent of the General Plan and Zoning Code. Therefore, staff recommends approval of the project.

MEL LEE, AICP
Senior Planner

CLAIRE FLYNN, AICP
Asst. Development Services Director

Attachments:
1. Draft General Plan Amendment Resolution, Rezone Ordinance, Project Resolutions, and Exhibits
2. Applicant's Project Description and Exhibits (Updated)
3. Vicinity, Zoning, and General Plan Maps
4. Existing Site Photos
5. Project Plans/Elevations/Perspectives
6. Traffic Study and Traffic Accident Data
7. Addendum to Initial Study/Mitigated Negative Declaration (Original IS/MND Under Separate Cover)
8. Correspondence from Public

Distribution:
Director of Economic & Development Services/Deputy CEO
Assistant Development Services Director
Senior Deputy City Attorney
Public Services Director
City Engineer
Transportation Services Manager
Fire Protection Analyst
Staff (6)
File (2)

Trumark Homes
Attn: Eric Nelson
450 Newport Center Drive, #300
Newport Beach, CA 92660

Westar Holdings, Inc.
1239 Victoria Street
Costa Mesa, CA 92627

AECOM
Attn: Thomas Holm, AICP
999 Town & Country Road
Orange, CA 92868

ATTACHMENT 1
DRAFT RESOLUTIONS, ORDINANCE, AND EXHIBITS

RESOLUTION NO. PC-15-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA RECOMMENDING THAT CITY COUNCIL TAKE THE FOLLOWING ACTIONS:

(1) ADOPT THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION;

(2) ADOPT GENERAL PLAN AMENDMENT GP-14-03 CHANGING THE LAND USE DESIGNATION OF A 2.04 ACRE SITE FROM NEIGHBORHOOD COMMERCIAL (NC) TO HIGH DENSITY RESIDENTIAL (HDR) LOCATED AT 1239 VICTORIA STREET;

(3) GIVE FIRST READING TO REZONE R-14-03 TO CHANGE THE ZONING DISTRICT FROM ADMINISTRATIVE PROFESSIONAL TO MULTIPLE FAMILY RESIDENTIAL – HIGH DENSITY; AND

(4) APPROVE MASTER PLAN PA-14-19 AND VESTING TENTATIVE TRACT MAP VT-17779

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

WHEREAS, the City Council of the City of Costa Mesa adopted the 2000 General Plan on January 22, 2002;

WHEREAS, California Government Code Section 65358(a) authorizes the City Council to amend the General Plan if it deemed to be in the public interest;

WHEREAS, the General Plan is a long-range, comprehensive document that serves as a guide for the orderly development of the City of Costa Mesa;

WHEREAS, by its very nature, the General Plan is subject to update and revision to account for current and future community needs;

WHEREAS, an application was filed by Trumark Homes, representing the property owner, Westar Holdings, Inc., requesting approval of the following land use entitlements;

1. ***General Plan Amendment GP-14-03:*** General Plan amendment to change of Land Use Designation from Neighborhood Commercial (NC) to High Density Residential (HDR).

2. ***Rezone R-14-03:*** Rezone from Administrative and Professional (AP) District to R2-HD (Multiple-Family Residential District, High Density), up to 14.5 dwelling units per acre.

3. ***Planning Application PA-14-19:*** A Design Review for development of a 28-unit Residential Planned Development at the site of an existing commercial/light industrial use. The project consists of the development of 28 single-family, detached residences with a net density of 14 dwelling units per acre. The three bedroom residences are three-stories with roof decks and have attached two-car garages. A total of 56 garage parking spaces, 42 driveway spaces, and 14 guest parking spaces are proposed (112 total spaces, four spaces per unit).

   The following **Variances** are requested:

   a) **Open Space** - a minimum of 40 percent required, 34.9 percent proposed.

   b) **Rear Setback** (20 feet required for second story; 10 feet proposed for second and third stories).

   c) **Building Height** (maximum 2 stories/27 feet required; 3 stories/roof deck/37 feet proposed).

   An **Administrative Adjustment** is required for the front building setback (20 feet required; 14 feet proposed).

   A **Minor Modification** is required to deviate from the distance from main buildings (10 feet required, 8 feet proposed).

4. ***Vesting Tentative Tract Map VT-17779:*** Subdivision of a 2.04-acre property for homeownership.

WHEREAS, an amendment to the General Plan Land Use Element is proposed to change the land use designation of the site for the development of the project as described above;

WHEREAS, the General Plan Amendment involves an amendment to the Land Use Map of the City of Costa Mesa (Exhibit 1);

WHEREAS, the General Plan Amendment approval is pending the adoption of Ordinance No. 15-___ for Rezone R-14-03 (Exhibit 2);

WHEREAS, a duly noticed public hearing was held by the Planning Commission on March 23, 2015, and continued to April 13, 2015 with all persons having the opportunity to speak for and against the proposal;

WHEREAS, the Planning Commission recommended to the City Council approval of the abovementioned land use entitlements;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), an Initial Study/Mitigated Negative Declaration was prepared and circulated through the State Clearinghouse, and the required 30-day public review period was specified from February 25, 2015, to March 27, 2015 for public review and comment;

WHEREAS, the Planning Commission considered the Initial Study/Mitigated Negative Declaration and Responses to Comments document, as well as public comments received to date, on or before the April 13, 2015 public hearing, prior to making a recommendation to approve the proposed project;

WHEREAS, the final adoption of the Initial Study/Mitigated Negative Declaration shall be considered by the City Council as the final approval authority, after evaluation of the environmental document and all comments on the IS/MND received during the public review period;

WHEREAS, written comments received from the general public, government entities, and other interested parties were responded to, where appropriate, in the manner prescribed in California Code of Regulations Section 15073;

WHEREAS, no significant new information has been added to the Initial Study/Mitigated Negative Declaration and no changes to the proposed project have occurred which would

require recirculation of the Initial Study/Mitigated Negative Declaration under CEQA Guidelines Section 15073.5;

WHEREAS, the Planning Commission has reviewed the environmental documentation comprising the Initial Study/Mitigated Negative Declaration and has found that the Initial Study/Mitigated Negative Declaration considers all environmental impacts of the proposed project and a reasonable range of alternatives, and the Initial Study/Mitigated Negative Declaration is complete, adequate, and fully complies with all requirements of CEQA, the CEQA Guidelines, and the City of Costa Mesa Environmental Guidelines;

WHEREAS, the Planning Commission has found that the Initial Study/Mitigated Negative Declaration for this project reflects the independent judgment of the City of Costa Mesa;

BE IT RESOLVED that, based on the evidence in the record, the Planning Commission hereby **RECOMMENDS THAT CITY COUNCIL** take the following actions:

(1) **ADOPT** the Initial Study/Mitigated Negative Declaration;

(2) **ADOPT** General Plan Amendment GP-14-03, as shown in Exhibit 1;

(3) **GIVE FIRST READING TO REZONE R-14-03**, as shown in Exhibit 2;

(4) **APPROVE** Design Review PA-14-19 and Vesting Tentative Tract Map VT-17779 subject to findings contained in Exhibit A, conditions of approval in Exhibit B, and mitigation measures contained in Exhibit C;

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 General Plan Amendment GP-14-03, Rezone R-14-03, Planning Application PA-14-19, and Vesting Tentative Tract Map VT-17779 and upon the applicant's compliance with each and all of the conditions in Exhibits B, and mitigation measures in Exhibit C, and compliance of all applicable federal, state, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval and/or mitigation measures.

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

PASSED AND ADOPTED this 13TH day of April 2015.

Robert L. Dickson, Jr. Chair,
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
) ss
COUNTY OF ORANGE)

I, Claire Flynn, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on April 13, 2015 by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Claire L. Flynn, Secretary
Costa Mesa Planning Commission

EXHIBIT 1 – GENERAL PLAN AMENDMENT GP-14-03

Amendment to the Land Use Map and Related Land Use Table

Change the land use designation of the 2.04-acre development site at 1239 Victoria Street from Neighborhood Commercial (NC) to High Density Residential (HDR)

Note: Updated text changes to the Land Use Summary Table of the General Plan are also required, as applicable.

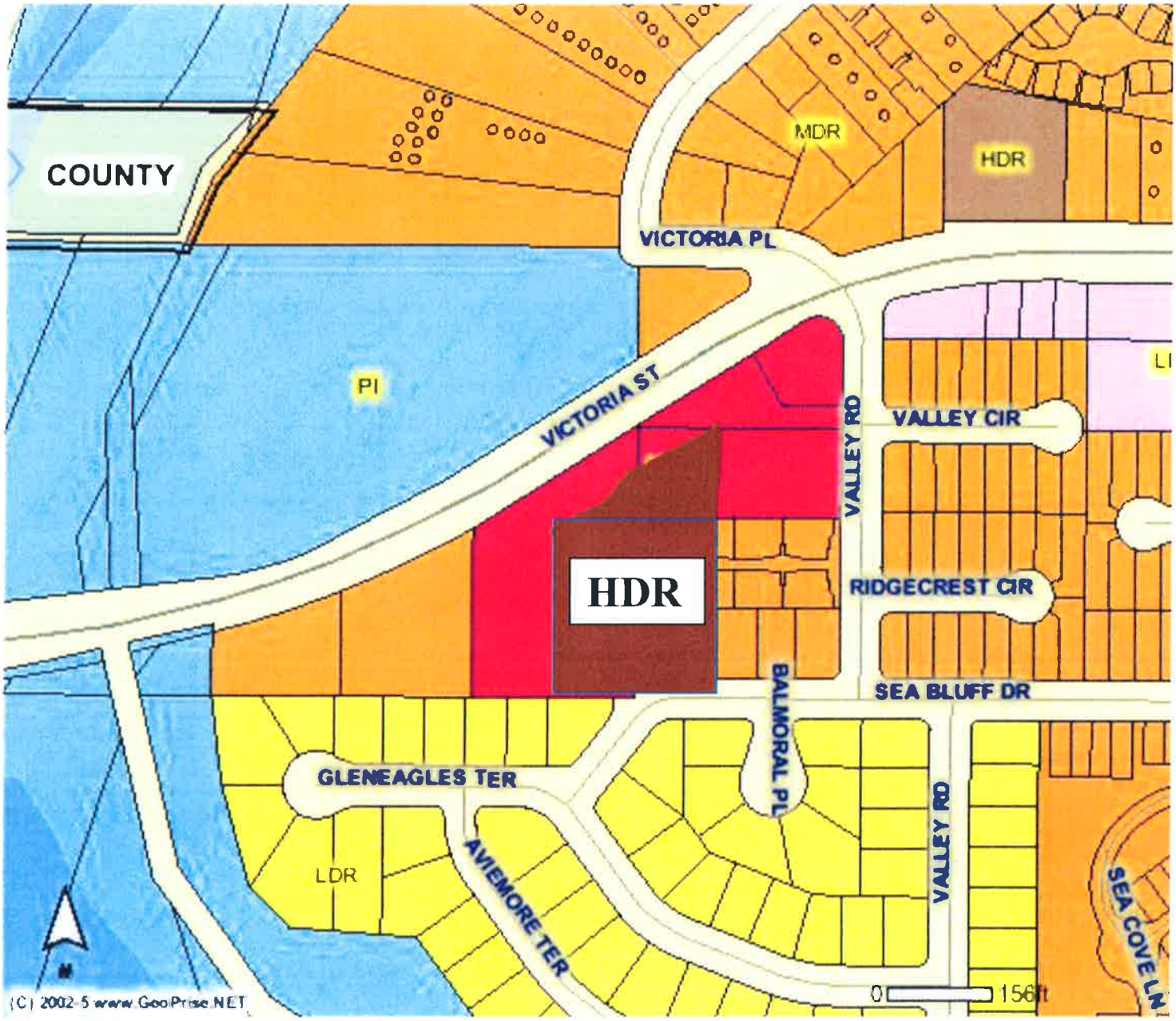

COUNTY
MDR
HDR
VICTORIA PL
PI
VICTORIA ST
VALLEY RD
VALLEY CIR
HDR
RIDGECREST CIR
SEA BLUFF DR
BALMORAL PL
GLENEAGLES TER
LDR
AVIEMORE TER
VALLEY RD
SEA COVE LN
0
156ft
(C) 2002-5 www.GeoPrise.NET

EXHIBIT 2 –

ORDINANCE NO. 15-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA APPROVING REZONE R-14-03 TO REZONE (OR CHANGE) A 2.04 ACRE SITE FROM AP (ADMINISTRATIVE AND PROFESSIONAL DISTRICT) TO MULTIPLE FAMILY RESIDENTIAL-HIGH DENSITY (PDR-HD) FOR THE PROPERTY LOCATED AT 1239 VICTORIA STREET.

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

WHEREAS, an application was filed by Trumark Homes, representing the property owner, Westar Holdings, Inc., requesting approval of the following land use entitlements:

Rezone R-14-03: Rezone (or change) of the zoning classification of the site from Administrative and Professional (AP) District to Multiple Family Residential – High Density (up to 14.5 dwelling units per acre) (R2-HD) District. This is being proposed in conjunction with the following land use entitlements:

- ***General Plan Amendment GP-14-03:*** General Plan amendment to change of Land Use Designation from Neighborhood Commercial to High Density Residential.
- ***Planning Application PA-14-19:*** A Design Review for development of a 28-unit Residential Planned Development at the site of an existing commercial/light industrial use. The project consists of the development of 28 single-family, detached residences with a net density of 14 dwelling units per acre. The three bedroom residences are three-stories with roof decks and have attached two-car garages. A total of 56 garage parking spaces, 42 driveway spaces, and 14 guest parking spaces are proposed (112 total spaces, four spaces per unit).
- The following **Variances** are requested:
  - **Open Space** - a minimum of 40 percent required, 34.9 percent proposed.
  - **Rear Setback** (20 feet required for second story; 10 feet proposed for second and third stories).
  - **Building Height** (maximum 2 stories/27 feet required; 3 stories/roof deck/37 feet proposed).
- An **Administrative Adjustment** is required for the front building setback (20 feet required; 14 feet proposed).

- A **Minor Modification** is required to deviate from the distance from main buildings (10 feet required, 8 feet proposed).

- ***Vesting Tentative Tract Map VT-17779:*** Subdivision of a 2.04-acre property for homeownership.

WHEREAS, a duly noticed public hearing was held by the Planning Commission on March 23, 2015, and continued to April 13, 2015 with all persons having the opportunity to speak for and against the proposal;

WHEREAS, at the April 13, 2015 meeting, the Planning Commission recommended that City Council take the following actions by separate Planning Commission resolution;

(1) **ADOPT** the Initial Study/Mitigated Negative Declaration;

(2) **ADOPT** General Plan Amendment GP-14-03, as shown in Exhibit 1;

(3) **GIVE FIRST READING TO REZONE R-14-03**, as shown in Exhibit 2;

(4) **APPROVE** Design Review PA-14-19 and Vesting Tentative Tract Map VT-17779 subject to findings contained in Exhibit A, conditions of approval in Exhibit B, and mitigation measures contained in Exhibit C;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), an Initial Study/Mitigated Negative Declaration was prepared and circulated from February 25, 2015, to March 27, 2015 for public review and comment;

WHEREAS, the City of Costa Mesa received written comments from the general public, government entities, and other interested parties during the public review period;

WHEREAS, written comments received from the general public, government entities, and other interested parties were responded to, where appropriate, in the manner prescribed in California Code of Regulations Section 15073;

WHEREAS, no significant new information has been added to the Initial Study/Mitigated Negative Declaration and no changes to the proposed project have occurred which would

require recirculation of the Initial Study/Mitigated Negative Declaration under CEQA Guidelines Section 15073.5;

WHEREAS, the City Council has reviewed all environmental documents comprising the Initial Study/Mitigated Negative Declaration and has found that the Initial Study/Mitigated Negative Declaration considers all environmental impacts of the proposed project and a reasonable range of alternatives, and the Initial Study/Mitigated Negative Declaration is complete, adequate, and fully complies with all requirements of CEQA, the CEQA Guidelines, and the City of Costa Mesa Environmental Guidelines;

WHEREAS, the Initial Study/Mitigated Negative Declaration for this project reflects the independent judgment of the City of Costa Mesa;

BE IT RESOLVED that, based on the evidence in the record, the City Council hereby **APPROVES** as follows:

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

1. There is hereby placed and included in the R2-HD (Multiple Family Residential-High Density) zoning district a 2.04 -acre parcel, identified as County Assessor Parcel Number 422-322-18 and as shown in attached Exhibit B, situated in the City of Costa Mesa, County of Orange, State of California.
2. 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 #1 above and in the findings in respective Exhibit A. A copy of the Official Zoning Map is on file in the office of the Planning Division.

SECTION 2: 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 or further, is hereby repealed or modified to the extent necessary to affect the provisions of this ordinance.

SECTION 3: 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 4: 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 and member of the City Council voting for and against the same.

_____

STEPHEN M. MENSINGER

Mayor, City of Costa Mesa

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, BRENDA GREEN, City Clerk and ex-officio Clerk of the City Council of the City of Costa Mesa, hereby certify that the above Council Ordinance Number __ as considered at a regular meeting of said City Council held on the ___day of _____, 2015, and thereafter passed and adopted as a whole at the regular meeting of said City Council held on the ____ day of ____, 2015, by the following roll call vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the Seal of the City of Costa Mesa this ___ day of _____, 2015

EXHIBIT 2A

FINDINGS (APPROVAL)

A. **Required Finding:** The proposed rezone is consistent with the Zoning Code and the General Plan.

Facts In Support of Findings: The proposed project meets or exceeds the intent of the City's Zoning Code with regard to the development standards for the R2-HD zone, including density and on-site parking. The General Plan land use designation for the project area is High Density Residential (14.5 dwelling units to the acre maximum), which is compatible with the proposed zone change to R2-HD (Multiple Family Residential–High Density). The project provides a maximum density of 14 dwelling units to the acre.

EXHIBIT 2B

Amendment to the Zoning Map

Change the zoning designation of the 2.04 -acre development site at 1239 Victoria Street from Administrative and Professional District (AP) to Multiple Family Residential- High Density (R2-HD)

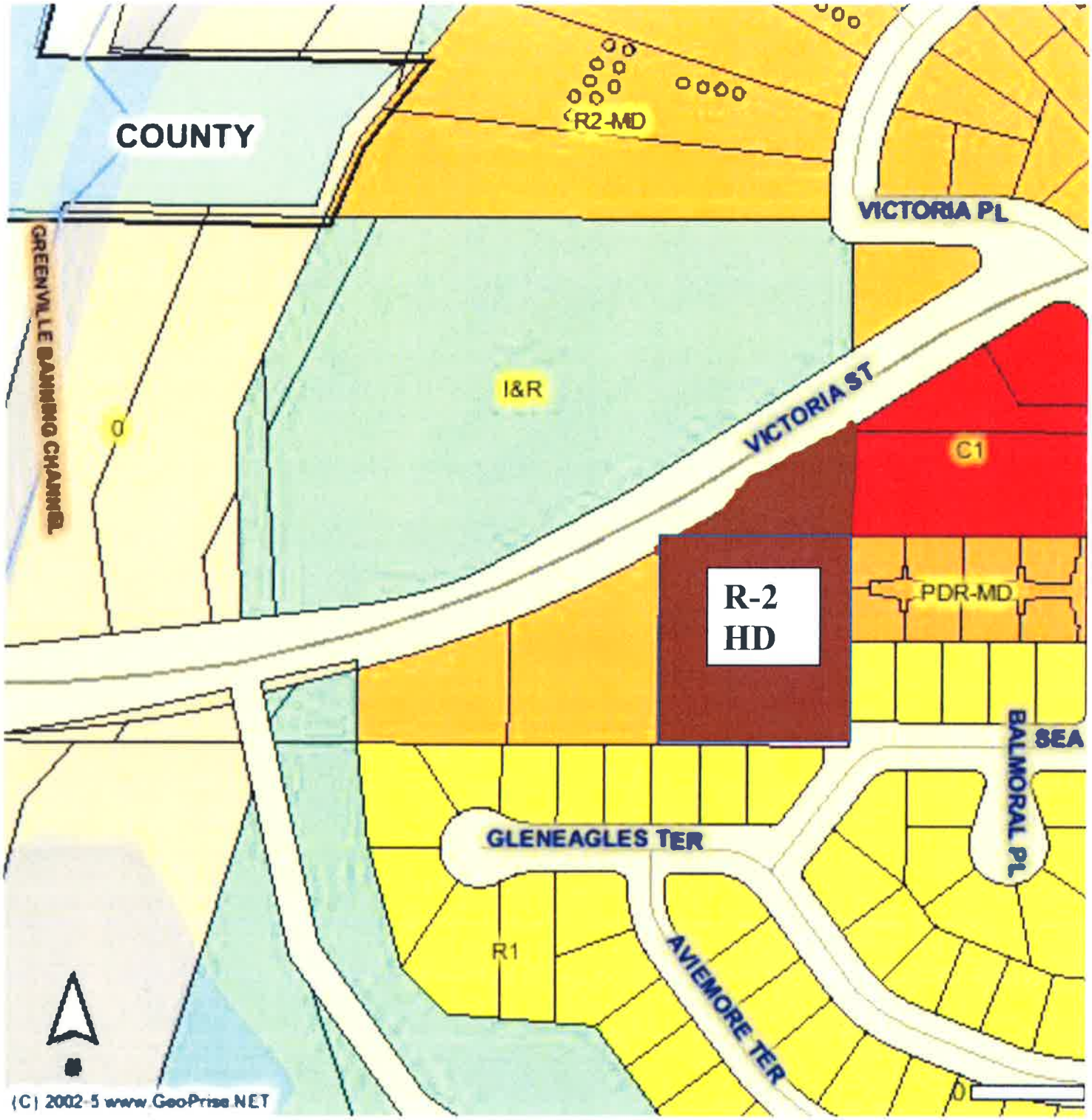

COUNTY
R2-MD
VICTORIA PL
GREENVILLE DAMMING CHANNEL
I&R
VICTORIA ST
C1
R-2
HD
PDR-MD
SEA
BALMORAL PL
GLENEAGLES TER
R1
AVIEMORE TER
(C) 2002-5 www.GeoPrise.NET

EXHIBIT A

FINDINGS (APPROVAL)

A. **Finding:** The proposed rezone is consistent with the Zoning Code and the General Plan.

Facts In Support of Findings: The proposed project meets or exceeds the intent of the City's Zoning Code with regard to the development standards for the R2-HD zone, including density and on-site parking. The General Plan land use designation for the project area is High Density Residential (14.5 dwelling units to the acre maximum), which is compatible with the proposed zone change to R2-HD (Multiple Family Residential–High Density). The project provides a maximum density of 14 dwelling units to the acre.

B. The proposed project complies with Title 13, Section 13-29(g)(14), Design Review, of the Municipal Code due to the following:

Finding: The project complies with the City of Costa mesa Zoning Code and meets the purpose and intent of the Residential Design Guidelines, which are intended to promote excellence in new residential construction, with consideration being given to compatibility with the established residential community. This design review includes site planning, preservation of overall open space, landscaping, appearance, mass and scale of structures, location of windows, varied roof forms and roof plane breaks, and any other applicable design features.

Facts in Support of Findings: The project is consistent with the following goals and objectives of the General Plan, Land Use Element.

- **Goal LU-1:** *It is the goal of the City of Costa Mesa to provide its citizens with a balanced community of residential, commercial, industrial, recreational, and institutional uses to satisfy the needs of the social and economic segments of the population and to retain the residential character of the City; to meet the competing demands for alternative developments within each land use classification within reasonable land use intensity limits; and to ensure the long term viability and productivity of the community's natural and man-made environments.*

Consistency: The project will provide additional ownership housing opportunities because the project is for 28-home ownership units. The Initial Study/Mitigated Negative Declaration prepared for the project did not identify any adverse impacts to the natural environment and will not increase the need for significant infrastructure improvements. Therefore, the proposed project is consistent with this General Plan goal.

- **Objective LU-1A:** *Establish and maintain a balance of land uses throughout the community to preserve the residential character of the City at a level no greater than can be supported by the infrastructure.*

  Consistency: The proposed project is an infill redevelopment project replacing an underutilized commercial building with residential uses. The Initial Study/Mitigated Negative Declaration prepared for the project indicates that adequate infrastructure (i.e., roads, emergency, and utility services) is available to serve the proposed project. Therefore, the proposed project is consistent with this General Plan objective.

- **Objective LU-1A.4:** *Strongly encourage the development of...residential uses and owner-occupied housing where feasible to improve the balance between rental and ownership housing opportunities.*

  Consistency: The project is consistent with the proposed High Density Residential General Plan Designation of the property, which allows a maximum of 40 units for the site (28 units are proposed). The project has been specifically designed for owner-occupied housing units. Therefore, the proposed project is consistent with this General Plan objective.

- **Objective LU-1F.5:** *Provide opportunities for the development of well planned and designed projects which, through vertical or horizontal integration, provide for the development of compatible residential uses within a single project or neighborhood.*

  Consistency: The project has been designed with appropriate building articulation, setbacks and offsets to ensure that it is compatible with surrounding properties and uses. Therefore, the project is consistent with this General Plan objective.

- **Goal LU-2:** *It is the goal of the City of Costa Mesa to establish development policies that will create and maintain an aesthetically pleasing and functional environment and minimize impacts on existing physical and social resources.*

  Consistency: The project would allow for the redevelopment of property containing an underused commercial building. The proposed project would enhance the visual appearance of the site through implementation of the proposed landscape plan. In addition, the project would provide a high-quality architectural design to the project area. As required by a standard condition of approval on the project, landscaping treatment along the street frontage will be reviewed to ensure that adequate landscaping is provided to soften the edges of the development and provide compatibility with the

surrounding area. As a result, the proposed project is supportive of this General Plan goal.

- **Objective LU-2A:** *Encourage new development and redevelopment to improve and maintain the quality of the environment.*

  Consistency: An Initial Study/Mitigated Negative Declaration was prepared for this project per the provisions of the California Environmental Quality Act (CEQA). The purpose of the IS/MND is to identify any environmental impacts and, if an impact is determined, if it can be mitigated below a level of significance. Because the IS/MND determined that the project would not result in the loss of any habitat, or require extensive infrastructure improvements to provide service to the site, the proposed project is consistent with this objective.

The proposed project meets or exceeds the intent of the City's Zoning Code with regard to the development standards for the R2-HD zone, including lot sizes, building setbacks, open space, and on-site parking; specifically, as noted below.

- *The project exhibits excellence in design, site planning, integration of uses and structures, and protect the integrity of neighboring development*. The project will provide an ownership in-fill residential development that will be complementary to an urban setting. The proposed architecture and site design will enhance the street view and will be compatible with existing development in the area. The overall architectural design promotes excellence and compatibility. The variety of building elevations, materials and staggered massing diminishes the boxy design appearance consistent with the City's Residential Design Guidelines.

- *The project will provide on-site parking spaces that meets current parking standards (112 spaces required; 112 spaces proposed)*. As noted earlier, the project would The project provides a total of 56 garage parking spaces, 42 driveway spaces, and 14 guest spaces are proposed, for a total of 112 on-site parking spaces or four spaces per unit, which complies with Code.

- *The project will not significantly impact key intersections which would continue to operate at an acceptable Level of Service (LOS)*. As part of the IS/MND a traffic study was prepared which concluded that, due to the commercial use this project is replacing, the proposed project will result in 139 fewer daily trips, 40 fewer AM peak hour trips, and 26 fewer PM peak hour trips. The proposed project would have a lesser impact on the surrounding street system than the existing land use during the critical weekday AM hour and PM peak hour. Given the reduction in traffic generation resulting from the proposed project, no traffic impacts are forecast and no traffic mitigation is required.

C. The proposed tentative tract map complies with Costa Mesa Municipal Code Section 13-29(g)(13) because:

Finding: The creation of the subdivision and related improvements is consistent with the General Plan and the Zoning Code.

Facts in Support of Findings: The creation of the subdivision is consistent with General Plan Land Use Element in that the project complies with Objectives 1A.4, 2A.7, and 2A.8 by developing owner-occupied housing to improve the balance between rental and ownership housing opportunities, the project provides sufficient easements as a common interest development, and encourages increased private market investment in declining or deteriorating neighborhoods. The subdivision complies with the State Subdivision Map Act.

Finding: The proposed use of the subdivision is compatible with the General Plan.

Facts in Support of Findings: The HDR (High Density Residential) General Plan Land Use designation allows residential development of up to 14.5 dwelling units/acre on this site; the proposed project is 14 dwelling units/acre and complies with all other applicable provisions of the Zoning Code for residential developments in the R2-HD zone.

Finding: The subject property is physically suitable to accommodate the subdivision 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 Zoning Code and General Plan, and consideration of appropriate environmental information.

Facts in Support of Findings: The overall design reflects a quality project that is consistent with the intent of the Zoning Code and General Plan. The will not create an adverse impact on the environment.

Finding: 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 State Government Code Section 66473.1.

Facts in Support of Findings: The proposed buildings include openings in an east-west direction to take advantage of passive solar heating as well as passive ventilation from ocean breezes. The inclusion of trees will also help provide shade to the residential units within the development.

Finding: The subdivision 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.

Facts in Support of Findings: As conditioned, the proposed project does not interfere with the public right-of-way. The recommended improvements along the public streets abutting the project site will improve the public right-of-ways for vehicular and pedestrian traffic.

Finding: 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).

Facts in Support of Findings: The applicant will be required to comply with all regulations set forth by the Costa Mesa Sanitation District as well as the Mesa Water District.

D. The requested variance and administrative adjustment substantially complies with Costa Mesa Municipal Code Section 13-29(g)(1) in that:

Findings:

- Because of special circumstances applicable to the property, the strict application of development standards deprives the property of privileges enjoyed by others in the vicinity.
- The deviation shall not constitute a grant of special privileges inconsistent with other properties in the vicinity.
- The granting of the deviation will not allow a use, density, or intensity which is not in accordance with the general plan designation for the property.

Facts in Support of Findings:

- *Because of special circumstances applicable to the property, the strict application of development standards deprives the property of privileges enjoyed by others in the vicinity*. The purpose of the 20-foot setback requirement is to provide a visual buffer between the public sidewalk and any perimeter walls or buildings. The proposed project is located on site that has several special circumstances due to lot shape and topography. Specifically, the northerly boundary of the site, along the Victoria Street frontage, has a 30% slope, preventing a typical orientation of a building at 90° angle to the street. Additionally, although the site does not provide the minimum required setback as measured from its narrowest point (at Lot 28) the proposed development provides the average required perimeter landscaping since several areas exceed 20 feet in depth (33 feet in depth in front of Lot 17, for example).

  With regard to overall open space and building height, the same conditions for unusual lot shape and topography as discussed above apply. Additionally, the project proposes roof top decks for each unit ranging in size from 418 square feet to 522 square feet in addition to the ground-level private yard area for each

lot. Roof decks are not typically calculated as part of the required open space; however, if the variance were to be approved to allow the roof decks to count as open space, it would add 13,524 square feet of open space to the project, thereby meeting the intent of the Zoning Code open space requirement.

- *The deviation authorized does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated.* Although the abutting Westreef project provided code-compliant open space (40% required; 45% provided) the approval also included a variance from the 20-foot front landscape requirement (20 feet required; 10 feet proposed). Therefore, the strict application of the 20-foot setback requirement for this project deprives the subject property of privileges enjoyed by others in the vicinity.

  The existing residential properties along Gleneagles Terrace, Sea Bluff Drive, and Valley Road consist of one- and two-story structures. The proposed units will be 3-stories / 37 feet in height with a roof deck on the top story. For the building height variance is required, the following table provides context for multi-family residential developments in the area that have been approved with a three-story building height.

Address	Case No.	Description
2209 – 2219 Pacific Avenue	**PA-87-172 Approved 10/1987**	**Variance from building height for a 21-unit apartment project (two stories allowed; three stories approved).**
1259 Victoria Street (Westreef)	**PA-12-24 Approved 4/2013**	**Variance from building height for Building Complex 1 and 3 (two stories/27 feet allowed; three stories/35-37 feet approved)**

  While the subject property is not located along the bluff crest, other multi-family projects have been approved with encroachment into setback requirements.

- *The proposed project is consistent with the General Plan/Zoning Code with regard to use, density and intensity.* As noted earlier, the HDR (High Density Residential) General Plan Land Use designation allows residential development of up to 14.5 dwelling units/acre on this site; the proposed project is 14 dwelling units/acre and complies with all other applicable provisions of the Zoning Code for residential developments in the R2-HD zone. Therefore, the granting of the deviation will not allow a use, density, or intensity which is not in accordance with the general plan designation and any applicable specific plan for the property.

E. Code Section 13-29(g)(6) requires any of the following findings for minor modifications:

Findings:

- The improvement will not be materially detrimental to the health, safety, and general welfare of persons residing or working within the immediate vicinity of the project or to property and improvements within the neighborhood.
- The improvement is compatible and enhances the architecture and design of the existing and anticipated development in the vicinity. This includes the site planning, land coverage landscaping, appearance, scale of structures, open space, and any other applicable features relative to a compatible and attractive development.

Facts in Support of Findings:

The minor modification is for a relatively minor 2-foot reduction in the building separation for the units. The project would still be subject to Code requirements as they pertain to Building and Fire safety. In addition, the reduction will not be materially detrimental to the health, safety, and general welfare of persons residing or working within the immediate vicinity of the project or to property and improvements within the neighborhood. As noted earlier, the project consists of quality architecture and building materials and is compatible and enhances the architecture and design of the existing and anticipated development in the vicinity.

F. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City's environmental procedures. An Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared for the project in accordance with the California Environmental Quality Act (CEQA). Mitigation measures from the IS/MND have been included as Exhibit C. If any of these conditions are removed, the decision-making body must make a finding that the project will not result in significant environmental impacts, that the conditions are within the responsibility and jurisdiction of another public agency, or that specific economic, social or other considerations make the mitigation measures infeasible.

G. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

H. The subject property is physically suitable to accommodate the proposed subdivision 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 purpose and intent of the City's Zoning Code and General Plan, as amended.

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.

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.

I. 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).

EXHIBIT B

CONDITIONS OF APPROVAL

Plng. 1. Planning Application PA-14-19 and Vesting Tentative Tract VT-17779 shall comply with the conditions of approval, code requirements, special district requirements, and mitigation measures of the IS/MND for this project and as listed in the attached Mitigation Monitoring Program (Exhibit C).

2. Mitigation measures from the IS/MND for this project have been included as Exhibit C. If any of these conditions are removed, the Planning Commission must make a finding that the project will not result in significant environmental impacts, that the conditions are within the responsibility of another public agency, or that specific economic, social, or other considerations make the mitigation measures infeasible.

3. The conditions of approval including Mitigation Measures incorporated by reference in these Conditions of Approval as Exhibit C, code requirements, and special district requirements of PA-14-19 and VT-17779 shall be blueprinted on the face of the site plan as part of the plan check submittal package.

4. The expiration of Planning Application PA-14-19 shall coincide with the expiration of the approval of the Vesting Tentative Tract Map VT-17779 which is valid for two years. An extension request is needed to extend the expiration for each additional year after the initial two-year period. The Vesting Tentative Tract Map shall be processed as a common interest residential development map consistent with Section 13-41 of the Zoning Code.

5. Prior to issuance of building permits, applicant shall implement the pre-negotiated modifications, including but not limited to, window locations, exterior staircases, roofdecks, landscape plans, and any other applicable deal points made with the specified adjacent neighbors at Sea Bluff Drive and Valley Road to the satisfaction of the Development Services Director.

6. A decorative 7-foot high perimeter block wall shall be constructed along the rear boundary of the site where the current 5-foot high block wall is located. Where walls or fences 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. The interior fences or walls between the units shall be a minimum of six feet in height, except as noted in the noise mitigation measures for this project.

7. The maximum height of the building, including any mechanical equipment and rooftop appurtenances in the top story roofdeck, shall be 37 feet. No outdoor amplified music or storage of materials visible from adjacent residential properties shall occur on the rooftop level. The railing of the roofdeck area shall be a minimum of 42" inches and shall be obscure. Other than the minimal lighting required for safety and security purposes, no additional outdoor or decorative lighting shall be installed within the roofdeck area. The boundaries or limits of the roofdeck area for Lots 4 through 9 shall be modified

/ reduced in sized to provide additional setback from the rear of the property to address privacy impacts to the extent feasible.

8. The open, unassigned parking spaces within the private street shall be clearly marked as guest parking spaces. Signage will be posted to indicate that these spaces are available to all visitors. The number of on-site parking spaces required for this project shall be shown on the final construction drawings. Open parking spaces be designated as unreserved, available, open guest parking for all visitors to the site. Signage will be posted to indicate that these spaces are available to all visitors. Vehicle parking on individual driveway less than 19-feet in length is expressly prohibited.

9. Prior to issuance of building permits, a final landscape plan indicating the landscape palette and the design/material of paved areas shall be submitted for review and approval by the Planning Division. The developer shall provide decorative hardscape and landscape treatments as shown on the conceptual plans to provide visual relief for the project from the street. Final materials shall be subject to approval by the Planning Division.

10. The landscape setback area along Victoria Street shall be landscaped with trees and vegetation. The landscape plan shall be approved prior to issuance of building permits and shall contain additional 24-inch box trees above the minimum Code requirements to the satisfaction of the Development Services Director. Compliance with this requirement may include upgrading smaller sized trees to 24-inch box trees or providing additional 24-inch box trees. Landscaping and irrigation shall be installed in accordance with the approved plans prior to final inspection or occupancy clearance.

11. Prior to issuance of building permits, developer 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.

12. No modification(s) of the approved building elevations including, but not limited to, change of architectural type, changes that increase the building height, removal of building articulation, 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 a variance, or in the requirement to modify the construction to reflect the approved plans.

13. Prior to issuance of grading permits, developer shall identify to the Development Services Director a construction relations officer to act as a community liaison concerning on-site activity, including resolution of issues related to dust generation from grading/paving activities. The community liaison shall provide a 24-hour hotline to the surrounding residents within 500 feet of the subject property to report any concerns during the construction of the project. The concerns shall be addressed within a reasonable time period (generally 72 hours) to the satisfaction of the Development Services Director. The community liaison shall provide a weekly report indicating the complaints received and resolution implemented.

14. The upper level windows shall be designed to minimize direct views into second-floor windows for residences on abutting properties.

15. Prior to the issuance of Building Permits, the Applicant shall submit a Lighting Plan and Photometric Study for the approval of the City's Development Services Department. The Lighting Plan shall demonstrate compliance with the following:
    a. The mounting height of lights on light standards shall not exceed 18 feet in any location on the Project site unless approved by the Development Services Director. There shall not be in permanent light standards (other than light bollards) installed in the roof deck area.
    b. The intensity and location of lights on buildings shall be subject to the Development Services Director's approval.
    c. All site lighting fixtures shall be provided with a flat glass lens. Photometric calculations shall indicate the effect of the flat glass lens fixture efficiency.
    d. Lighting design and layout shall limit spill light to no more than 0.5 foot candle at the property line of the surrounding neighbors, consistent with the level of lighting that is deemed necessary for safety and security purposes on site.
    e. Glare shields may be required for select light standards.
    f. If proposed, light standards on roof decks shall be located and oriented in such a way as to minimize light spillage onto surrounding properties.

16. Prior to issuance of grading permits, developer shall submit for review and approval a Construction Management Plan. This plan features methods to minimize disruption to the neighboring residential uses to the fullest extent that is reasonable and practicable. The plan shall include construction parking and vehicle access and specifying staging areas and delivery and hauling truck routes. The plan should mitigate disruption to residents during construction. The truck route plan shall preclude truck routes through residential areas and major truck traffic during peak hours. The total truck trips to the site shall not exceed 200 trucks per day (i.e., 100 truck trips to the site plus 100 truck trips from the site) unless approved by the Development Services Director or Transportation Services Manager.

17. The subject property's ultimate finished grade level may not be filled/raised in excess of 36 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 storm water 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.

18. If the project is constructed in phases, the perimeter wall, landscaping along the street frontage and irrigation shall be installed prior to the release of utilities for the first phase.

19. The applicant shall contact the Planning Division to arrange a 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.

20. Trash facilities shall be screened from view, and designed and located appropriately to minimize potential noise and odor impacts to residential areas.

21. To avoid an alley-like appearance, the private street shall not be developed with a center concrete swale. The private street shall be complemented by stamped concrete or pervious pavers.

22. 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.

a. The CC&Rs shall contain provisions requiring that the HOA homeowner's association (HOA) effectively manage parking and contract with a towing service to enforce the parking regulations.
b. The CC&Rs shall also contain provisions related to night-time lighting and active use of the roof decks. These provisions shall prohibit amplified noise, loud parties/gatherings, night-time lighting after 9:00 PM other than for security purposes, or any other activities that may be disruptive to the quiet enjoyment of neighboring properties after 9:00 PM.
c. The CC&Rs shall also contain provisions related to preservation and maintenance of the common lot and common open space areas in perpetuity by the homeowner's association. The CC&Rs shall also contain the buyer's notice as an exhibit.
d. The CC&Rs shall contain a notice that all open parking spaces which are not located on an individual driveway shall be unassigned and available for visitors.
e. The CC&R's shall contain restrictions requiring residents to park vehicles in garage spaces provided for each unit. Storage of other items may occur only to the extent that vehicles may still be parked within the required garage at the number for which the garage was originally designed and to allow for inspections by the association to verify compliance with this condition.
f. The CC&Rs shall contain restrictions prohibiting parking in the 5-foot deep driveways in front of the garage doors for the Plan 2 Units.
g. The CC&Rs shall contain provisions requiring that the Homeowner's Association submit a signed affidavit to the City of Costa Mesa on an annual basis to certify the following:
    - The two-car garages in the residential community are being used for vehicle parking by the resident(s).
    - The vehicle parking areas within the garage are not obstructed by storage items, including but not limited to, toys, clothing, tools, boxes, equipment, etc.
    - The resident(s) have consented to voluntary inspections of the garage to verify the parking availability, as needed.
    - The form and content of the affidavit shall be provided by the City Attorney's office. Failure to file the annual affidavit is considered a violation of this condition.
h. Any subsequent revisions to the CC&Rs related to these provisions must be reviewed and approved by the City Attorney's office and the Development Services Director before they become effective.

23. The CC&Rs shall be recorded prior to issuance of certificates of occupancy. Applicant shall provide proof of establishment of a homeowners association prior to release of any utilities prior to selling any of the units as condominiums.

24. Prior to issuance of building permits, the applicant shall provide proof of recordation of Vesting Tract Map 17779.

25. Transformers, backflow preventers, and any other approved above-ground utility improvement shall be located outside of the required street setback area and shall be screened from view, under direction of Planning staff. Any deviation from this requirement shall be subject to review and approval of the Development Services Director.

26. Applicant shall plant mature trees (24-inch box trees) with a minimum height of 15 feet in the rear yards of Lots 3 through 9 and Lot 23 to provide visual screening for privacy purposes. The CC&Rs shall reflect that these trees be maintained (or replaced if necessary) in the rear yard to provide a permanent landscape buffer between the properties at the homeowner's expense in the future.

27. In the event that archaeological resources are encountered during grading and construction, all construction activities shall be temporarily halted or redirected to permit the sampling, identification, and evaluation of archaeological materials as determined by the City, who shall establish, in cooperation with the project applicant and a certified archaeologist, the appropriate procedures for exploration and/or salvage of the artifacts.

28. In the event that paleontological resources are encountered during grading and construction operations, all construction activities shall be temporarily halted or redirected to permit a qualified paleontologist to assess the find for significance and, if necessary, develop a paleontological resources impact mitigation plan (PRIMP) for the review and approval by the City prior to resuming excavation activities.

29. If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 24 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

30. An opportunity shall be provided for a certified Native American Monitor (NAM) to be present during the first week of ground disturbance activities. In the event that additional cultural deposits are uncovered during ground disturbance operations, the NAM shall be empowered to halt or divert work in the vicinity of the find until the nature and the significance of the discovery is determined.

31. The applicant shall defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers and employees from any claim, action, or proceeding (collectively referred to as "proceeding") brought against the City, its elected and appointed officials, agents, officers or employees arising out of,

or which are in any way related to, the applicant's project, or any approvals granted by City related to the applicant's project. The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, the City and/or the parties initiating or bringing such proceeding. This indemnity provision shall include the applicant's obligation to indemnify the City for all the City's costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth in this section. City shall have the right to choose its own legal counsel to represent the City's interests, and applicant shall indemnify City for all such costs incurred by City.

Eng. 32. Comply with the requirements contained in the letter prepared by the City Engineer (Exhibit B1).

33. 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.

Trans. 34. The westerly project driveway shall be restricted to right-in/right-out access while the easterly driveway remains a full access driveway. The right-in/right-out restriction at the westerly driveway shall be implemented by constructing a raised median on Victoria Street, subject to final review and approval by the Transportation Services Manager and the Development Services Director.

Bldg. 35. The applicant shall submit a soils report for this project. Soils report recommendation shall be blueprinted on both the architectural and grading plans. Soils report shall contain recommendations on how to protect the subject and neighboring properties. Design, grading, and construction shall be performed in accordance with the requirements of the California Building Code applicable at the time of grading as well as the appropriate local grading regulations, and the recommendations of the project geotechnical consultant as summarized in a final written report, subject to review by the City of Costa Mesa Building official prior to issuance of grading permits.

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. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections, final occupancy and utility releases will not be granted until all such licenses have been obtained.
2. 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.
3. Prior to issuance of building permits, applicant shall contact the US 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. Pay Park fee prior to building permit issuance or certificate of occupancy. Applicable fee shall be that fee in effect at the time the subdivision application is filed with the City.
5. A minimum 20-foot by 20-foot clear interior dimension shall be provided for all garages.
6. Minimum garage door width shall be 16 feet.
7. All garages shall be provided with automatic garage door openers.
8. Hours of construction shall comply with Section 13-279, Title 13, of the Costa Mesa Municipal Code.
9. Two (2) sets of detailed landscape and irrigation plans, which meet the requirements set forth in Costa Mesa Municipal Code Sections 13-101 through 13-108 and the City's Water Efficient Landscape Guidelines, shall be required as part of the project plan check review and approval process. Plans shall be forwarded to the Planning Division for final approval prior to issuance of building permits.
10. Two (2) sets of landscape and irrigation plans, approved by the Planning Division, shall be attached to two of the final building plan sets.
11. All on-site utility services shall be installed underground.
12. 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 shall be in a manner acceptable to the public utility and shall be in the form of a vault, wall cabinet, or wall box under the direction of the Planning Division.
13. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.
14. All construction contractors shall comply with South Coast Air Quality Management District (SCAQMD) regulations, including Rule 403, Fugitive

Dust. All grading (regardless of acreage) shall apply best available control measures for fugitive dust in accordance with Rule 403. To ensure that the project is in full compliance with applicable SCAQMD dust regulations and that there is no nuisance impact offsite, the contractor would implement each of the following:

a. Moisten soil not more than 15 minutes prior to moving soil or conduct whatever watering is necessary to prevent visible dust emissions from exceeding 100 feet in any direction.

b. Water excavated soil piles hourly or covered with temporary coverings.

c. Water exposed surfaces at least twice a day under calm conditions. Water as often as needed on windy days when winds are less than 25 miles per hour or during very dry weather in order to maintain a surface crust and prevent the release of visible emissions from the construction site.

d. Minimize dirt track-out from the project site by employing either vehicle wash stations, rumble plates or graveling as per specifications in Rule 403.

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 with a tight fitting tarp on any truck leaving the construction sites to dispose of debris.

g. Cease grading during period when winds exceed 25 miles per hour.

15. SCAQMD Rule 445 prohibits permanently installed wood burning devices into any new development. A wood burning device means any fireplace, wood burning heater, or pellet-fueled wood heater, or any similarly enclosed, permanently installed, indoor or outdoor device burning any solid fuel for aesthetic or space-heating purposes, which has a heat input of less than one million British thermal units per hour.

16. The Project shall comply with Title 24 of the California Code of Regulations established by the energy conservation standards.

17. Each of the conclusions and recommendations specified in the Geotechnical Evaluation for the Proposed Development at 1239 Victoria Street, City of Costa Mesa, California (LGC Geotechnical, Inc., April 28, 2014) shall be incorporated into the Project's design considerations, plans, and job specifications.

18. Prior to the issuance of Grading Permits, the Project Applicant shall provide the City of Costa Mesa Department of Building Safety with a geotechnical investigation of the project site detailing recommendations for remedial grading in order to reduce the potential of onsite soils to cause unstable conditions. Design, grading, and construction shall be performed in accordance with the requirements of the California Building Code applicable at the time of grading, appropriate local grading regulations, and the recommendations of the

geotechnical consultant as summarized in a final written report, subject to review by the City of Costa Mesa Department of Building Safety.

19. The Project shall comply with the NPDES requirements, as follows:

    a. Construction General Permit Notice of Intent (NOI) Design: Prior to the issuance of preliminary or precise grading permits, the project applicant shall provide the City Engineer with evidence that an NOI has been filed with the Storm Water Resources Control Board (SWRCB). Such evidence shall consist of a copy of the NOI stamped by the SWRCB or Regional Water Quality Control Board (RWQCB), or a letter from either agency stating that the NOI has been filed.

    b. Construction Phase Storm Water Pollution Prevention Plan (SWPPP): Prior to the issuance of grading permits, the applicant shall prepare a SWPPP that complies with the Construction General Permit and will include at a minimum the following:

        - Discuss in detail the BMPs planned for the project related to control of sediment and erosion, non-sediment pollutants, and potential pollutants in non-storm water discharges; and
        - Describe post-construction BMPs for the Project.

    c. Explain the maintenance program for the Project's BMPs.

    d. List the parties responsible for the SWPPP implementation and the BMP maintenance during and after grading. The Project Applicant shall implement the SWPPP and modify the SWPPP as directed by the Construction General Permit.

20. During demolition, grading, and excavation, workers shall comply with the requirements of Title 8 of the California Code of Regulations, Section 1529, which provides for exposure limits, exposure monitoring, respiratory protection, and good working practices by workers exposed to asbestos. Asbestos-contaminated debris and other wastes shall be managed and disposed of in accordance with the applicable provision of the California Health and Safety Code.

21. During demolition, grading, and excavation, workers shall comply with the requirements of Title 8 of the California Code of Regulations, Section 1532.1, which provides for exposure limits, exposure monitoring, respiratory protection, and good working practice by workers exposed to lead. Lead-contaminated debris and other wastes shall be managed and disposed of in accordance with the applicable provision of the California Health and Safety Code.

22. In order to comply with the 2003 DAMP, the proposed Project shall prepare a Storm Drain Plan, Stormwater Pollution Prevention Plan (SWPPP), and Water Quality Management Plan (WQMP) conforming to the current National Pollution Discharge Elimination System (NPDES) requirements, prepared by

a Licensed Civil Engineer or Environmental Engineer, which shall be submitted to the Department of Public Works for review and approval.

a. The SWPPP shall be prepared and updated as needed during the course of construction to satisfy the requirements of each phase of development.

b. The plan shall incorporate all necessary Best Management Practices (BMPs) and other City requirements to eliminate polluted runoff until all construction work for the project is completed. The SWPPP shall include treatment and disposal of all dewatering operation flows and for nuisance flows during construction.

c. A WQMP shall be maintained and updated as needed to satisfy the requirements of the adopted NPDES program. The plan shall ensure that the existing water quality measures for all improved phases of the project are adhered to.

d. Location of the BMPs shall not be within the public right-of-way.

23. Prior to approval of Plans, the Project shall fulfill the City of Costa Mesa Drainage Ordinance No. 06-19 requirements.

24. The final master plan for development of the Project site shall provide sufficient capacity for fire flows required by the City of Costa Mesa Fire Department.

25. Vehicular access shall be provided and maintained serviceable throughout construction to all required fire hydrants.

26. Prior to the issuance of a Building Permit, the City of Costa Mesa Fire Department shall review and approve the developer's Project design features to assess compliance with the California Building Code and California Fire Code.

27. The Project shall provide fire extinguishers with a minimum rating of 2A to be located within 75 feet of travel distance from all areas. Extinguishers may be of a type rated 2A, 10BC as these extinguishers are suitable for all types of fires and are less expensive.

28. The Project shall provide an automatic fire sprinkler system according to NFPA 13 R.

29. The Project shall provide a fire alarm system.

30. The Project shall provide individual numeric signage for proposed residences with minimum 6 inches height.

31. Prior to issuance of building permits, the Developer shall pay a school impact fee currently calculated at $1.84 per square foot for residential development and $0.30 per square foot for commercial development.

32. As final building plans are submitted to the City of Costa Mesa for review and approval, the Costa Mesa Police Department shall review all plans for the purpose of ensuring that design requirements are incorporated into the building design to increase safety and avoid unsafe conditions. These measures focus

on security measures are recommended by the Police Department, including but not limited to, the following:

a. Lighting shall be provided in open areas and parking lots.

b. Required building address numbers shall be readily apparent from the street and rooftop building identification shall be readily apparent from police helicopters for emergency response agencies.

c. Landscaping requirements.

d. Emergency vehicle parking areas shall be designated within proximity to buildings.

e. The applicant shall fund all costs associated with police and fire radio reception enhancement, including a Bi-Directional Amplifying 800 MHz antenna (BDA).

f. Prior to the issuance of a grading permit, the City of Costa Mesa Police Department shall review and approve the developer's project design features to ensure adequate security measures are incorporated into the project design.

33. Prior to demolition activities, removal and/or abatement of asbestos containing building materials, lead based paints, and hazardous materials associated with the existing building materials shall be conducted by a qualified environmental professional in consultation with the Costa Mesa Fire Department. An asbestos and hazardous materials abatement specification shall be developed by the qualified environmental professional, in order to clearly define the scope and objective of the abatement activities.

34. Prior to investigations, demolition, or renovation, all activities shall be coordinated with Dig Alert (811).

35. Visual inspections for areas of impact to soil shall be conducted during site grading. If unknown or suspect materials are discovered during construction by the contractor that are believed to involve hazardous wastes or materials, the contractor shall:

a. Immediately stop work in the vicinity of the suspected contaminant, removing workers and the public from the area;

b. Notify the City Engineer and Costa Mesa Fire Department;

c. Secure the area(s) in question; and

d. Implement required corrective actions, including remediation if applicable.

36. Prior to the issuance of any Grading Permit, the Applicant shall:

    a. Prepared a detailed Hydrology Study, approved by the City Engineer.

    b. Design all storm drain facilities, approved by the City Engineer, for 25-year storm event protection.

    c. Design all storm drains in the public right-of-way to be a minimum of 24 inches by City of Costa Mesa requirements and in accordance with the Orange County Local Drainage Manual including a minimum spacing between manholes of 300 feet.

Bldg. 37. Comply with the requirements of the 2013 California Building Code, 2013 California Residential Code, 2013 California Electrical Code, 2013 California Mechanical Code, 2013 California Plumbing Code, 2013 California Green Building Standards Code and 2013 California Energy Code (or the applicable adopted, California Building Code, California Residential Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards, and California Energy Code at the time of plan submittal or permit issuance) and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa. Requirements for accessibility to sites, facilities, buildings, and elements by individuals with disability shall comply with Chapter 11B of the 2013 California Building Code.

38. Submit a precise grading plan, an erosion control plan and a hydrology study.

39. Submit a soils report for this project. Soils report recommendations shall be blueprinted on both the architectural and grading plans.

40. On graded sites the top of exterior foundation shall extend above the elevation of the street gutter at point of discharge or the inlet of an approved discharge devise a minimum of 12 inches plus 2 percent. 2013 California Building Code CRC 403.1.7.3.

41. Lots shall be graded to drain surface water away from foundation walls. The grade shall fall a minimum of six inches within the first 10 feet. CRC R401.3.

42. Projections, including eaves, shall be one-hour fire resistive construction, heavy timber or of noncombustible material if they project into the 5-foot (setback area from the property line. They may project a maximum of 12 inches beyond the 3-foot setback. CRC Tables R302.1(1) and R302.1(2).

Trans. 43. Construct all proposed driveway approaches to comply with city standards.

44. Close unused drive approaches, or portion of, with full height curb and gutter that comply with City Standards.

45. Prior to the start of construction, a Construction Access and Circulation Plan shall be prepared and approved by the City Traffic Engineer to ensure that construction traffic will not impact Victoria Street and other public roadways in the site vicinity.

Fire	46.	Prior to the issuance of a Building Permit, the City of Costa Mesa Fire Department shall review and approve the project design features to assess compliance with the California Building Code and California Fire Code.
	47.	Provide Class A fire hydrants to be located as directed by the Fire Department.
	48.	Provide "blue dot" reflective markers for all on-site fire hydrants.
	49.	The project shall provide an automatic fire sprinkler system according to NFPA 13 R.
Street Trees	50.	Plant three (3) 24" Box Pistacia chinensis. Tress to be incorporated into site landscape plan.
WQMP	51.	In order to comply with the 2003 DAMP, the proposed project shall prepare a Storm Drain Plan, Stormwater Pollution Prevention Plan (SWPPP), and Water Quality Management Plan (WQMP) conforming to the current National Pollution Discharge Elimination System (NPDES) requirements, prepared by a Licensed Civil Engineer or Environmental Engineer, which shall be submitted to the Department of Public Works for review and approval.
	52.	The SWPPP shall be prepared and updated as needed during the course of construction to satisfy the requirements of each phase of development. The plan shall incorporate all necessary Best Management Practices (BMPs) and other City requirements to eliminate polluted runoff until all construction work for the project is completed. The SWPPP shall include treatment and disposal of all dewatering operation flows and for nuisance flows during construction.
	53.	A WQMP shall be maintained and updated as needed to satisfy the requirements of the adopted NPDES program. The plan shall ensure that the existing water quality measures for all improved phases of the project are adhered to.
	54.	Location of the BMPs shall not be within the public right-of-way.

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.
	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 (AQMD) at (800) 288-7664 for potential additional conditions of development or for additional permits required by AQMD.

Water 8. Customer shall contact the Mesa Water District – Engineering Desk and submit an application and plans for project review. Customer must obtain a letter of approval and a letter of project completion from Mesa Water District.

School 9. Pay applicable Newport Mesa Unified School District fees to the Building Division prior is issuance of building permits.

State 10. 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.

EXHIBIT C

MITIGATION MONITORING PROGRAM
TRUMARK PROJECT

Mitigation Measure	Responsible Implementation Agency	Monitoring Phase	Date of Compliance
The perimeter walls around Lots 1, 7, 13, and 20 shall be required to be 8 feet in height. Prior to issuance of building permits, a qualifies Acoustical Scientist shall be retained to prepare a final Acoustical Impact Report, utilizing precise grading plans, and detailed floor and elevation plans, for units with direct exposure to Victoria Street. Said report must be able to determine compliance or effective mitigation, such as noise control barriers, that will reduce noise impacts to within compliance of 45 dBA CNEL residential interior, and 65 dBA CNEL residential exterior.	Development Services/Building Safety Division	Plan Check/Construction	

RESOLUTION NO. PC-15-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DENYING GENERAL PLAN AMENDMENT GP-14-03 CHANGING THE LAND USE DESIGNATION OF A 2.04 ACRE SITE FROM NEIGHBORHOOD COMMERCIAL (NC) TO HIGH DENSITY RESIDENTIAL (HDR); REZONE R-14-03 FOR A REZONE (OR CHANGE) OF THE ZONING CLASSIFICATION OF THE SAME DEVELOPMENT SITE FROM AP (ADMINISTRATIVE AND PROFESSIONAL DISTRICT) TO MULTIPLE FAMILY RESIDENTIAL-HIGH DENSITY (R2-HD), MASTER PLAN PA-14-19, AND VESTING TENTATIVE TRACT VT-17779, FOR THE PROPOSED DEVELOPMENT OF A 28-UNIT DETACHED RESIDENTIAL DEVELOPMENT WITH DEVIATIONS FROM ZONING CODE DEVELOPMENT STANDARDS FOR PROPERTY LOCATED AT 1239 VICTORIA STREET.

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

WHEREAS, an application was filed by Trumark Homes, representing the property owner, Westar Holdings, Inc., requesting approval of the following:

1. ***General Plan Amendment GP-14-03:*** General Plan amendment to change of Land Use Designation from Neighborhood Commercial (NC) to High Density Residential (HDR).

2. ***Rezone R-14-03:*** Rezone from Administrative and Professional (AP) District to R2-HD (Multiple-Family Residential District, High Density), up to 14.5 dwelling units per acre.

3. ***Planning Application PA-14-19:*** A Design Review for development of a 28-unit Residential Planned Development at the site of an existing commercial/light industrial use. The project consists of the development of 28 single-family, detached residences with a net density of 14 dwelling units per acre. The three bedroom residences are three-stories with roof decks and have attached two-car garages. A total of 56 garage parking spaces, 42 driveway spaces, and 14 guest parking spaces are proposed (112 total spaces, four spaces per unit).

   The following **Variances** are requested:

   a. **Open Space** - a minimum of 40 percent required, 34.9 percent proposed.

   b. **Rear Setback** (20 feet required for second story; 10 feet proposed for second and third stories).

   c. **Building Height** (maximum 2 stories/27 feet required; 3 stories/roof deck/37 feet proposed).

a. An **Administrative Adjustment** is required for the front building setback (20 feet required; 14 feet proposed).

b. A **Minor Modification** is required to deviate from the distance from main buildings (10 feet required, 8 feet proposed).

4. ***Vesting Tentative Tract Map VT-17779:*** Subdivision of a 2.04-acre property for homeownership.

WHEREAS, a duly noticed public hearing was held by the Planning Commission on March 23, 2015, and continued to April 13, 2015 with all persons having the opportunity to speak for and against the proposal.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit A, the Planning Commission hereby **DENIES** General Plan Amendment GP-14-03, Rezone R-14-03, Planning Application PA-14-19 and Vesting Tentative Tract Map TT-17779.

PASSED AND ADOPTED this 13th day of April, 2015.

_____

Robert L. Dickson, Jr. Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
) ss
COUNTY OF ORANGE)

I, Claire Flynn, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on April 13, 2015 by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

_____
Claire L. Flynn, Secretary
Costa Mesa Planning Commission

EXHIBIT A

FINDINGS (DENIAL)

A. The proposed rezone is not consistent with the Zoning Code and the General Plan.

B. The proposed project does not comply with Title 13, Section 13-29(g)(14), Design Review, of the Municipal Code due to the following:

The design review does not meet the broader goals of the General Plan and the Zoning Code by exhibiting excellence in design, site planning, integration of uses and structures and protection of the integrity of neighboring development.

C. The proposed project does not comply with Code Section 13-29(g)(1) due to the following:

1. No special circumstances applicable to the property exist to allow the strict application of development standards that deprives the property of privileges enjoyed by others in the vicinity.
2. The deviation shall constitutes a grant of special privileges inconsistent with other properties in the vicinity.
3. The granting of the deviation will allow a use, density, or intensity which is not in accordance with the general plan designation for the property.

D. The proposed project does not comply with Code Section 13-29(g)(6) due to the following:

1. The improvement will be materially detrimental to the health, safety, and general welfare of persons residing or working within the immediate vicinity of the project or to property and improvements within the neighborhood.
2. The improvement is not compatible and does not enhance the architecture and design of the existing and anticipated development in the vicinity.

E. The subdivision of the property for a residential common interest development is not consistent with the City's General Plan and Zoning Code.

F. The Costa Mesa Planning Commission has denied General Plan Amendment GP-14-03, Rezone R-14-03, Planning Application PA-14-19 and Vesting Tentative Tract Map TT-17779. Pursuant to Public Resources Code Section 21080(b) (5) and CEQA Guidelines Section 15270(a) CEQA does not apply to this project because it has been rejected and will not be carried out.

G. The project is exempt from Chapter IX, Article 11, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

ATTACHMENT 2
APPLICANT'S PROJECT DESCRIPTION AND EXHIBITS (UPDATED)

TRUMARK HOMES

Eric A. Nelson
Vice President
Land Development
Office: (949) 999-9800
Cell: (949) 510-2070
enelson@trumarkco.com

April 3, 2015

Chairman Dickson
City of Costa Mesa Planning Commission
77 Fair Dr.
Costa Mesa, CA 92626

RE: Application for General Plan Amendment | Zone Change | Tentative Tract Map | Master Plan

Dear Chairman & Members of the Planning Commission

Following the planning commission meeting of Monday March 23rd, Trumark Homes continued to discuss the project with the immediately adjacent residences as well as the adjacent neighborhood to discuss the concerns raised at the Planning Commission Hearing. As of today, we are continuing the discussions to insure all of the issues are addressed if possible. I have attached a list of the comments and provided clarification and changes where possible as noted on Exhibit A.

In addition, Trumark Homes has been finalizing agreements with the adjacent neighbors and expect to have letters that outline our changes that would address specific impacts and be included as conditions of approval. An example of this has been included as Exhibit B. These specific changes were also included in the supplemental memo dated March 20, 2015.

On that note, Trumark homes has formally requested a change to the original zoning designation of PD-HD to R2-HD to address concerns related to the allowed density under PD-HD. This change reduces the allowed density from 20 dwelling units per acre to 14.5 dwelling units per acre. As a result, the variances requested with the original application will be modified to address the proposed zoning district. I have included a matrix showing the proposed changes as Exhibit C.

In closing, our efforts have resulted in a number of positive changes to the proposed plan and I look forward to providing a detailed presentation regarding these changes on April 13th. If you have any questions or need more detail, please do not hesitate to contact me at 949-510-2070.

Sincerely,
TRUMARK HOMES, LLC

Eric Nelson

Eric A. Nelson
Vice President
Land Development

EAN/en

EXHIBIT A

Planning Commission 3/23/15

A meeting of Costa Mesa Planning Commission was held at City Hall on 3/23/14.

Agenda Item Ph-2 GP14-03, REZONE R-14-3, PA-14-19, VT-1779

Request - IS/MND, GPA, Rezone, Planning Application (Master Plan), 3 - Variances

Public Comments

Speaker #	*Comments*	Notes / Changes
1		
	Traffic impacts from project have not been properly studied.	*Traffic has been studied in detail and determined that there are no additional traffic impacts. However, a mitigation to install a median to restrict and control access has been agreed to by Trumark.*
	Project is too tall at 4 stories	*As proposed, project is 3 stories w/ roof decks. In addition, the proposed changes include lowering the site along the rear by 5' additional feet.*
	There is "hardly any parking" on the current site so the traffic study must be wrong.	*94 Parking spaces on existing site.*
	Architecture is horrible, ugly, don't fit character of the city.	
	No disable access, baby boomers, children	
	HB Moratorium reference	
	Views will be obstructed from existing homes.	*There are no views from adjacent properties due to the existing office building. Proposed project will open views that currently don't exist.*
2		
	Idea that these are family oriented, park will be an issue because kids will run across the street.	*Project is not geared towards any particular owner but is expected to have everything from young professionals to small, young families.*
	Open Space Variance, should not be	*CEQA review and staff report support*

	approved	*the variance request for perimeter open space. Based on proposed zone change, common open space variance is not required.*
	Parking is not adequate, will impact neighborhood.	*In discussion with the commercial shopping center for additional parking. Current plan provides required parking per the Zoning Ordinance*
	Parking not feasible design	*A full traffic and engineering review has been completed . Determined that parking as proposed is feasible.*
	Height of building, called it a 45' building	*Building is proposed at 35, with site change, presents as 30'*
3	**Steve Spriggs**	
	Nobody will buy these	
	Victoria is packed 7-8:30	*Traffic issues are existing and will continue to be a concern. This project, as proposed reduces the overall traffic impacts from existing use.*
	Traffic and more trips, only 15 parking spaces on-site	*Site provides 96 spaces.*
	Car Accidents will happen with more cars and we need an ambulance service	
4		
	Disaster Area, not in overlay district...faliney movie.	
	15 minutes to get in and out of the site and can't negotiate Victoria.	
	Referenced 4 story project	*Project is a 3 story as proposed*
	Hardly any parking spaces on site.	*Site provides 96 spaces.*
5		
	Mitigation could be addressed	
	Internal Parking and internal storage is a concern, no street parking, street trees, no sidewalks, no parks, overbuilt	
6		
	Doesn't shop in costa mesa because of traffic, to dense, to crazy.	
	Density and Height with variances on	*As proposed, the project only*

	every single aspect.	*requesting 3 variances. Additional changes include change the zoning to limit density to 14.5 du per acre (14 du per acre proposed)*
	Accidents, traffic concerns and impacts by non-costa mesa residents.	
7		
	Traffic report is misleading	*Traffic has been studied in detail and determined that there are no additional traffic impacts. However, a mitigation to install a median to restrict and control access has been agreed to by Trumark.*
	Project does not think about kids	*As proposed, the project does think about kids and is designed with consideration to Victoria*
	Density / Zoning to dense, why PDR vs R2-HD	*Proposed change includes changing zoning to R2-HD*
	Safety, Traffic, Dangerous	
	That won't have a chance to get out of the project.	
	Takes Canyon vs Valley because of safety.	
8		
	Traffic Concerns	*Traffic has been studied in detail and determined that there are no additional traffic impacts. However, a mitigation to install a median to restrict and control access has been agreed to by Trumark.*
	Density / High Density Concerns and the future of the projects impacts on the neighborhood.	*Proposed change includes zoning revision to R2-HD*
	Worried about what happens to the commercial center	

EXHIBIT B

I _____own the home located at_____
and am immediately adjacent to 1239 Victoria, the locationg of a proposed 28 home project. Trumark homes has agreed to make the following changes to reduce or eliminate the impacts of the prosed project on my property. In addition, Trumark has agreed to include these changes as shown on Exhibit A and as Conditions of Approval to insure they are required by the city.

Because of these changes, I am not opposing this project. I reserve the right to request further changes and oppose this project if any of the following agreed conditions change.

Proposed Changes:

1. Locate staircase as shown on the attached plan.
2. Windows on southern elevation shall be 6' above finished floor
3. A 6' tall wall shall be included on the southern portion of the roof deck to prevent viewing into rear yard.
4. Removal of the existing fence within the yard of the above-mentioned property and replacement with a new retaining wall, too allow for lowering site shall be at Trumarks cost. I will provide access to my property to allow for this construction.
5. Trumark will provide planting along my property of bamboo or other acceptable screening at their cost.

_____ _____

Eric A. Nelson Dated
Trumark Homes

_____ _____

Homeowner Dated

GILL RESIDENCES

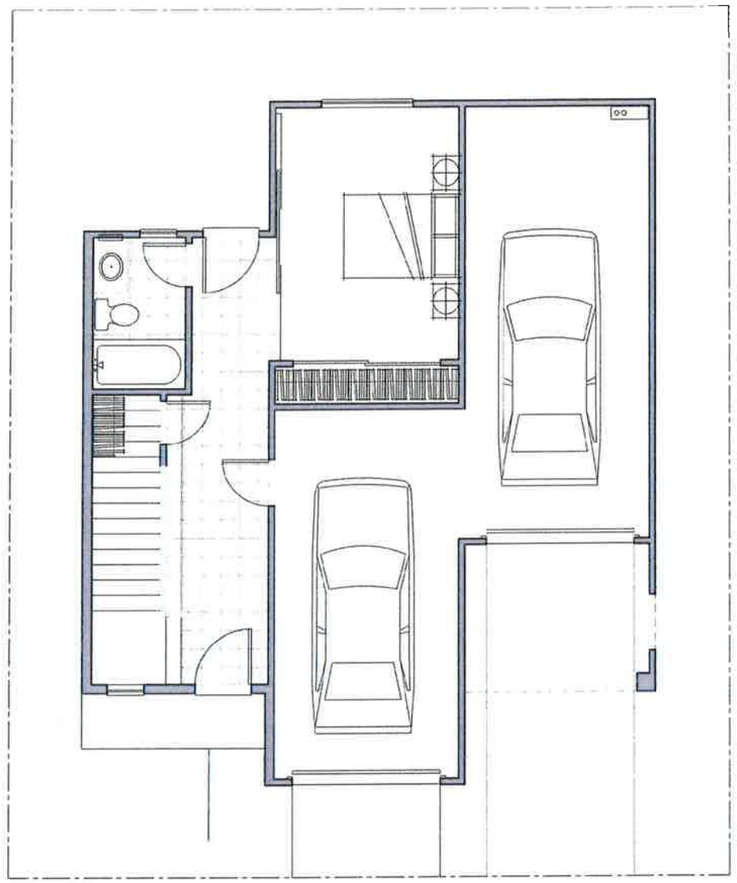
TENTATIVE TRACT NO. 17779
CITY OF COSTA MESA, CA
28 LOTS 2.04 ACRES GROSS

PREPARED FOR
TRUMARK HOMES

PREPARED BY
HUNSAKER & ASSOCIATES

07/31/2014 SHEET 1 OF 1

PLOTTED BY: Sean Swanson DATE: Jul 31, 2014 12:24:15 PM FILE: F:\0861\Engineering\CA_Project\Exh_General\Site Plan - Trash Can Container Location Exhibit.dwg



FIRST FLOOR

WINDOWS TO BE LOCATED
ABOVE TYPICAL LINE OF
SIGHT. LOCATIONS AND HEIGHT
(BOTTOM
OF WINDOW TO BE AT 6' FROM FF)
SHALL BE SET TO BLOCK
DIRECT OR INDIRECT VIEWS
INTO NEIGHBORS YARD
OR NEIGHBORS HOME

SECOND FLOOR

0 2 4 8

TRUMARK COSTA MESA 2

TRUMARK
450 Newport Center Drive, Suite 300
Newport Beach, CA 92660
949.999.9800

PLAN 2 FIRST AND SECOND FLOOR PLAN - 2244 SF

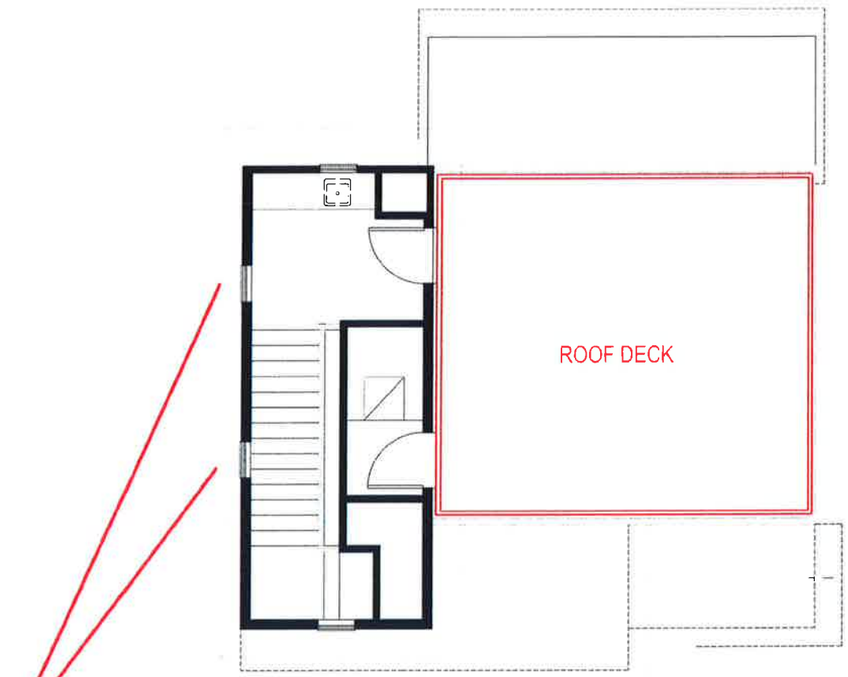
A2-01

COSTA MESA, CA

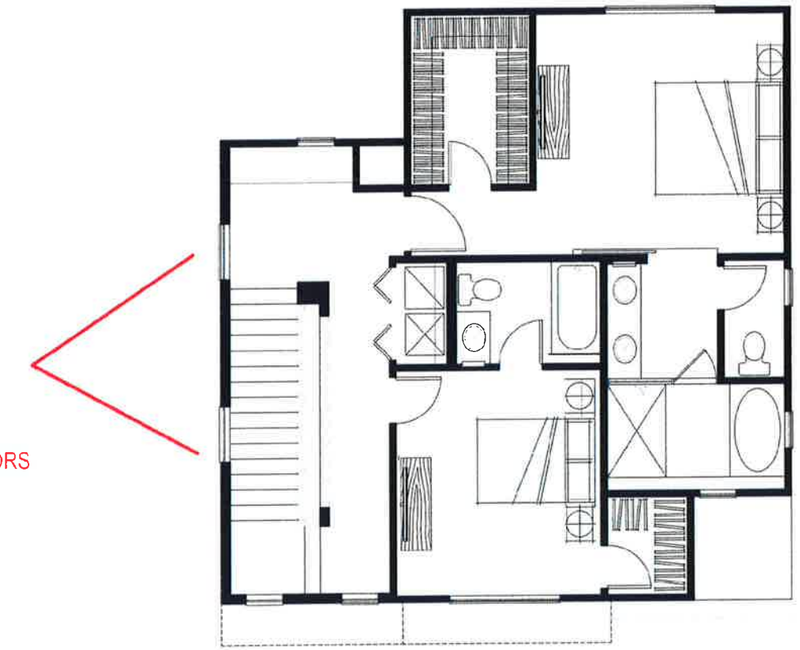
KTGY # 130841
Jurisdiction #

7/29/2014

KTGY Group, Inc.
Architecture+Planning
17922 Fitch
Irvine, CA 92614
949.851.2133
ktgy.com



WINDOWS TO BE LOCATED
ABOVE TYPICAL LINE OF SIGHT.
LOCATIONS AND HEIGHT (BOTTOM
OF WINDOW TO BE AT 6' ABOVE FF)
SHALL BE SET TO BLOCK DIRECT
OR INDIRECT VIEWS INTO NEIGHBORS
YARD AND HOME.



WINDOWS TO BE LOCATED
ABOVE TYPICAL LINE OF SIGHT.
LOCATIONS AND HEIGHT (BOTTOM
OF WINDOW TO BE AT 6' ABOVE FF)
SHALL BE SET TO BLOCK DIRECT
OR INDIRECT VIEWS INTO NEIGHBORS
YARD AND HOME.

ROOF DECK

ALT I
THIRD FLOOR

0 2 4 8

TRUMARK COSTA MESA 2

TRUMARK
450 Newport Center Drive, Suite 300
Newport Beach, CA 92660
949.999.9800

PLAN 2 THIRD FLOOR AND ROOF DECK PLAN

A2-02

COSTA MESA, CA

KTGY # 130841
Jurisdiction #

7/29/2014

KTGY Group, Inc.
Architecture+Planning
17922 Fitch
Irvine, CA 92614
949.851.2133
ktgy.com

EXHIBIT C

PDR HD	Required / Allowed	Proposed/ Provided	
Lot Size			
Lot Width	NA	283	
Lot Area	1 Acre	2.04	
Density/ Intensity			
DU/s Acre	20 DU Acre	14 DU Per Acre	
Building Coverage			
Buildings	NA	21362	
Paving	NA	36322	
Open Space	37,215	30924	2
TOTAL	42.00%	34.90%	
		88608	
Common Open Space	18607 (50% of req OS)	1861(10% of Req)	2
Building Height	4 Stories	3 + Roof Deck	
Setbacks			
Front	NA	16	
Side	NA	6' & 7'	
Rear	NA	10'	
Distance Between Bldg		8'	
Perimeter Open Space	20'	11'	2
Parking			
Covered	56	56	
Open	56	42	
Guest	NA	14	
TOTAL	112	112	

R2-HD	Required / Allowed	Proposed/ Provided	
Lot Size			
Lot Width	100	283	
Lot Area	12,000	2.04	
Density/ Intensity		14 DU Per Acre	
DU/s Acre	14.5 DU Per Acre	14 DU Per Acre	
Building Coverage			
Buildings	NA	21362	
Paving	NA	36322	
Open Space	35443	30924	2
TOTAL	40.00%	34.90%	
		88608	
Common Open Space	NA	1861	
Building Height	2 Stories	3 + Roof Deck	2
Setbacks			
Front	20	16	3
Side	5	6' & 7'	
Rear	10' -1st Story 20' - 2nd Story	10'	2
	10'	8'	3
Perimeter Open Space	NA		
Parking			
Covered		56	
Open		42	
Guest		14	
TOTAL		112	

NA Not Applicable
(1) Legal Non Conforming
(2) Variance
(3) Admin Adjustment
(4) Residential Design Guidline
(5) MCUP
(6) Condition of Approval

PDR HD - Requires 3 Variances - Open Space / Common Open Space / Perimeter Landscape

R2-HD Requires 3 Variances & 2 Adjustments - Open Space, Height Variance, Rear Setback | Perimeter OS, Building Seperation

4/3/15

ATTACHMENT 3
VICINITY, ZONING, AND GENERAL PLAN MAPS

ATTACHMENT 4
EXISTING SITE PHOTOS

LEGEND

TRUMARKHOMES

450 Newport Center Dr.
Suite 300
Newport Beach, CA 92660

T 949-999-9820
C 949-510-2070

www.trumarkhomes.com
enelson@trumarkco.com

LEGEND

TRUMARKHOMES

450 Newport Center Dr.
Suite 300
Newport Beach, CA 92660

T 949-999-9820
C 949-510-2070

www.trumarkhomes.com
enelson@trumarkco.com

LEGEND

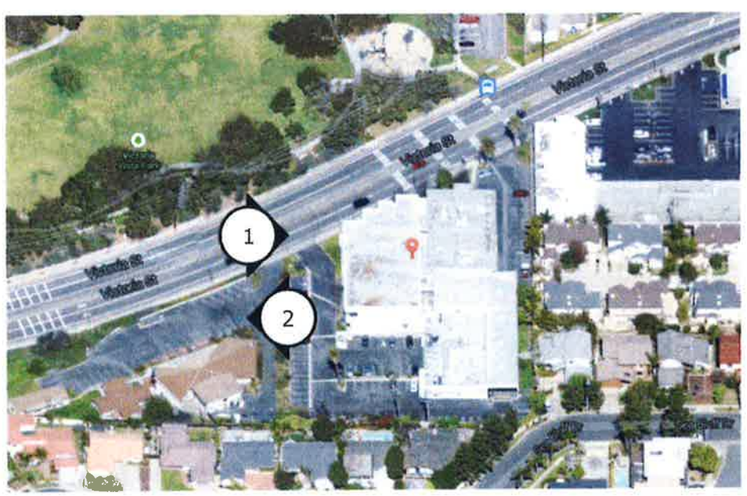
TRUMARKHOMES

450 Newport Center Dr.
Suite 300
Newport Beach, CA 92660

T 949-999-9820
C 949-510-2070

www.trumarkhomes.com
enelson@trumarkco.com

LEGEND



TRUMARKHOMES

450 Newport Center Dr.
Suite 300
Newport Beach, CA 92660

T 949-999-9820
C 949-510-2070

www.trumarkhomes.com
enelson@trumarkco.com

LEGEND

TRUMARKHOMES

450 Newport Center Dr.
Suite 300
Newport Beach, CA 92660

T 949-999-9820
C 949-510-2070

www.trumarkhomes.com
enelson@trumarkco.com

LEGEND

TRUMARKHOMES

450 Newport Center Dr.
Suite 300
Newport Beach, CA 92660

T 949-999-9820
C 949-510-2070

www.trumarkhomes.com
enelson@trumarkco.com

LEGEND

TRUMARKHOMES

450 Newport Center Dr.
Suite 300
Newport Beach, CA 92660

T 949-999-9820
C 949-510-2070

www.trumarkhomes.com
enelson@trumarkco.com

LEGEND

TRUMARKHOMES

450 Newport Center Dr.
Suite 300
Newport Beach, CA 92660

T 949-999-9820
C 949-510-2070

www.trumarkhomes.com
enelson@trumarkco.com

ATTACHMENT 6
TRAFFIC STUDY AND ACCIDENT DATA

Appendix F

Trip Generation Assessment and Site Access/Internal Circulation Evaluation

This Page Intentionally Left Blank

LINSCOTT
LAW &
GREENSPAN
engineers

Engineers & Planners
Traffic
Transportation
Parking

Linscott, Law & Greenspan, Engineers
2 Executive Circle
Suite 250
Irvine, CA 92614
949.825.6175 T
949.825.6173 F
www.llgengineers.com

Pasadena
Irvine
San Diego
Woodland Hills

July 21, 2014

Mr. Eric A. Nelson
Trumark Homes
450 Newport Center Drive, Suite 300
Newport Beach, CA 92660

LLG Reference: 2.14.3500.1

Subject: **Trip Generation Assessment and Site Access/Internal Circulation Evaluation for the Tentative Tract Map No. 17779 at 1239 Victoria Street**
Costa Mesa, California

Dear Mr. Nelson:

As requested, Linscott, Law, & Greenspan, Engineers (LLG) is pleased to submit this Trip Generation Assessment and Site Access/Internal Circulation Evaluation for Tentative Tract Map No. 17779, a proposed 28-unit single-family detached residential development in the City of Costa Mesa, California. The Project site is located along the south side of Victoria Street, west of Victoria Place/Valley Road at 1239 Victoria Street.

This letter summarizes the traffic generation forecast of the proposed Project and compares the project's tripmaking potential against the existing research and development office building use. Generation factors used in this analysis are based on information found in the 9th Edition of *Trip Generation*, published by the Institute of Transportation Engineers (ITE) [Washington, D.C., 2012].

Our evaluation of the Project's access and on-site circulation was performed using the *Turning Vehicle Templates*, developed by Jack E. Leisch & Associates, and *AutoTURN for AutoCAD* computer software that simulates turning maneuvers for various types of vehicles. Due to the existing horizontal and vertical curvature of Victoria Street along the Project frontage, the safety aspect of the Project's proposed driveways on Victoria Street is based on the intersection sight distance requirements per the California Department of Transportation (Caltrans) in the State's *Highway Design Manual (HDM)*.

Philip M. Linscott, PE (1924-2000)
Jack M. Greenspan, PE (Ret.)
William A. Law, PE (Ret.)
Paul W. Wilkinson, PE
John P. Keating, PE
David S. Shender, PE
John A. Boarman, PE
Clare M. Look-Jaeger, PE
Richard E. Barretto, PE
Keil D. Maberry, PE

An LGMB Company Founded 1966

LINSCOTT LAW & GREENSPAN engineers

PROJECT DESCRIPTION

Table 1, attached to this letter, presents a development summary of the Project program. The Project site is currently developed with a two-story commercial building with 50,000 square-feet (SF) of research and development (R&D) floor area and 94 parking spaces. Access to the subject property is now provided via two full access unsignalized driveways on Victoria Street; left-turn access is provided via a two-way left-turn lane on Victoria Street.

The proposed Project includes the development of a 28-unit single-family residential community, with 14 units providing a two-car garage and two-car driveway apron and 14 units providing a two-car garage and one-car driveway apron; 14 open guest parking spaces are proposed. ***Exhibit A*** illustrates the proposed site plan for the Project. Access to the subject property is proposed via two (2) full access driveways on Victoria Street. ***Attachment 1***, attached to this letter, presents the Tentative Tract Map for the Project as prepared by Hunsaker & Associates. This plan illustrates the overall access and internal circulation characteristics of the Project, inclusive of the cross-sections of the internal streets.

A review of the Tentative Tract Map as illustrated in *Exhibit A* as well as *Attachment 1* indicates that access and on-site circulation for the Project will be provided via two private streets located along Victoria Avenue (identified as "A Street" and "B" Street Tentative Map). Both these streets have a proposed paved width of 24-feet, except for "U-Section". This section between "A" Street and "B" Street has a proposed paved width of 28-feet, which increases to 30-feet in the area of the two proposed parking spaces.

TRAFFIC ANALYSIS

Project Traffic Generation Forecast

Traffic generation is expressed in vehicle trip ends, defined as one-way vehicular movements, either entering or exiting the generating land use. Generation equations and/or rates used in the traffic forecasting procedure are found in the 9th Edition of *Trip Generation*, published by the Institute of Transportation Engineers (ITE) [Washington D.C., 2012].

Table 2 summarizes the trip generation rates used in forecasting the vehicular trips generated by the existing development and the proposed Project. As shown in the upper portion of *Table 2*, trips generated by the proposed Project were estimated using ITE

Land Use Code 210: Single-Family Detached Housing trip rates. For the existing land use, ITE Land Use Code 760: Research and Development Center trip rates were utilized.

As shown in lower half of ***Table 2***, the proposed Project is forecast to generate 267 daily trips on a typical weekday, of which 21 trips (5 inbound, 16 outbound) are expected to occur during the AM peak hour, and 28 trips (18 inbound, 10 outbound) could be generated during the PM peak hour.

For the existing land use, a review of lower portion of *Table 2* shows the existing trip generation potential of the 50,000 SF commercial building totals 406 daily trips, with 61 trips (51 inbound, 10 outbound) produced in the AM peak hour and 54 trips (8 inbound, 46 outbound) produced in the PM peak hour.

When the proposed Project is compared to the existing land use, the Project is forecast to result in 139 fewer daily trips, 40 fewer AM peak hour trips and 26 fewer PM peak hour trips. From a "trip budgeting" point of view, the AM and PM peak hours typically govern as traffic studies focus the potential impact of a development project during the weekday AM peak hour and PM peak hour. While daily traffic is of interest, it is not the basis of peak hour service level calculations that are conducted during the preparation of traffic studies.

Given the results of the trip generation forecast comparison, we conclude that the proposed Project will have a lesser impact on the surrounding street system than the existing land use during the critical weekday AM peak hour and PM peak hour.

Sight Distance Evaluation for Project Driveways

At public driveways, a substantially clear line of sight should be maintained between the driver of a vehicle waiting at the driveway and the driver of an approaching vehicle. Adequate time must be provided for the waiting vehicle to either cross all lanes of through traffic, cross the near lanes and turn left, or turn right, without requiring through traffic to radically alter their speed. Due to both the horizontal and vertical curvature of Victoria Street bordering the Project site, a line of sight assessment has been prepared. The Sight Distance Evaluation prepared for Project Driveway No. 1 (identified as "B" Street in the Tentative Map) and Project Driveway No. 2 (identified as "A" Street in the Tentative Map) was based on the criteria and procedures set forth by the California Department of Transportation (Caltrans) in the State's *Highway Design Manual (HDM)* for "Public Road Intersections".

The Caltrans HDM, in Section 405.1(2)(b), page 400-22, indicates that for Public Road Intersections, "corner sight distance values given in Table 405.1A should be provided". Where conditions may exist, the minimum corner sight distance shall be equal to the stopping sight distance as summarized in Table 201.1.

It is noted that for private driveways, similar to the proposed Project, the Caltrans HDM, in Section 405.1(2)(c), page 400-17, indicates that for Private Road Intersections, "The minimum corner sight distance shall be equal to the stopping sight distance as given in Table 201.1...",

The Caltrans HDM indicates that stopping sight distance is defined as the distance required by the driver of a vehicle, traveling at a given speed, to bring his vehicle to a stop after an object on the road becomes visible. Stopping sight distance is measured from the driver's eyes, which are assumed to be 3.5 feet above the pavement surface, to an object 0.5-foot high on the roadway. Corner sight distance is defined in the Caltrans HDM to be the distance required by the driver of a vehicle, traveling at a given speed, to maneuver their vehicle and avoid an object without radically altering their speed. Line of sight for corner sight distance is to be determined from a 3½ foot height at the location of the driver of a vehicle on a minor road to a 4¼ foot object height in the center of the approaching lane of the major road.

The speed used in determining stopping sight distance is defined as the "critical speed" or 85th percentile speed which is the speed at which 85% of the vehicles are traveling at or less. The critical speed is the single most important factor in determining stopping sight distance. Table 201.1 in the HDM is used in determining stopping sight distance based on the critical speed of vehicles on the affected roadway, whereas Table 405.1A - Corner Sight Distance (7½ Second Criteria) of the Caltrans HDM is used to determine corner sight distance requirements.

For this analysis, the posted speed limit of 40 miles per hour (mph) for Victoria Street was utilized. Using Table 201.1, titled *Sight Distance Standards*, in the Caltrans HDM for stopping, a minimum stopping sight distance of 300 feet would apply. Based on the criteria set forth in Table 405.1A - Corner Sight Distance (7½ Second Criteria) of the Caltrans HDM and a design speed of 40 mph, a corner sight distance of 440 feet is required (see ***Table 3***, with reference to *Table 201.1* and *405.1A* of the Caltrans HDM.)

Figures 1 and *2* present schematics of the sight distance evaluation performed at both Project Driveway No. 1 and No. 2 respectively based on application of the corner sight distance criteria. ***Figures 3*** and *4* present the results of the sight distance evaluation for the study intersection based on the stopping sight distance criteria at

Driveway No. 1 and No. 2 respectively. Please note that the vertical profile for Victoria Street, as presented in these figures, were developed based on the existing street improvement plans for Victoria Street, between Canyon Drive and the Santa Ana River (AHFP Project No. 870), dated June 1977.

As shown on each figure, adequate sight distance is provided for a motorist at each driveway assuming obstructions (hardscape or landscaping) within the "limited use area" are eliminated (restricted). Further, the results of the sight distance assessment for the vertical curve on Victoria Street indicate that there are no obstructions to the line of sight at either driveway. Curbside parking is not a factor with the parking restrictions implemented along Victoria Street.

In addition to the evaluations illustrated on *Figures 1, 2, 3* and *4*, a field investigation was completed to conduct a line of sight assessment in the approximate locations of the proposed Project driveways. The assessment involved positioning oneself at the approximate location of the proposed driveway and verifying the adequacy of sight lines at the minimum distances as outlined in the HDM. Photo images of each test are shown on *Figures 1, 2, 3* and *4*. Based on the field investigation, it was determined that there are no obstructions to the line of sight based on the corner and stopping sight distance requirements.

Internal Circulation Evaluation

Based on our review of the Tentative Map, as shown in Exhibit A and *Attachment 1*, we conclude that on-site circulation layout for the proposed Project is adequate to accommodate the access and turning requirements of service/delivery trucks, trash trucks and fire trucks.

Our evaluation of the on-site circulation was performed using the *Turning Vehicle Templates*, developed by Jack E. Leisch & Associates and *AutoTURN for AutoCAD* computer software that simulates turning maneuvers for various types of vehicles. The turning templates were utilized to ensure that full-sized, large trucks as well as fire trucks could properly access and circulate through the internal roadway. A WB-40 large truck and Fire Truck turning template was utilized in this evaluation.

A review of ***Figure 5*** and ***Figure 6*** shows that site access to and from Victoria Street at each driveway for a WB-40 is adequate. ***Figure 7*** and ***Figure 8*** show that the site also accommodates ingress and egress movements of a Fire Truck. Both design vehicles can access the site from Victoria Street, circulate internally on "A" Street and "B" Street, and return to the Victoria Street to exit the site. As such, we conclude

LINSCOTT LAW & GREENSPAN engineers

that the internal roadway layout is adequate for service/delivery trucks, trash trucks and fire/emergency access.

We appreciate the opportunity to provide assessment for Trumark Homes and the City of Costa Mesa. Should you have any questions, please call me at 949.825.6175.

Sincerely,

Linscott, Law & Greenspan, Engineers

Richard E. Barretto, P.E.
Principal

Attachment

TABLE 1

PROJECT DEVELOPMENT SUMMARY[1]

TENTATIVE TRACT MAP NO. 17779 AT 1239 VICTORIA STREET, COSTA MESA

Land Use / Project Description	Project Development Totals
Existing Development	
◻ Research & Development Office Building	50,000 SF
Tentative Tract No. 17717 Project	
◻ Single Family Detached Homes	28 Units
Parking Supply	
◻ 14 Units w/2-car Garage & 2 driveway spaces	56 spaces
◻ 14 Units w/2-car Garage, 1 driveway space & 1 On-Street	56 spaces
Total Parking Supply:	112 spaces

[1] Source: Trumark Homes/Hunsaker & Associates.

TABLE 2

PROJECT TRIP GENERATION FORECAST[2]

TENTATIVE TRACT MAP NO. 17779 AT 1239 VICTORIA STREET, COSTA MESA

ITE Land Use Code / Project Description	Daily 2-Way	AM Peak Hour			PM Peak Hour		
		Enter	Exit	Total	Enter	Exit	Total
Generation Rates:							
▪ 210: Single-Family Detached Housing (TE/DU)	9.52	0.19	0.56	0.75	0.63	0.37	1.00
▪ ITE 760: Research and Development (TE/TSF)	8.11	1.01	0.21	1.22	0.16	0.91	1.07
Generation Forecasts:							
Proposed Project							
▪ Tentative Tract No. 17779 (28 DU)	267	5	16	21	18	10	28
Existing Land Use							
▪ Research & Development Office (50,000 SF)	406	51	10	61	8	46	54
Net Difference Trip Generation Forecast Proposed Project vs. Existing Land Use	-139	-46	+6	-40	+10	-36	-26

Notes:
TE/DU = Trip end per dwelling unit
TE/TSF = Trip end per 1,000 square feet

[2] Source: *Trip Generation, 9th Edition, Institute of Transportation Engineers (ITE), Washington, D.C. (2012).*

TABLE 3

TABLE 201.1 SIGHT DISTANCE AND

TABLE 405.1A CORNER SIGHT DISTANCE (7½ SECOND CRITERIA) STANDARDS

Design Speed (mph)	Stopping Sight Distance (feet)	Corner Sight Distance (feet)
25	150	275
30	200	330
35	250	385
40	*300*	*440*
45	360	495
50	430	550
55	500	605
60	580	660
65	660	715
70	750	770

This Page Intentionally Left Blank

n:\3500\2143500 - 1239 victoria street, costa mesa\dwg\3500exhibit a.dwg LDP 09:52:29 07-18-2014 aguilar

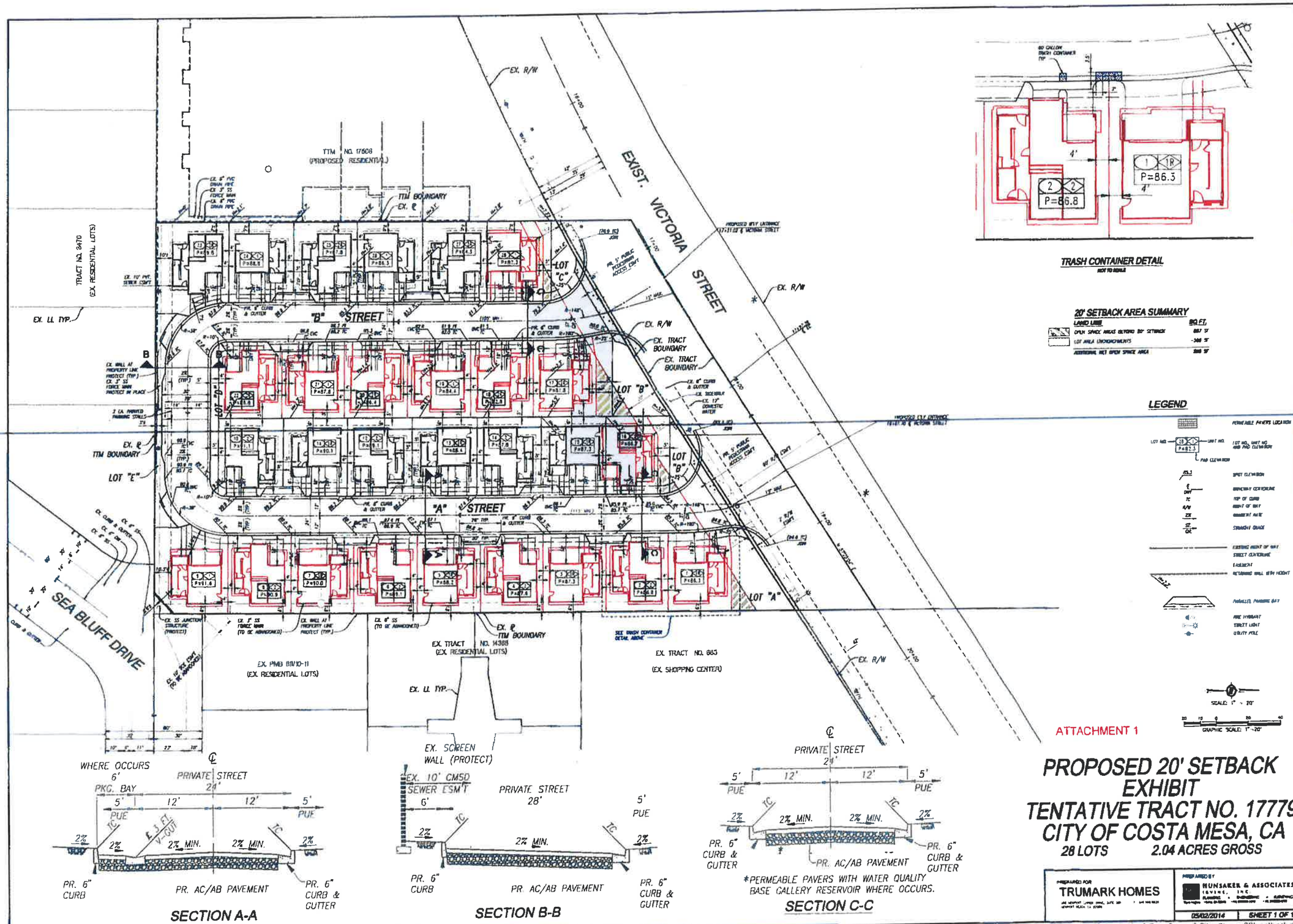
EXHIBIT A

PROPOSED SITE PLAN
1239 VICTORIA STREET, COSTA MESA

SOURCE: HUNSAKER & ASSOC.

NO SCALE

LINSCOTT LAW & GREENSPAN engineers



ATTACHMENT 1

PROPOSED 20' SETBACK EXHIBIT
TENTATIVE TRACT NO. 17779
CITY OF COSTA MESA, CA

28 LOTS **2.04 ACRES GROSS**

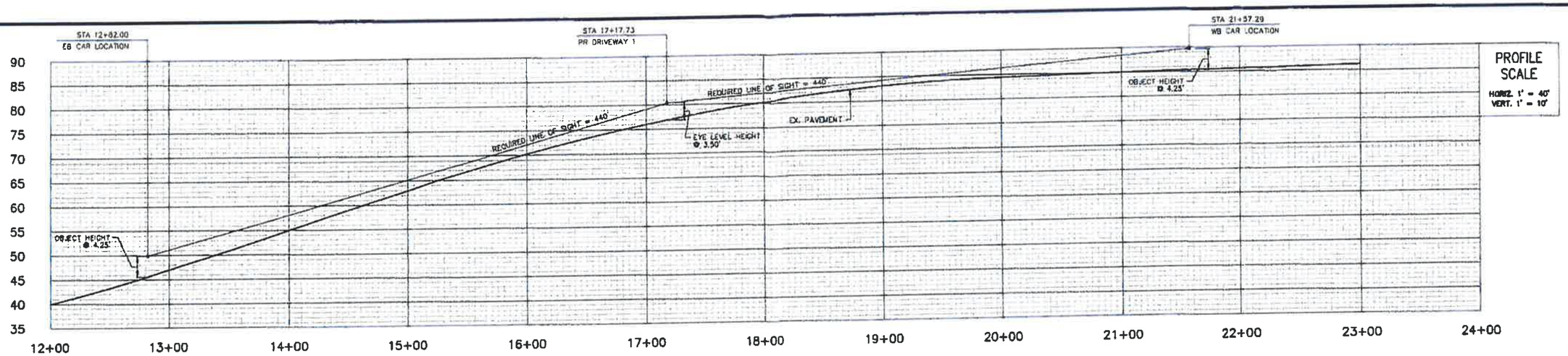
PREPARED FOR: TRUMARK HOMES

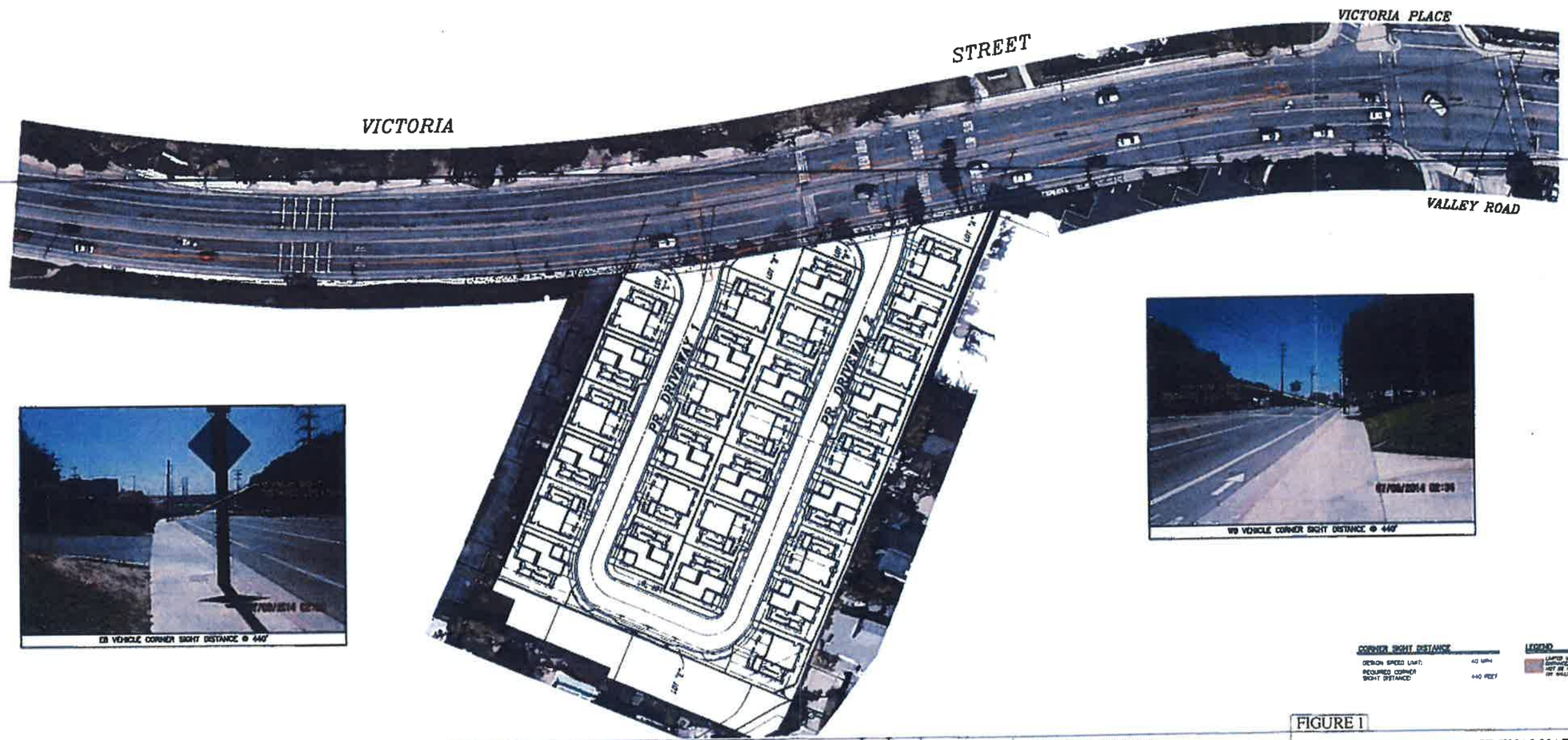
PREPARED BY: HUNSAKER & ASSOCIATES IRVINE, INC.

05/02/2014 | SHEET 1 OF 1

PLOTTED BY: Sean Swanson DATE: Jun. 18, 2014 10:53:35 AM FILE: F:\0861\Engineering\OA_Project\Exh_General\Site Plan 20' setback.dwg

WO 3593-2





EB VEHICLE CORNER SIGHT DISTANCE @ 440'

WB VEHICLE CORNER SIGHT DISTANCE @ 440'

CORNER SIGHT DISTANCE

DESIGN SPEED LIMIT:	40 MPH
REQUIRED CORNER SIGHT DISTANCE:	440 FEET

LEGEND

LIMITED USE AREA. TO ENSURE ADEQUATE SIGHT DISTANCE, HORIZONTAL VISUAL OBSTRUCTIONS SHALL NOT BE HIGHER THAN 36 INCHES. NO FENCES OR WALLS IN LIMITED USE AREA.

NO.	REVISIONS	APP	DATE
7			
6			
5			
4			
3			
2			
1			

PREPARED UNDER THE SUPERVISION OF

LINSCOTT, LAW & GREENSPAN, ENGINEERS

RICHARD E. BARRETTO TE 3008 DATE

FIGURE 1

CORNER SIGHT DISTANCE EVALUATION
DWY NO. 1
AT VICTORIA STREET

CITY OF COSTA MESA

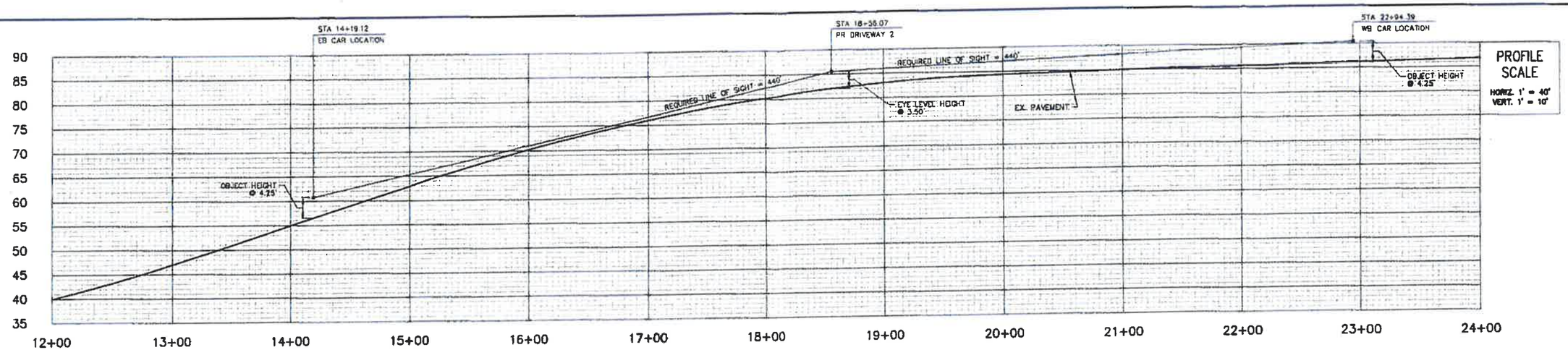
PROJECT No. 05-1573

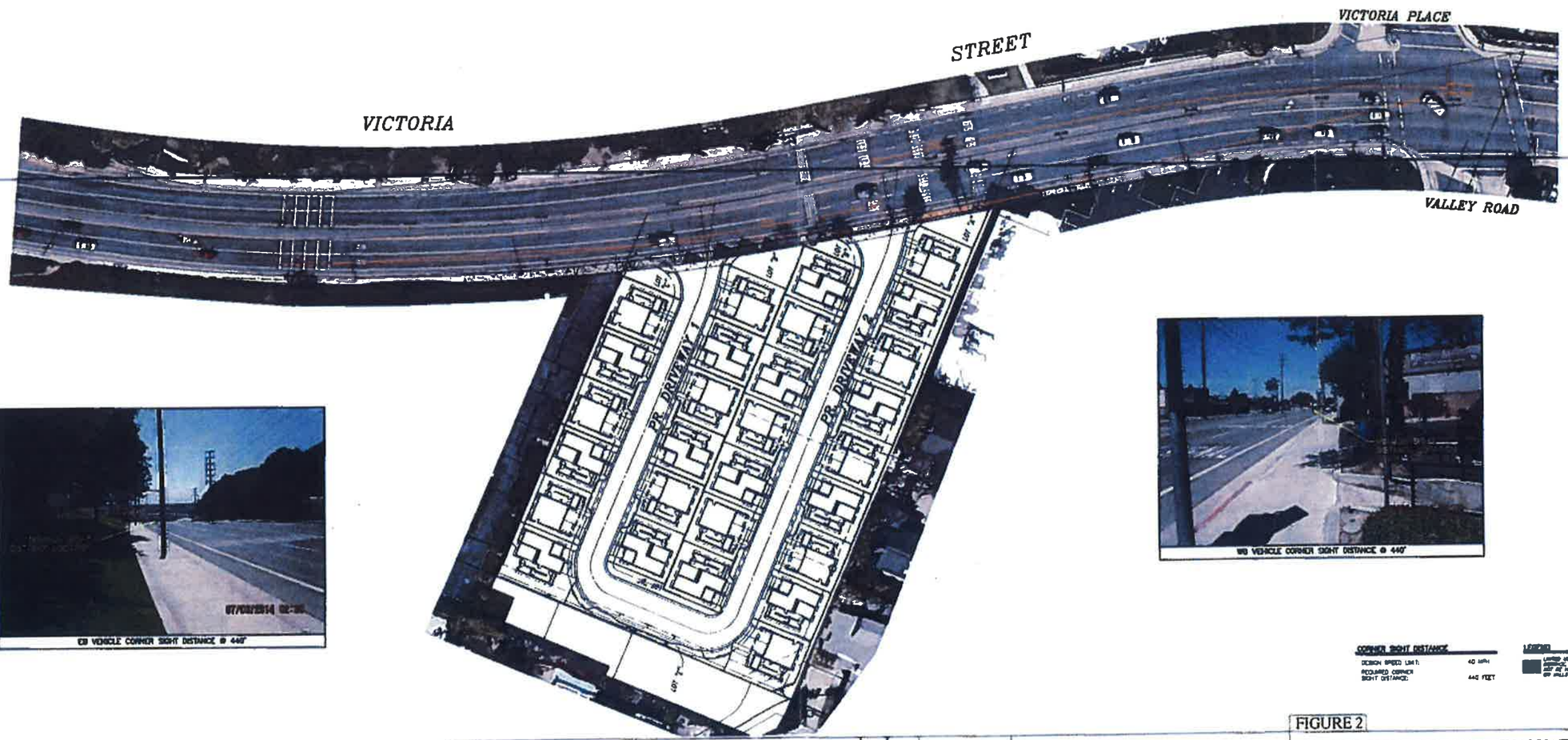
Drawn by: NP
Designed by: NP
Checked by: NP

SHEET

OF

JN. 05-1573





EB VEHICLE CORNER SIGHT DISTANCE @ 440'

WB VEHICLE CORNER SIGHT DISTANCE @ 440'

CORNER SIGHT DISTANCE

DESIGN SPEED LIMIT:	40 MPH
REQUIRED CORNER SIGHT DISTANCE:	440 FEET

LEGEND

LIMITED USE AREA TO ENSURE ADEQUATE SIGHT DISTANCE. MAINTENANCE OF THIS AREA SHALL BE BETWEEN THREE (3) INCHES AND FIVE (5) FEET OF WALLS IN LIMITED USE AREA.

FIGURE 2

CORNER SIGHT DISTANCE EVALUATION
DWY NO. 2
AT VICTORIA STREET

CITY OF COSTA MESA

NO	REVISIONS	APP	DATE
7			
6			
5			
4			
3			
2			
1			

PREPARED UNDER THE SUPERVISION OF

UNSCOTT, LAW & GREENSPAN, ENGINEERS

RICHARD E. BARRETTO RE 2080 DATE

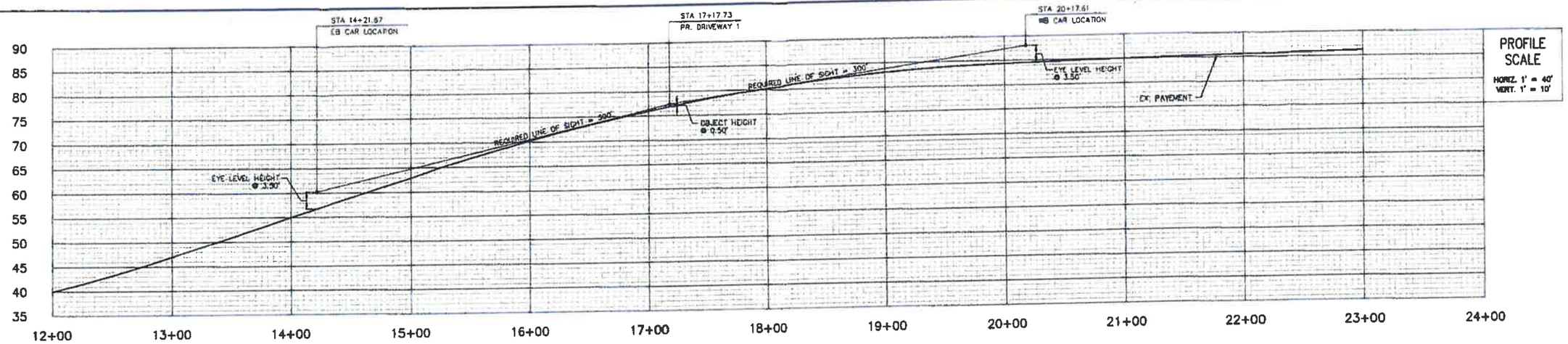
PROJECT No. 08573

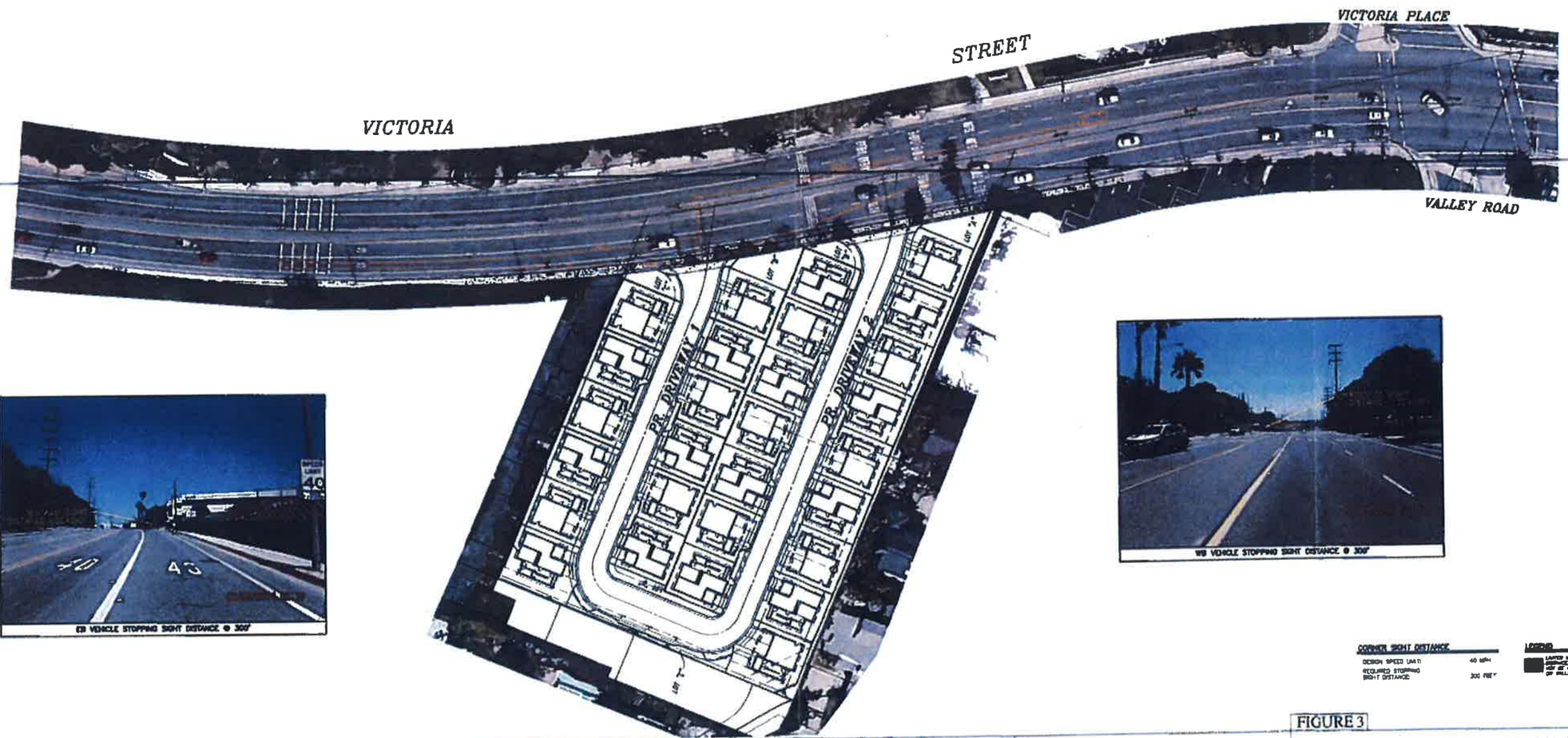
Drawn by: RP
Designed by: RP
Checked by: MTP

SHEET

OF

-210-





EB VEHICLE STOPPING SIGHT DISTANCE @ 300'

WB VEHICLE STOPPING SIGHT DISTANCE @ 300'

CORNER SIGHT DISTANCE

DESIGN SPEED LIMIT	40 MPH
REQUIRED STOPPING SIGHT DISTANCE	300 FEET

LEGEND

LIMITED USE AREA TO DRIVER ABSENCE RIGHT SIGHT DISTANCE. HARDSCAPE ABOVE LANDSCAPE SHALL NOT BE HIGHER THAN 30 INCHES. NO FENCES OR WALLS or LARGE SIGN.

NO.	REVISIONS	APP.	DATE
7			
6			
5			
4			
3			
2			
1			

PREPARED UNDER THE SUPERVISION OF:

UNSCOTT, LAW & GREENSPAN, ENGINEERS

RICHARD E. BARRETTO RE 3086 DATE

FIGURE 3

STOPPING SIGHT DISTANCE EVALUATION
DWY NO. 1
AT VICTORIA STREET

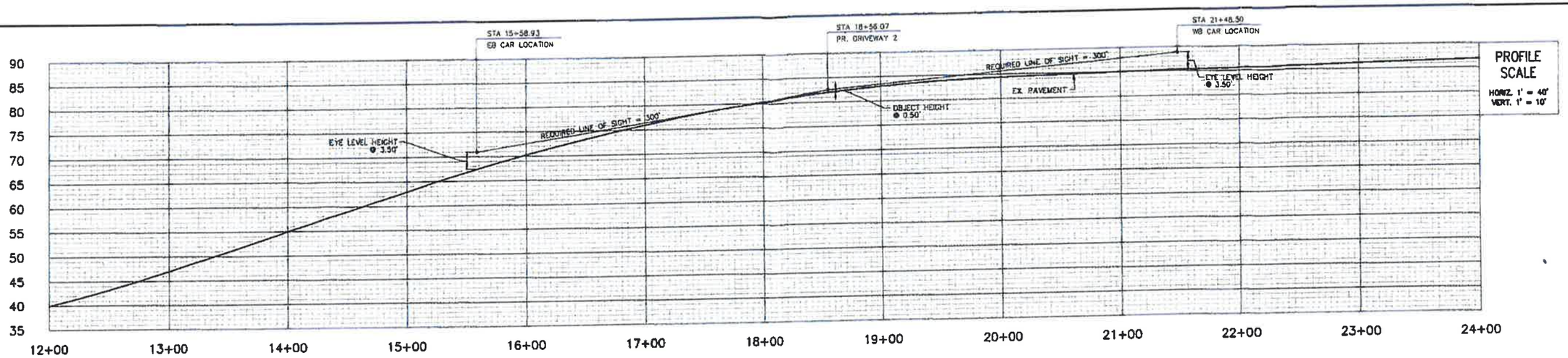
CITY OF COSTA MESA

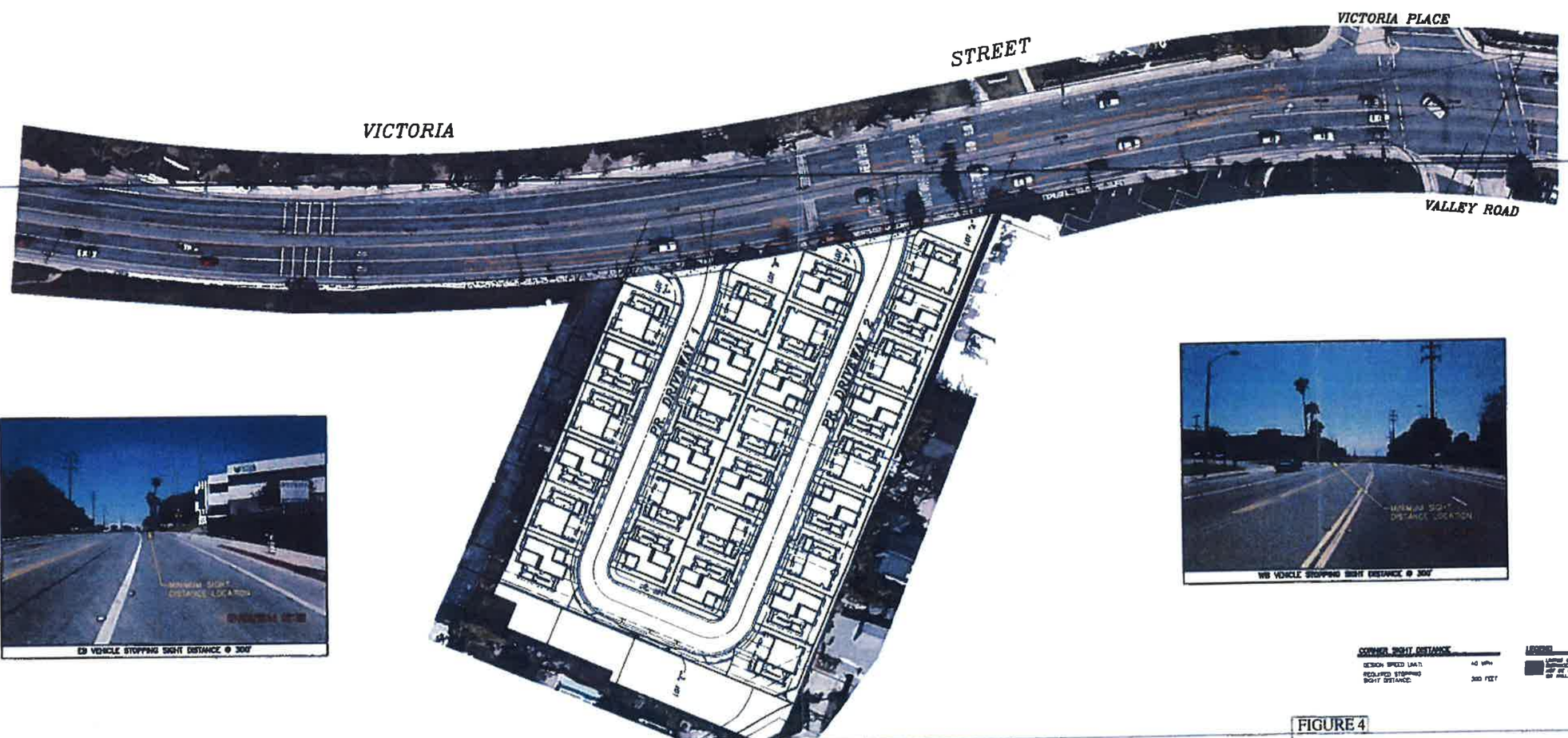
PROJECT No. 061573

Drawn by: KP
Designed by: KP
Checked by: MTP

SHEET

OF





CORNER SIGHT DISTANCE

DESIGN SPEED LIMIT:	40 MPH
REQUIRED STOPPING SIGHT DISTANCE:	300 FEET

LEGEND

NO.	REVISIONS	APP.	DATE
7			
6			
5			
4			
3			
2			
1			

PREPARED UNDER THE SUPERVISION OF:

LINSCOTT, LAW & GREENSPAN, ENGINEERS

RICHARD E. BARRETTO TE 2006 DATE

FIGURE 4

STOPPING SIGHT DISTANCE EVALUATION
DWY NO. 2
AT VICTORIA STREET

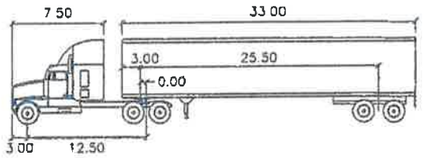
CITY OF COSTA MESA

PROJECT No. 081873

Drawn by: KP
Designed by: KP
Checked by: MTP

SHEET

OF



WB-40 feet

Tractor Width	: 8.00	Lock to Lock Time	: 6.0
Trailer Width	: 8.00	Steering Angle	: 20.3
Tractor Track	: 8.00	Articulating Angle	: 70.0
Trailer Track	: 8.00		

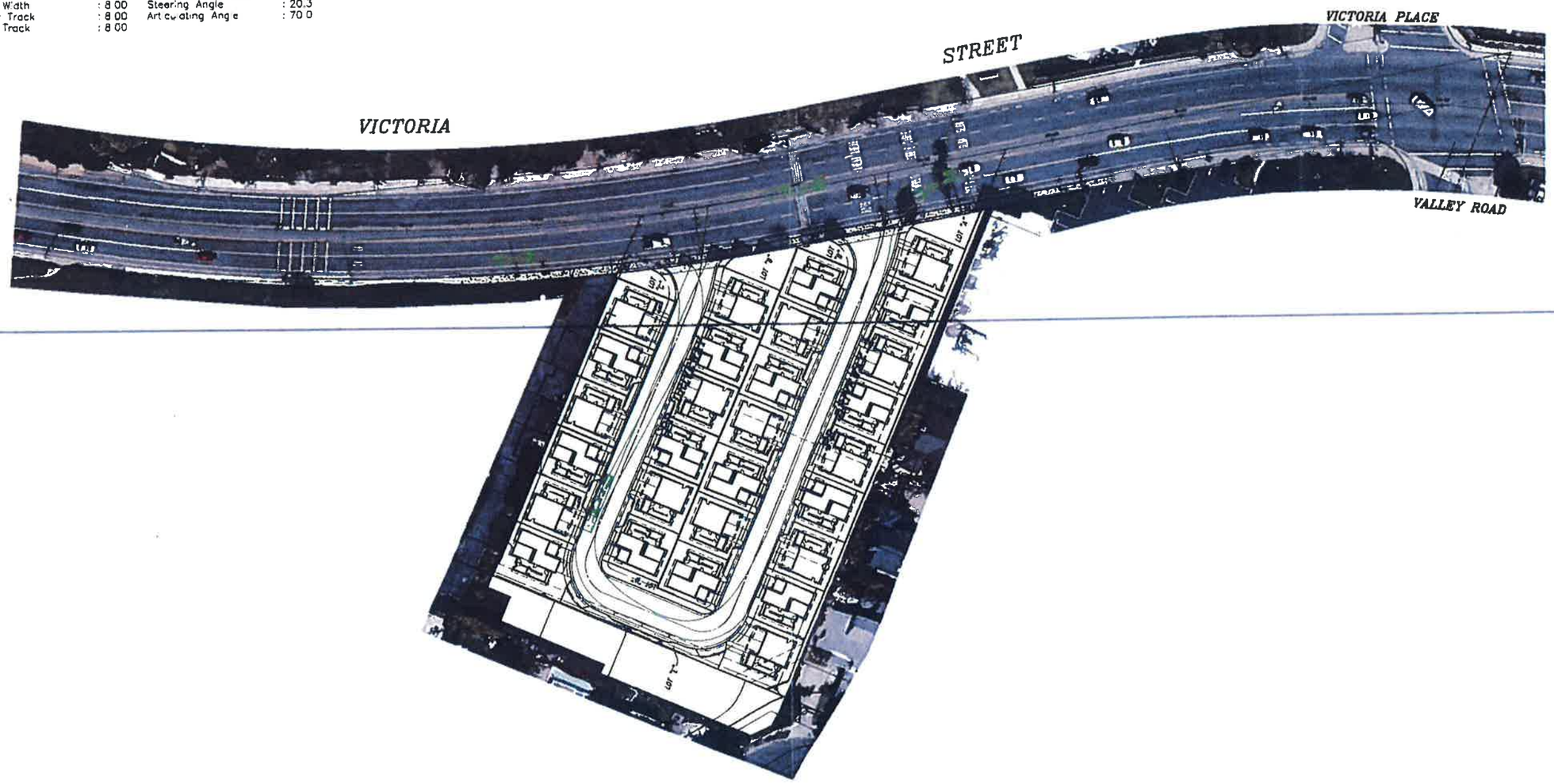


FIGURE 5

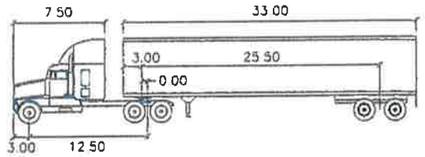
SITE ACCESS EVALUATION
WB-40 TURNING MOVEMENT
DWY NO. 1

CITY OF COSTA MESA

PROJECT No. 051873
Drawn by: KP
Designed by: KP
Checked by: MTP
SHEET
OF

PREPARED UNDER THE SUPERVISION OF:
LINSCOTT, LAW & GREENSPAN, ENGINEERS
RICHARD E. BARRETTO TE 2008 DATE

NO.	REVISIONS	APP	DATE
7			
6			
5			
4			
3			
2			
1			



WB-40 feet

Tractor Width	: 8.00	Lock to Lock Time	: 6.0
Trailer Width	: 8.00	Steering Angle	: 20.3
Tractor Track	: 8.00	Articulating Angle	: 70.0
Trailer Track	: 8.00		

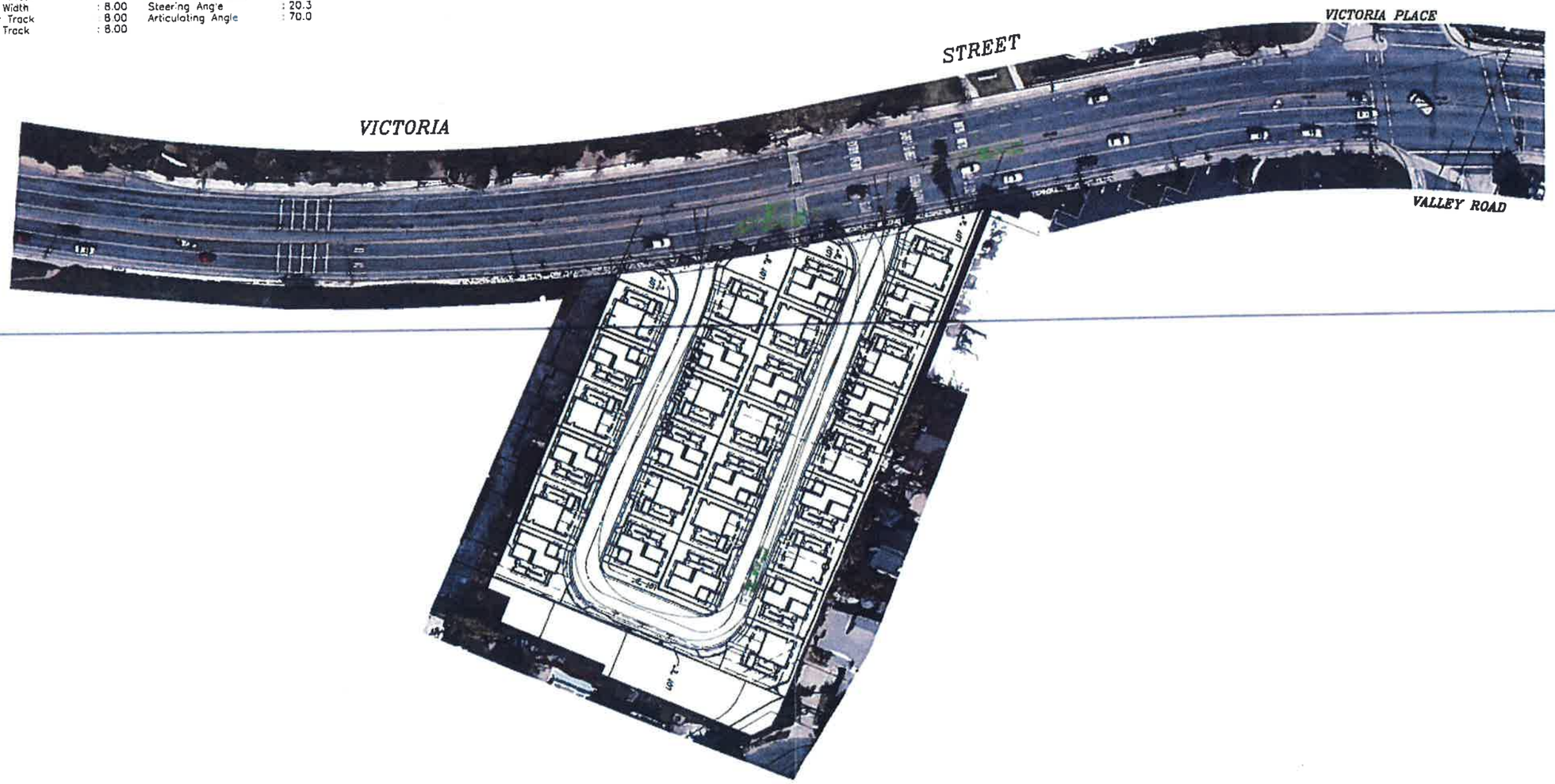


FIGURE 6

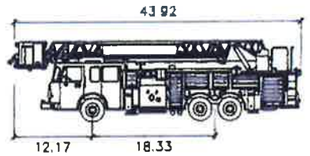
SITE ACCESS EVALUATION
WB-40 TURNING MOVEMENT
DWY NO. 2

CITY OF COSTA MESA

PROJECT No. 051573
Drawn by: KP
Designed by: KP
Checked by: MTP
SHEET
OF

PREPARED UNDER THE SUPERVISION OF
LINSCOTT, LAW & GREENSPAN, ENGINEERS
RICHARD E. GARRETTO TE 3000 DATE

NO	REVISIONS	APP.	DATE
7			
6			
5			
4			
3			
2			
1			



Smeal Platform RM 87ft

	feet
Width	8.33
Track	7.83
Lock to Lock Time	6.0
Steering Angle	48.0

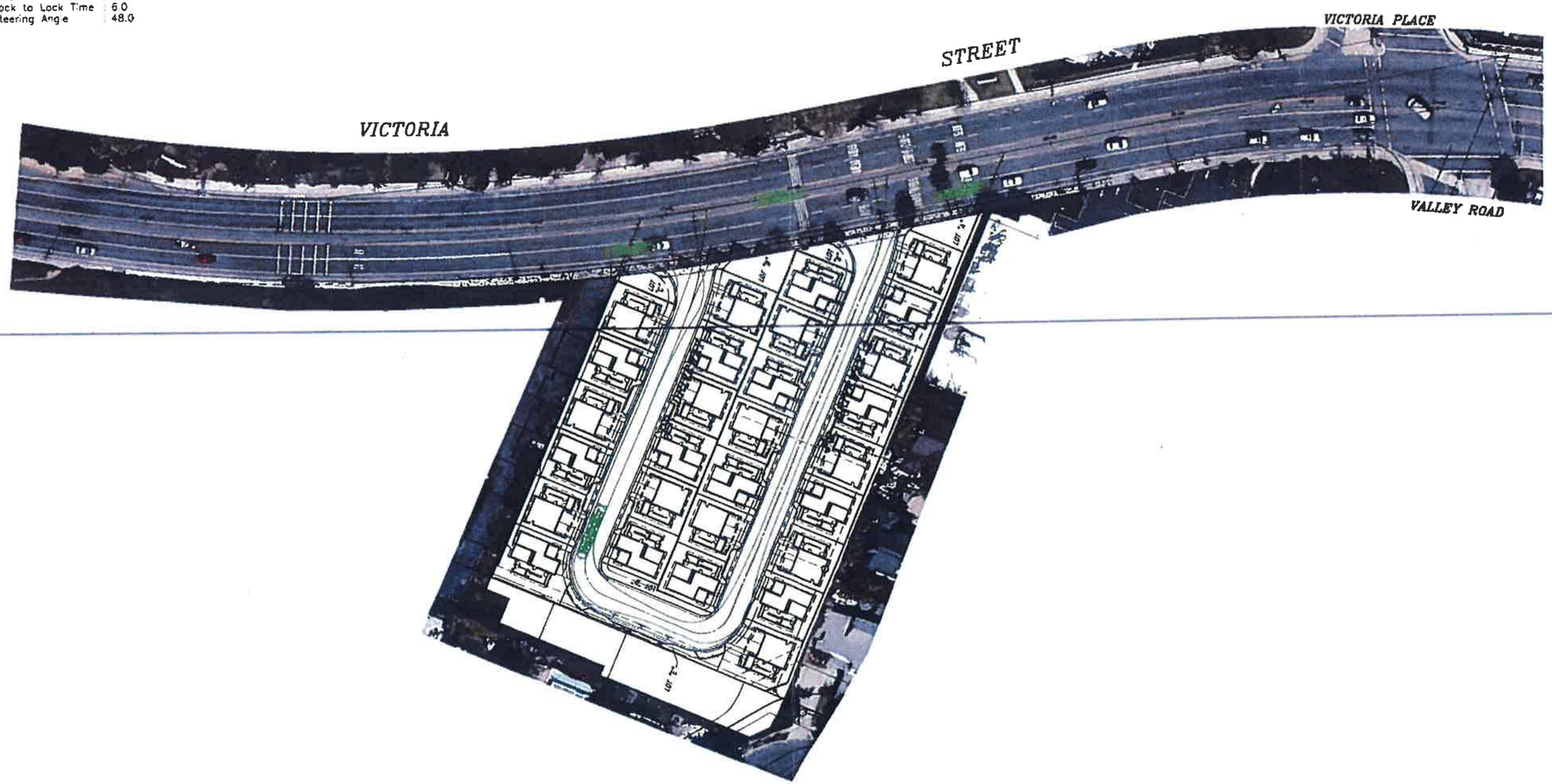


FIGURE 7

SITE ACCESS EVALUATION
FIR TRUCK TURNING MOVEMENT
DWY NO. 1

CITY OF COSTA MESA

PROJECT No. 051573

Drawn by: KP
Designed by: KP
Checked by: MTP

SHEET

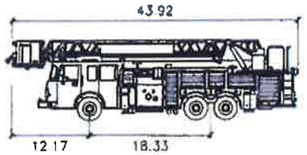
OF

No.	REVISIONS	APP	DATE
7			
6			
5			
4			
3			
2			
1			

PREPARED UNDER THE SUPERVISION OF:

LINSCOTT, LAW & GREENSPAN, ENGINEERS

RICHARD E. BARRETTO RE 30008 DATE



Smea: Platform RM 87ft

	feet
Width	: 8.33
Track	: 7.83
Lock to Lock Time	: 6.0
Steering Angle	: 48.0

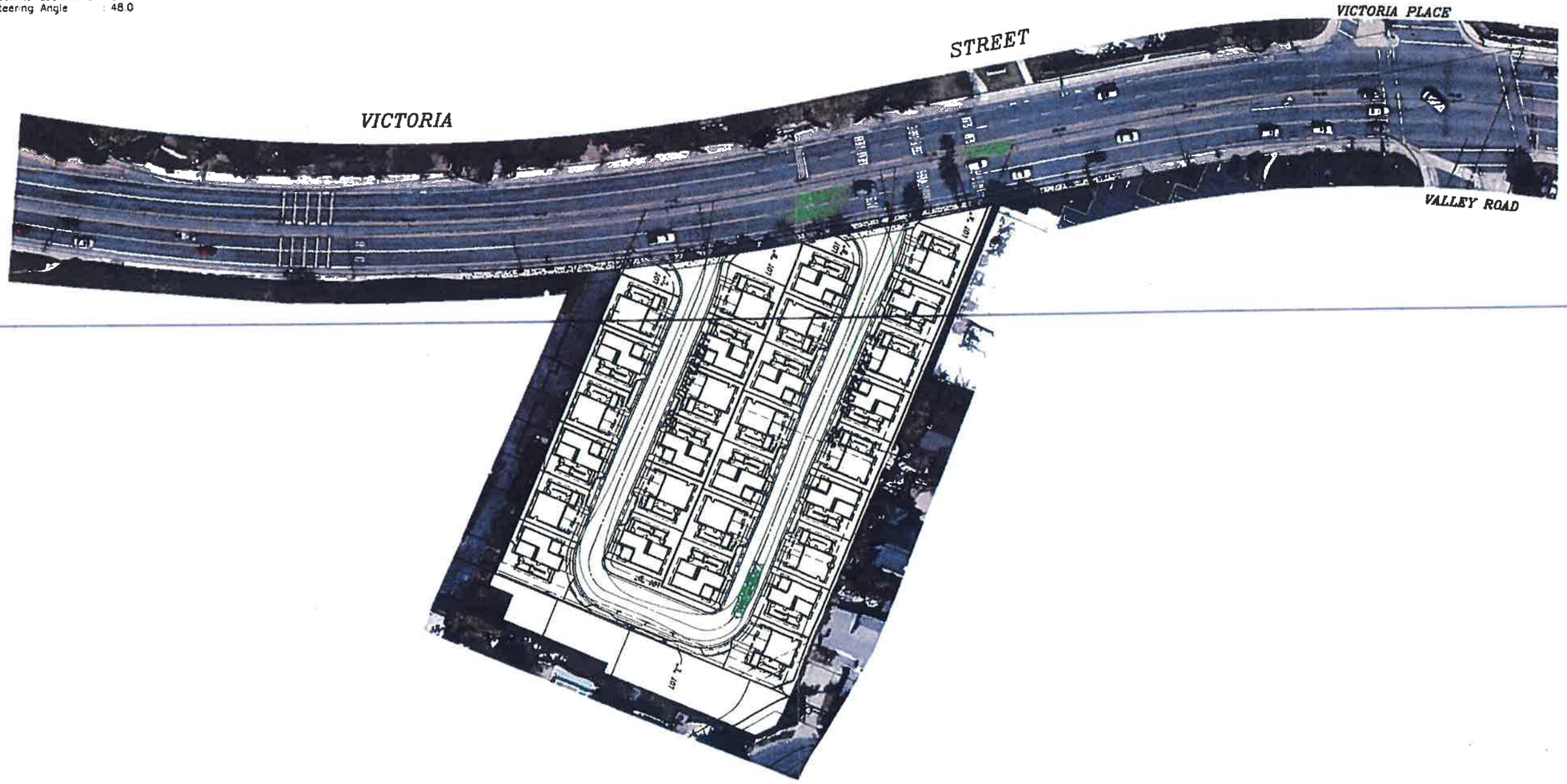


FIGURE 8

NO.	REVISIONS	APP.	DATE
7			
6			
5			
4			
3			
2			
1			

PREPARED UNDER THE SUPERVISION OF:

UNSCOTT, LAW & GREENSPAN, ENGINEERS
TRANSPORTATION PLANNING CIVIL ENGINEERING

RICHARD E. BARRETTO TE 2006 DATE

SITE ACCESS EVALUATION
FIR TRUCK TURNING MOVEMENT
DWY NO. 2

CITY OF COSTA MESA

PROJECT No. 051573
Drawn by: KP
Designed by: KP
Checked by: MTP
SHEET
OF

City of Costa Mesa
Traffic Divison Target Area Report

From 01/01/2005 to 03/26/2015

Total Collisions: 15
Injury Collisions: 11
Fatal Collisions: 0

Collision Summary Report

3/26/15

05-3333 02/26/2005 22:27 Saturday VICTORIA STREET & VALLEY ROAD 5' Direction: East Dark - Street Light Pty at Fault:
Sideswipe Fixed Object Driving Under Influence 23152A Hit & Run: No Property Damage Only # Inj: 0 # Killed: 0
Party 1 Driver East Ran Off Road Female Age: 25
Veh Type: Sobriety: Assoc Factor:

05-6426 04/20/2005 07:40 Wednesday VICTORIA STREET & VALLEY ROAD 12' Direction: East Daylight Pty at Fault:
Vehicle - Pedestrian Pedestrian Ped R/W Violation 21950A Hit & Run: No Other Visible Injury # Inj: 1 # Killed: 0
Party 1 Driver South Making Left Turn Male Age: 25
Veh Type: Sobriety: Assoc Factor:
Party 2 Pedestrian South Proceeding Straight Male Age: 19
Veh Type: Sobriety: Assoc Factor:

06-8906 05/29/2006 19:10 Monday VICTORIA STREET & VALLEY ROAD 0' Direction: Not State Daylight Pty at Fault:
Broadside Other Motor Vehicle Auto R/W Violation 21801A Hit & Run: No Complaint of Pain # Inj: 1 # Killed: 0
Party 1 Driver South Making Left Turn Female Age: 33
Veh Type: Sobriety: Assoc Factor:
Party 2 Driver East Proceeding Straight Male Age: 25
Veh Type: Sobriety: Assoc Factor:

06-15304 09/16/2006 23:04 Saturday VICTORIA STREET & VALLEY ROAD 0' Direction: Not State Dark - Street Light Pty at Fault:
Broadside Other Motor Vehicle Auto R/W Violation 21801A Hit & Run: No Property Damage Only # Inj: 0 # Killed: 0
Party 1 Driver South Making Left Turn Male Age: 20
Veh Type: Sobriety: Assoc Factor:
Party 2 Driver East Proceeding Straight Male Age: 25
Veh Type: Sobriety: Assoc Factor:

07-1194 01/20/2007 18:32 Saturday VICTORIA STREET & VALLEY ROAD 0' Direction: Not State Dark - Street Light Pty at Fault:
Vehicle - Pedestrian Pedestrian Pedestrian Violation 21456B Hit & Run: No Other Visible Injury # Inj: 1 # Killed: 0
Party 1 Driver South Other Female Age: 32
Veh Type: Sobriety: Assoc Factor:
Party 2 Driver South Proceeding Straight Female Age: 32
Veh Type: Sobriety: Assoc Factor:

07-11068 07/10/2007 20:58 Tuesday VICTORIA STREET & VALLEY ROAD 2' Direction: West Dark - Street Light Pty at Fault:
Hit Object Fixed Object Improper Turning 22107 Hit & Run: No Property Damage Only # Inj: 0 # Killed: 0
Party 1 Driver West Male Age: 60
Veh Type: Sobriety: Assoc Factor:

07-16927 10/18/2007 09:34 Thursday VICTORIA STREET & VALLEY ROAD 0' Direction: Not State Daylight Pty at Fault:
Head-On Other Motor Vehicle Auto R/W Violation 21801A Hit & Run: No Complaint of Pain # Inj: 2 # Killed: 0
Party 1 Driver West Making Left Turn Male Age: 86
Veh Type: Sobriety: Assoc Factor:
Party 2 Driver East Proceeding Straight Female Age: 38
Veh Type: Sobriety: Assoc Factor:

08-20429 12/17/2008 17:22 Wednesday VICTORIA STREET & VALLEY ROAD 0' Direction: Not State Dark - Street Light Pty at Fault:
Broadside Other Motor Vehicle Auto R/W Violation 21801A Hit & Run: No Complaint of Pain # Inj: 1 # Killed: 0
Party 1 Driver East Making Left Turn Not State Age:
Veh Type: Sobriety: Assoc Factor:
Party 2 Driver West Proceeding Straight Male Age: 29
Veh Type: Sobriety: Assoc Factor:

09-2460 02/09/2009 15:41 Monday VICTORIA STREET & VALLEY ROAD 0' Direction: Not State Daylight Pty at Fault:
Broadside Other Motor Vehicle Other Hazardous Movement 21451A Hit & Run: Felony Other Visible Injury # Inj: 1 # Killed: 0
Party 1 Driver North Making Left Turn Not State Age:
Veh Type: Sobriety: Assoc Factor:
Party 2 Driver West Proceeding Straight Female Age: 54
Veh Type: Sobriety: Assoc Factor:

09-3979 03/06/2009 18:07 Friday VALLEY ROAD & VICTORIA STREET 11' Direction: South Dark - Street Light Pty at Fault:
Head-On Bicycle Wrong Side of Road 216501 Hit & Run: No Other Visible Injury # Inj: 1 # Killed: 0
Party 1 Bicyclist West Traveling Wrong Way Male Age: 27
Veh Type: Sobriety: Assoc Factor:
Party 2 Driver East Proceeding Straight Male Age: 76
Veh Type: Sobriety: Assoc Factor:

09-12769 08/13/2009 18:38 Thursday VICTORIA STREET & VALLEY ROAD 0' Direction: Not State Daylight Pty at Fault:1
Head-On Other Motor Vehicle Auto R/W Violation 21801A Hit & Run: No Other Visible Injury # Inj: 3 # Killed: 0
Party 1 Driver West Making Left Turn Male Age: 49
Veh Type: Pickup Truck Sobriety: Assoc Factor:
Party 2 Driver East Proceeding Straight Female Age: 36
Veh Type: Passenger Car Sobriety: Assoc Factor:

09-14176 09/09/2009 05:50 Wednesday VICTORIA STREET & VALLEY ROAD 0' Direction: Not State Dusk - Dawn Pty at Fault:1
Broadside Other Motor Vehicle Unknown Hit & Run: No Property Damage Only # Inj: 0 # Killed: 0
Party 1 Driver South Proceeding Straight Male Age: 65
Veh Type: Passenger Car Sobriety: Assoc Factor:
Party 2 Driver East Proceeding Straight Female Age: 38
Veh Type: Passenger Car Sobriety: Assoc Factor:

09-15051 09/25/2009 02:14 Friday VICTORIA STREET & VALLEY ROAD 25' Direction: West Dark - Street Light Pty at Fault:1
Hit Object Fixed Object Driving Under Influence 23152A Hit & Run: No Other Visible Injury # Inj: 1 # Killed: 0
Party 1 Driver West Ran Off Road Male Age: 31
Veh Type: Pickup Truck Sobriety: Assoc Factor:

10-15310 12/05/2010 10:03 Sunday VICTORIA STREET & VALLEY ROAD 0' Direction: Not State Daylight Pty at Fault:1
Broadside Other Motor Vehicle Driving Under Influence 23152A Hit & Run: No Complaint of Pain # Inj: 3 # Killed: 0
Party 1 Driver West Making Left Turn Female Age: 59
Veh Type: Passenger Car Sobriety: Assoc Factor:
Party 2 Driver East Proceeding Straight Male Age: 18
Veh Type: Passenger Car Sobriety: Assoc Factor:

13-8432 07/26/2013 18:34 Friday VICTORIA STREET & VALLEY ROAD 0' Direction: Not State Daylight Pty at Fault:1
Broadside Other Motor Vehicle Auto R/W Violation 21801A Hit & Run: No Complaint of Pain # Inj: 2 # Killed: 0
Party 1 Driver West Making Left Turn Male Age: 68
Veh Type: Passenger Car Sobriety: Assoc Factor:
Party 2 Driver East Proceeding Straight Male Age: 34
Veh Type: Pickup Truck Sobriety: Assoc Factor:

Settings for Query:

Start Date: 01/01/2005
End Date: 03/26/2015
Street: VICTORIA STREET
Cross Street: VALLEY ROAD
Intersection Related: True

ATTACHMENT 7
ADDENDUM TO IS/MND (ORIGINAL DOCUMENT UNDER SEPARATE COVER)

AECOM

AECOM
999 Town and Country Road
Orange, CA 92868

714-567-2501 tel
714-567-2782 fax

April 6, 2015

Mel Lee, AICP
Senior Planner
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92628

Subject: Trumark Homes Project – Proposed Zoning Change to R2-HD

Dear Mr. Lee,

Per your request we have reviewed the applicant's proposed zoning change for the Trumark Homes Project at 1239 Victoria with respect to the findings of the Initial Study/Proposed Mitigated Negative Declaration (2/23/15). Whereas a PDR-HD Planned Development, High Density (up to 20 dwelling units per acre) was previously proposed, a rezone to R2-HD Multiple Family Residential District, High Density (up to 14.5 dwelling units per acre) is now proposed. (See revised IS/MND Table 6 that follows.)

The primary section changes to the IS/MND that apply to the revised zoning include Section 2.3, Project Description-Zoning; and Section 4.10 Land Use and Planning, subparagraph 4.10.1(b), Zoning Consistency). Replacing references to PDR-HD zoning with R2-HD zoning in these sections does not raise any new substantive environmental issues or change any of the impact significance findings presented in the Initial Study/Mitigated Negative Declaration (IS/MND). Similarly, miscellaneous references to the PDR-HD zone found elsewhere in the IS/MND text can be changed to R2-HD without any change in the impact analysis or findings. As with the previously proposed PDR-HD zoning, several variances (Open Space, Building Height, Rear Setback) and adjustments (Perimeter Open Space and Building Separation) would still be required. However, no new significant environmental issues or substantial changes to the previous analysis of land use and planning consistency are raised by these changes.

Please let me know if you have any questions concerning this review and findings.

Sincerely,

Thomas Holm, AICP
Environmental Planning Manager
AECOM
(714) 689-7189
thomas.holm@aecom.com

Table 6: Development Standard Comparison (R2-HD Standards)

Development Standard	Required/Allowed (R2-HD)	Proposed/Provided
Lot Size		
Lot Width	100 ft.	283 ft.
Lot Area	12,000 sf (0.27 acre)	88.608 sf (2.04 acres)
Density/Intensity		
DU's/Acre	1 DU/3000 sf (14.5 DU's/Acre – 29 Units Total)	1 DU/3,174 sf (14 DU's/Acre – 28 Units Total)
Building Coverage (Development Lot)		
Buildings	NA	21,362 sf (24%)
Paving	NA	36,322 sf (41.1%)
Open Space (Total)	35,443 sf (40%)	30,924 sf (34.9%) (1)
TOTAL	NA	88,608 sf (100%)
Common Open Space	NA	1,861 sf
Private Open Space	10 ft. Min. Dim.	10 ft. Min. Dim.
No. of Stories/Building Height	2 Stories/27 ft.	3 stories + Roof Deck/37 Ft (1)
Setbacks (Buildings)		
Front	20 ft.	16 ft. (2)
Side (Left/Right)	5 ft.	6 ft./7 ft.
Rear	10 ft. (1 Story) 20 ft. (2 Story)	10 ft. (2 Story) (1)
Rear Yard Lot Coverage	1,200 sf (25%)	720 sf (15%)
Distance Between Buildings	10 ft.	8 ft. (2)
Perimeter Open Space	NA	11 ft. Min.
Parking		
Covered	56	56
Open	56	42
Guest	NA	14
TOTAL	112 Spaces	112 Spaces
Interior Garage Dimension	20 ft. X 20 ft.	20 ft. X 20 ft.

Notes:
NA = Not Applicable or No Requirement
(1) Variance required
(2) Minor Modification required

Attachment 4

AECOM
999 Town and Country Road
Orange, CA 92868

714-567-2501 tel
714-567-2782 fax

March 18, 2015

Mel Lee, AICP
Senior Planner
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92628

Subject: Trumark Homes Project – Shade/Shadow Impacts

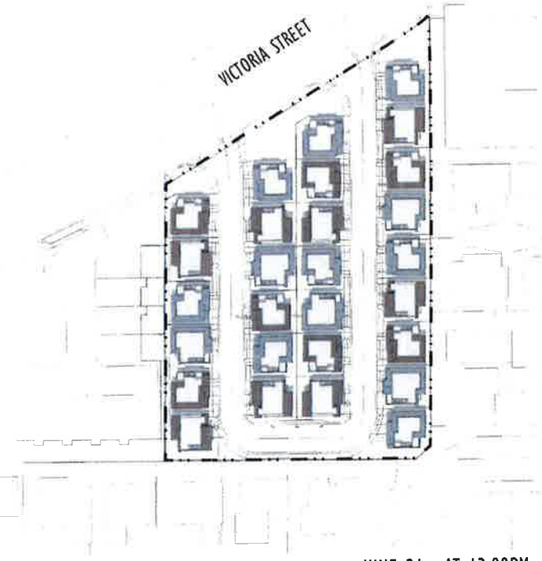
Dear Mr. Lee,

This letter attaches a shade/shadow study for the Trumark Homes Project at 1239 Victoria, which was inadvertently omitted from the Initial Study/Mitigated Negative Declaration (IS/MND). The attached Shadow Study, which is added as an Addendum to the IS/MND, demonstrates that no shade/shadow impacts related to the proposed Project would occur on surrounding properties.

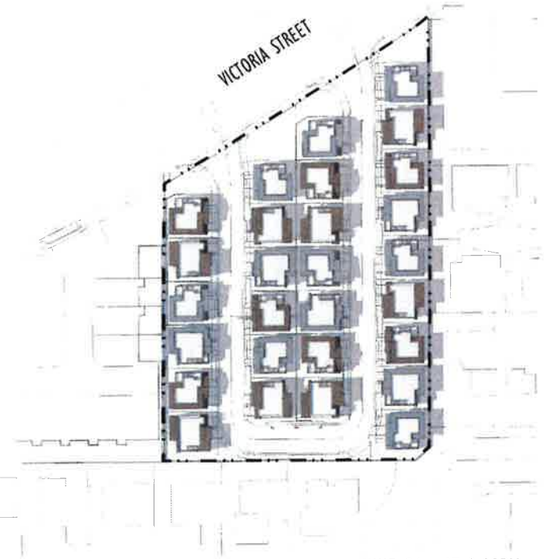
Yours sincerely,

Thomas Holm, AICP
Environmental Planning Manager
AECOM
(714) 689-7189
thomas.holm@aecom.com

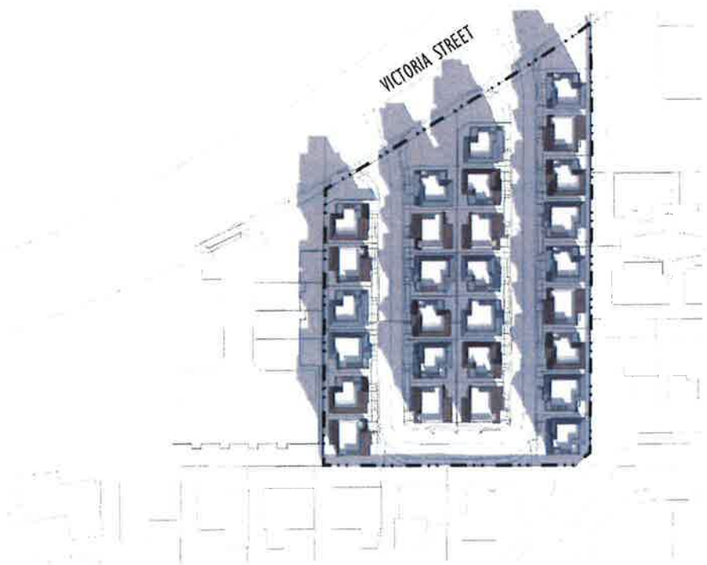
JUNE 21st AT 10:00AM



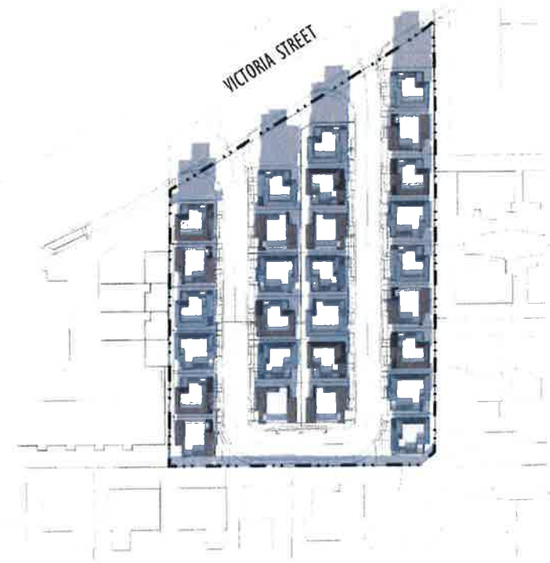
JUNE 21st AT 12:00PM



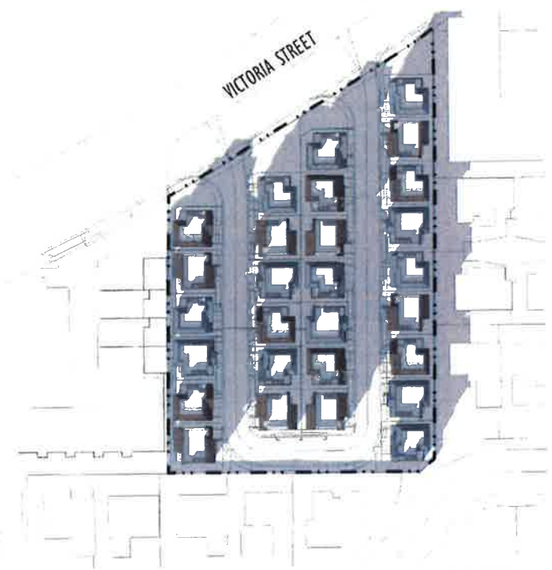
JUNE 21st AT 2:00PM



DEC 21st AT 10:00AM



DEC 21st AT 12:00PM



DEC 21st AT 2:00PM

0 30 60 120

SCALE: 1:60

A0-10

TRUMARK COSTA MESA 2

TRUMARK
450 Newport Center Drive, Suite 300
Newport Beach, CA 92660
949.999.9800

SHADOW STUDY

COSTA MESA, CA

KTGY # 130841
Jurisdiction #

09.03.2014

KTGY Group, Inc.
Architecture+Planning
17922 Fitch
Irvine, CA 92614
949.851.2133
ktgy.com

ATTACHMENT 8
CORRESPONDENCE FROM PUBLIC

PH-2

DEAR CITY HALL COUNCIL MEMBERS March 17th 2015

We speak for most of our fellow neighbors on the Bluffs.

Firstly, some of us DID NOT get your public notice sent out from the city of Costa Mesa. SO we thought you might like to know this or perhaps you already did?

In any case, we have been informed of the property at 1239 Victoria is in the works to be re- zoned a "HIGH DENSITY RESIDENTIAL ZONE'."

We want you to know that many strongly feel certain city council members have no concern for our home values our quality of life or the fact that traffic Costa Mesa is already disgusting so we guess you want to make it a little worse, right?.

We are disgusted that you sell out our neighborhood by allowing interlopers to encroach on our nice quite homes that we worked VERY hard for. Are you really going to allow Trumark Homes to build 28 three story "homes" with roof top patios, to be stuffed where the Viva building now stands! ?? For some of us, this will literally be in our back yards! Perhaps you don't care because you don't live or drive around here, BUT WE DO! Please don't forget, We have rights as home owners.

Why can't you see, there is no advantage or useful purpose for allowing such a project! This does NOTHING to help our neighborhoods. Not to mention these boxy ugly structures do not fit in aesthetically. Especially at 3 Stories. Why so many and why so looming and intrusive?

IF this is to be Re zoned, you need to compromise with your constituents and the builders, not JUST the builders! . Make it something that EVERONE can live with.

That West Reef mess is bad enough but now you want to allow ANOTHER Condo project near us? Please do not humor us by calling these "HOMES" we are not stupid! Oh and roof top patios do not count as " OPEN SPACE" Nice loop hole but let's be real.

We send a clear message to YOU, city council that we will NOT put up with anymore High Density housing in this already congested area. This is a perfect example of City planning at its WORST.

Do something good for the city, like paint some lines on Victoria so people don't crash! It's been WEEKS since they're paved and no lines have been painted.

We hope you all wake up and remember that you were voted in office to HELP make Costa Mesa a better city, NOT to make it look like downtown Los Angeles.

<u>Please do the right thing.</u>

Thank you. Macie and Tim.

PH-2

REATEGUI, JENNIFER

From: LEE, MEL
Sent: Monday, March 23, 2015 5:00 PM
To: REATEGUI, JENNIFER; ROSALES, MARTHA
Subject: FW: Response to Public Notice Re: 1239 Victoria Street

From: James D [mailto:jimdod@hotmail.com]
Sent: Monday, March 23, 2015 4:59 PM
To: LEE, MEL
Subject: Response to Public Notice Re: 1239 Victoria Street

Dear Mr. Lee,

I am an owner and resident of 1128 Sea Bluff Drive, directly around the corner from the proposed development at 1239 Victoria Street in Costa Mesa.

My family purchased our home in October of 2013, and later after settling in to our new neighborhood, were disappointed to see the high density dwellings now under construction west of 1239 Victoria St. The prospect of more high density construction around the corner is not welcome.

We moved here to avoid the high-density of our previous home in Eastside Costa Mesa, but the rules are changing here.

I will be present at the meeting tonight to gather more information. I also wish to hereby go on the record with you and preserve our rights to protest and take legal action if we deem it necessary to protect the existing rules we purchased our home under.

Thank you for your consideration.

Sincerely,

James and Gudrun Dodelson
Tel.: (949) 887-6995

PH-2

COLGAN, JULIE

From:	Dan Hakala <dan@keyboardstoday.com>
Sent:	Monday, March 23, 2015 1:52 PM
To:	PLANNING COMMISSION
Cc:	Judie Howell
Subject:	Planning decisions and voting for 1239 Victoria Project

Begin forwarded message:

From: <MAILER-DAEMON@cybrhost.net>
Date: March 23, 2015 1:44:30 PM PDT
To: <dan@keyboardstoday.com>
Subject: Undeliverable mail: Planning decisions and voting for 1239 Victoria Project

Failed to deliver to 'planningcommission@costamesa.gov'
SMTP module(domain costamesa.gov) reports:
host name is unknown

Reporting-MTA: dns; cybrhost.net

Original-Recipient: rfc822;<planningcommission@costamesa.gov>
Final-Recipient: rfc822;<planningcommission@costamesa.gov>
Action: failed
Status: 5.0.0
Remote-MTA: dns; costamesa.gov
Diagnostic-Code: smtp;host name is unknown

From: Dan Hakala <dan@keyboardstoday.com>
Date: March 23, 2015 1:44:28 PM PDT
To: planningcommission@costamesa.gov
Cc: phonechick@roadrunner.com
Subject: Planning decisions and voting for 1239 Victoria Project

As a longtime nearby resident property owner to this project, I am opposed to granting any variances or easements related to the building of this project.

The demolition of the existing commercial building will have a huge impact on this neighborhood with not only dust and dirt but potential shifting of the hillside stability.

Furthermore, should you proceed to grant approvals for this project I sincerely hope the

demolition permit fees if any, and the new construction dollars collected by the City of Costa Mesa will be very ample to pay for a median and new stoplight system to be installed in the middle of this hill above the bridge. A median would force drivers leaving this area to turn right and go up the hill and drivers would be unable to turn left going to Huntington Beach. This safety measure is very justified to prevent vehicle collisions on this hillside. Without the median and new stoplight system Victoria St. will be a ticking time bomb waiting for a disastrous accident to happen on this extremely busy road through our City.

Dan Hakala
1159 Aviemore Terrace
Costa Mesa. Ca. 92627

PH-2

LEE, MEL

From: Geri Cicero <geri.cicero@att.net>
Sent: Monday, March 23, 2015 1:31 PM
To: LEE, MEL; FOLEY, KATRINA; GENIS, SANDRA
Subject: Public Hearing / 1239 Victoria Street PA14-19

Importance: High

Dear City Overseers:

I have a hard time understanding the continual massive building in our SFR neighborhoods. From my perspective this is not Highest and Best Use – it's Highest and Best PROFIT! What the Planning Department is continuing to offer our city is high density residential projects at the cost of single family residents who have paid taxes for years and been the backbone of our city. My fears of the project are as follows:

- Traffic: is gravely impacted by this project and also the one westerly of the Viva plant. Since our City is a self-insured entity, I foresee accidents and problems at that Victoria site. **One accident - a car spinning out of control, hitting a pedestrian or bicycler - and we have major liability that those of us who reside in the city will pay dearly for.** It is imperative that we "wait and see" how things fare with the West Reef property (who also are Not selling well!)
- Ingress / Egress: we know that a left turn from that Viva property is an accident waiting to happen. Again, we constituents as deep pockets are on the hook for any accident! I foresee that folks will turn right instead on Valley Road; make a quick U-turn and come up to the light, affecting the retail shopping center and young children who attend two venues in that center.
- Water: my community service is water related with OCWD for 20 years. Where is the water coming from to take care of 84 more occupants on that Viva property?! As a mitigation, the builder Should be required to have some form of dual –or- cistern plumbing to lower water use in Each unit! Yes, more out-of-pocket; less profit!!! The mere grading of the property to retain runoff is not enough conservation in our dire drought predicament.
- Parking: **Guest parking of 14 for 28 units is not adequate!** I foresee the retail property easterly of Viva getting hit with multiple owners using the retail space to park. The driveways at each of the 28 units are NOT to be considered guest parking.

Please tread softly and with an eye to the future for our city when determining the affectation of this project on us city folks.

Btw: One of our neighbors mentioned Speed Bumps on Victoria coming up the hill. Bravo! Splendid idea! Item #2 that should be paid for by the Builder (along with Item #1,the water mitigation mentioned above!)

West Reef is a bad project and the effect to the owners on the even-numbered addresses on Gleneagles adjacent to it has been especially horrible. **Please don't add to that existing problem with zoning changes at the Viva site.**

Geri Cicero

The cure for anything is Salt: sweat, tears or the ocean.

Wear Your Sun Screen!!!

1147 Aviemore Terrace, 92627 (Since 1977)

PLANNI`NG COMMISSION SUPPLEMENTAL MEMORANDUM

MEETING DATE: APRIL 13, 2015 **ITEM NUMBER:** PH-2

SUBJECT: **GENERAL PLAN AMENDMENT GP-14-03, REZONE R-14-03, PLANNING APPLICATION PA-14-19, AND VESTING TENTATIVE TRACT MAP VT-17779 FOR A 28-UNIT RESIDENTIAL DEVELOPMENT AT 1239 VICTORIA STREET**

DATE: **APRIL 10, 2015**

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

PRESENTATION BY: **MEL LEE, SENIOR PLANNER**

FOR FURTHER INFORMATION CONTACT: **MEL LEE, AICP (714) 754-5611**
mel.lee@costamesaca.gov

The purpose of this memo is to provide supplemental information on the proposed 28-unit development and respond to general questions that have been raised:

1. ***Please describe the nature and progress of any community outreach to the impacted neighbors abutting the proposed project.***

The applicant has been meeting with several of the directly impacted neighbors, specifically properties along Sea Bluff and Gleneagles Terrace. Following is a brief summary of some of the terms and conditions that has been the subject to pending negotiations with certain abutting neighbors. More detailed information as to the proposed changes based on these pending discussions is attached.

- No access (pedestrian, vehicular, etc.) from Sea Bluff Road.
- Lower existing grade by 4 to 5 feet.
- Modification to window locations for privacy purposes.
- Construction of a 6-foot high privacy wall on the roof decks to shield views.
- Construction of new retaining walls.
- New Landscaping/Mature trees for landscape screening.
- Relocation of exterior staircases.

2. ***What specific changes to the grade level of the property are being proposed?***

Applicant is proposing to:

- Lower the existing grade by 4 to 5 feet, until such point that an existing sewer main along the rear portion of the property is not compromised.
- *Potentially* lower site grades by up to 6 feet in some areas; however, this will need to be confirmed with a precise grading plan.
- Build new retaining walls at varying heights of 10 to 12 feet.

3. ***How is building height measured?***

Title 13 defines building height as "*the distance from the grade to the highest point on the roof, including roof-top mechanical equipment and screening.*" In this case, six-foot high privacy walls are proposed on select roof decks along the rear and east side property line. The building height to the highest point of the privacy wall is 37 feet.

Building height in the R2-HD zone is defined by a story limit and a height limit as measured in lineal feet. The proposed three-story structures with roof decks require a variance from the story limit (two stories allowed, three stories and roof deck proposed) and from the height limit (27 feet allowed, 37 feet proposed).

4. ***What would be the height of proposed structures as measured from the existing grade of the neighboring properties?***

Section views showing the relationship of the proposed three-story structures (37-foot height) and adjacent single-story and two-story homes are attached. The following table provides a brief comparison which takes into account the proposed reduction in the site grade levels by 4 to 5 feet and the neighboring grade.

	(Approximate Only) Building Elevation As measured from Neighboring Grade		Difference in the Site Grade compared to the Abutting Properties
	With Roof Deck	Without Roof Deck	
Two-story residence at 1444 Sea Bluff Drive	32 feet	27 to 28 feet	If site is 5 feet lower in grade.
One-story residence at 1164 Gleneagles Terr	32 feet	27 to 28 feet	If site is 5 feet lower in grade
1156 Gleneagles Terr	32 to 33 feet	28 to 29 feet	If site is 4 to 5 feet lower in grade
Two-story structure at Valley Circle	32 feet	27 to 28 feet	If site is 5 feet lower in grade.

5. ***Was the proposed development plan provided to the City Council for review and comment at their February 4, 2014 meeting for the General Plan?***

Yes. A conceptual site plan showing the building setbacks, Floor plans/elevations showing the roof decks, and a colored section elevation was provided in the staff report (attached).

6. ***What action was taken by the City Council on the General Plan screening request?***

While Council approved the General Plan screening request on a 5-0 vote, this action does not constitute a commitment to approve the project. Council did express various concerns as summarized by the minutes excerpt provided in the attachment.

7. ***Has the applicant made any progress with securing a shared parking agreement with the Victoria Square retail center to accommodate overflow parking in the evenings?***

   At this time, the applicant is currently in discussion with the property owners of Victoria Square regarding a potential off-site parking agreement for overflow parking supply.

8. ***Are there additional responses to comments to the environmental document?***

   The environmental consultant has provided written responses to comments received on the environmental document through the 30 day public review period. Updated responses are attached.

9. ***Please update the traffic analysis to include the existing use (office/warehouse).***

   The existing nonconforming building is 55,000 square feet in size, and it includes both office and warehouse uses. An updated traffic table is attached to reflect 61 a.m. peak hour trips, 54 p.m. peak hour trips, and 406 average daily trips.

10. ***Have additional letters of opposition to the project been received to date and forwarded to the Planning Commission?***

    By separate cover, all public correspondence, including letters of opposition and email communications, have been forwarded to the Planning Commission. A four-page letter petition (template letter) is attached to this memo for reference purposes. It should be noted that this letter was signed by a number of other residents in the area, and these signed letters are also being uploaded to the City's website.

Attachments

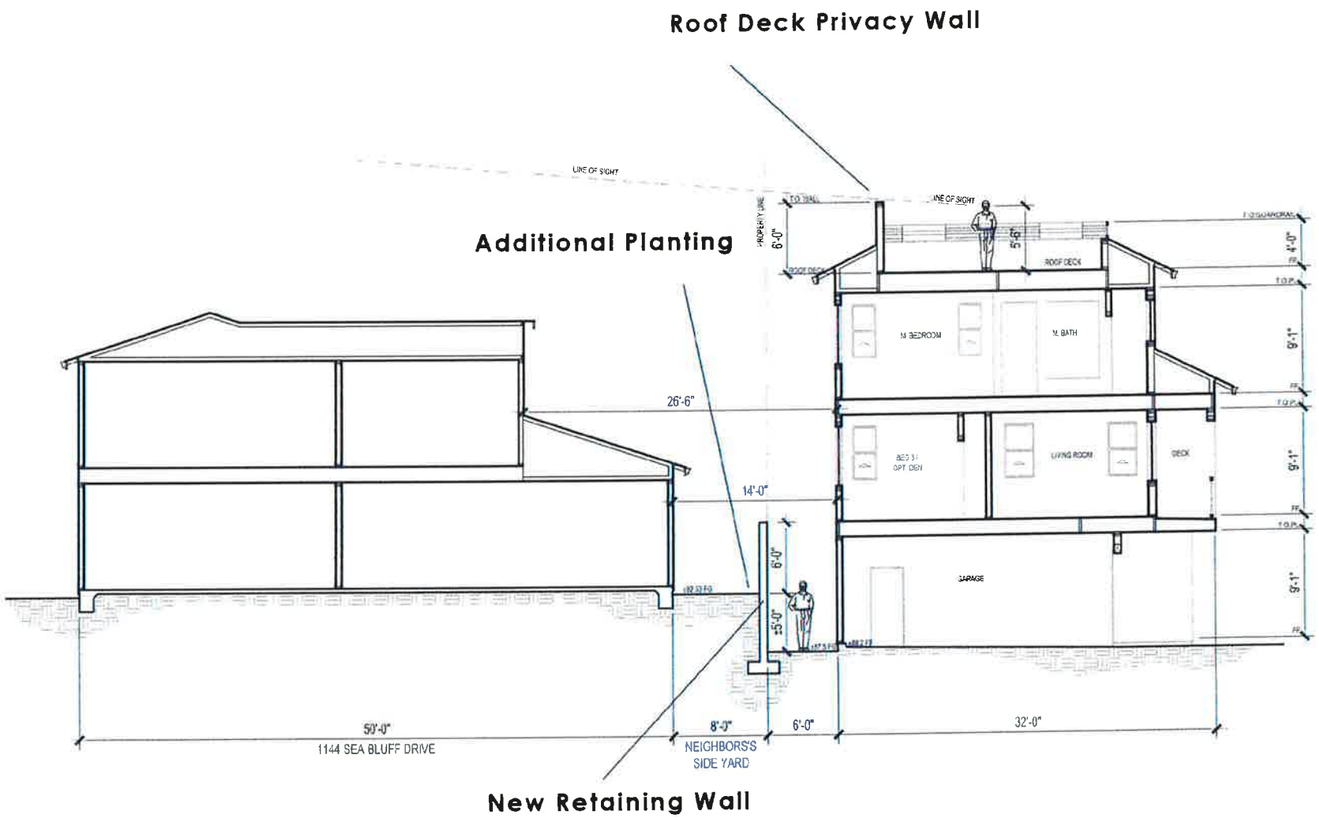
1. Cross sections (with roof decks) and draft written agreements from abutting property owners (applicant is in the process of obtaining the signatures from the affected property owners);
2. Cross sections with no roof decks;
3. Updated street elevation;
4. Updated table comparing the vehicle trips for the proposed project versus the existing development on handwritten page 9 of the April 13, 2015 staff report;
5. General Plan Screening Report for GPS-13-04 presented at the February 4, 2014 City Council meeting;
6. Updated response to comments on the IS/MND for the project incorporating comments received at the March 23, 2015 Planning Commission meeting.
7. Letter of Opposition from "Neighbors of the Proposed Development"

Distribution: Director of Economic & Development Services/Deputy CEO
Assistant Development Services Director
Senior Deputy City Attorney
Public Services Director
City Engineer
Transportation Services Manager
Fire Protection Analyst
Staff (6)
File (2)

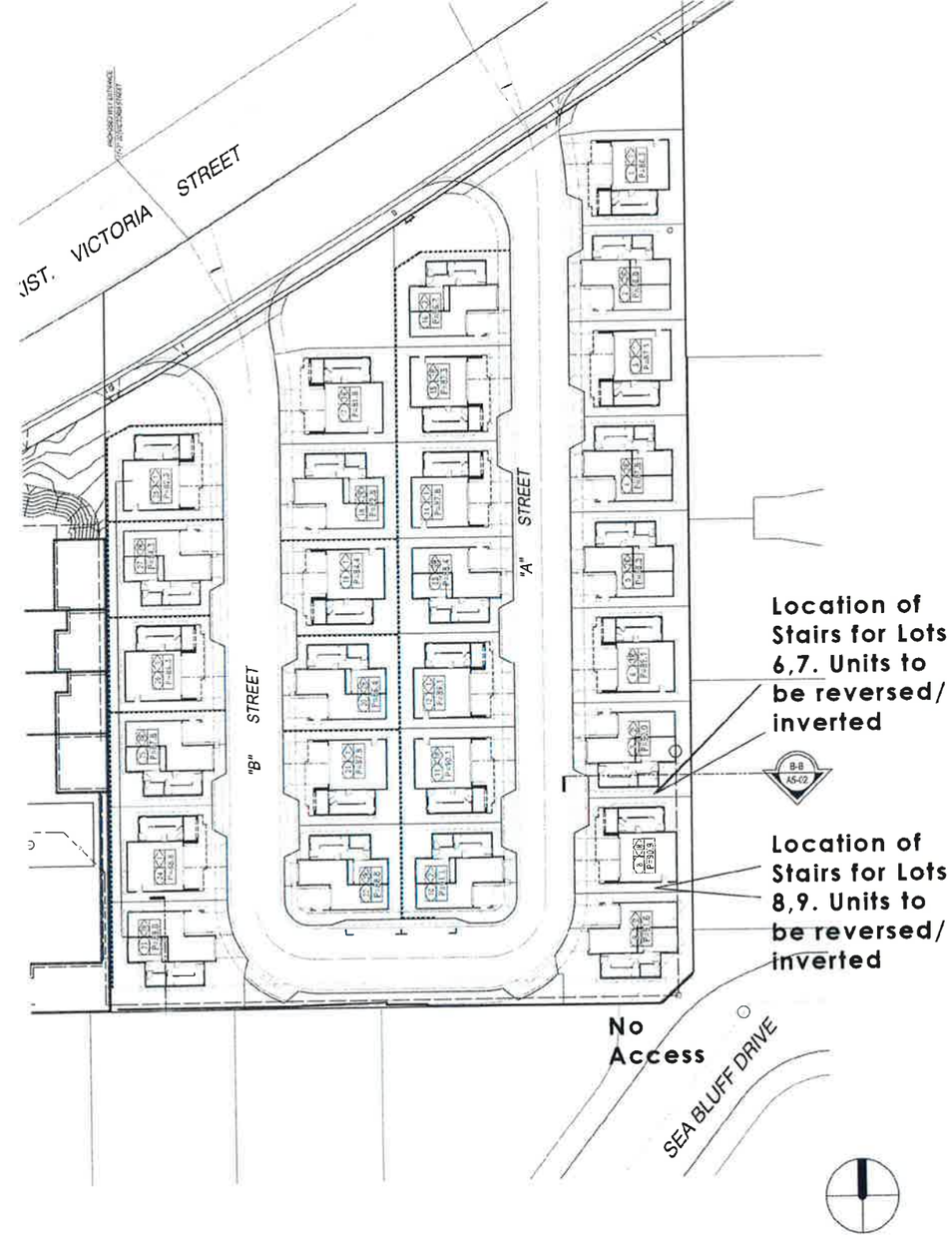
Trumark Homes
Attn: Eric Nelson
450 Newport Center Drive, #300
Newport Beach, CA 92660

Westar Holdings, Inc.
1239 Victoria Street
Costa Mesa, CA 92627

AECOM
Attn: Thomas Holm, AICP
999 Town & Country Road
Orange, CA 92868



SECTION B-B



TRUMARK

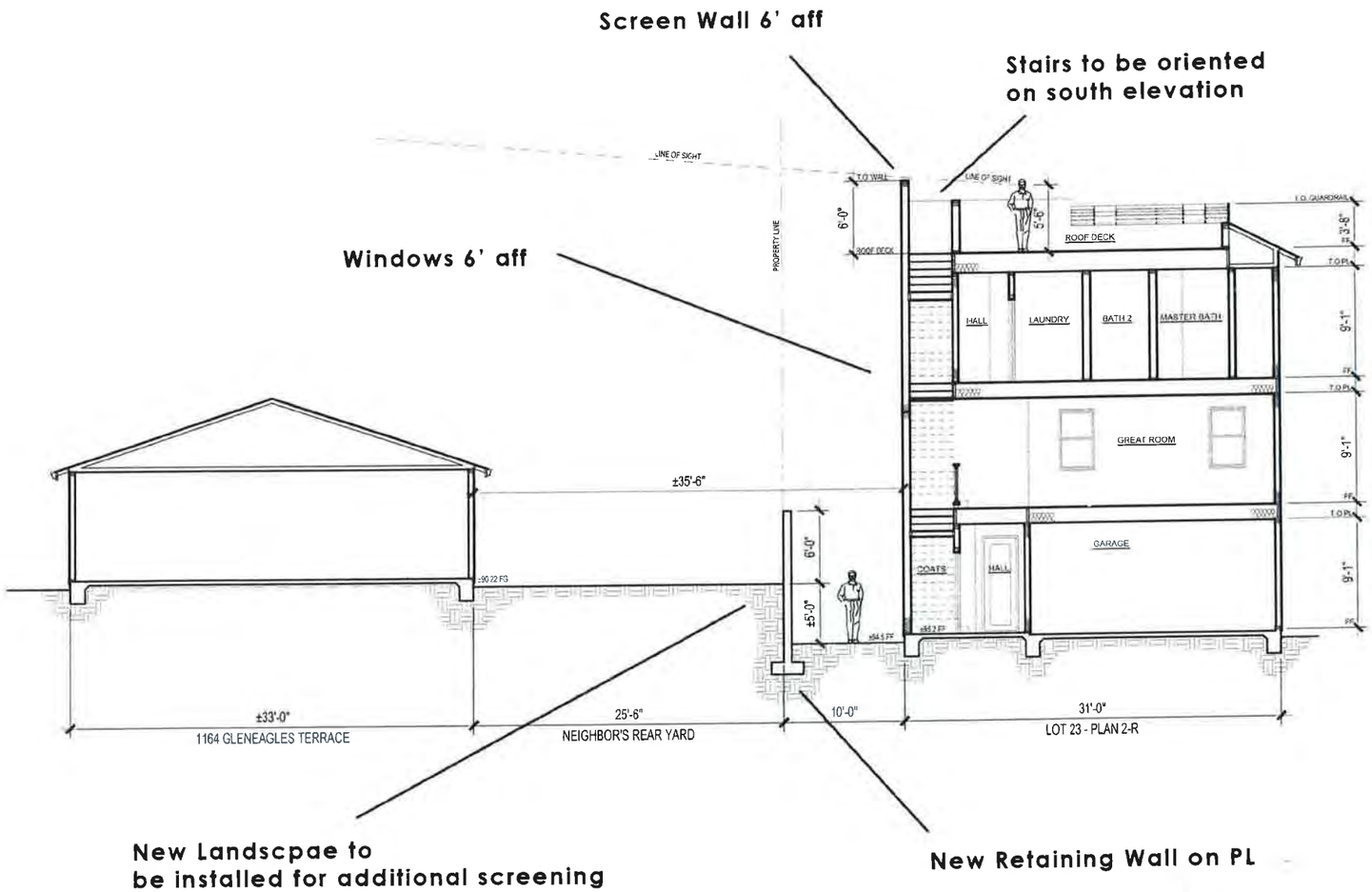
TRUMARK
450 Newport Center Drive, Suite 300
Newport Beach, CA 92660
949.999.9800

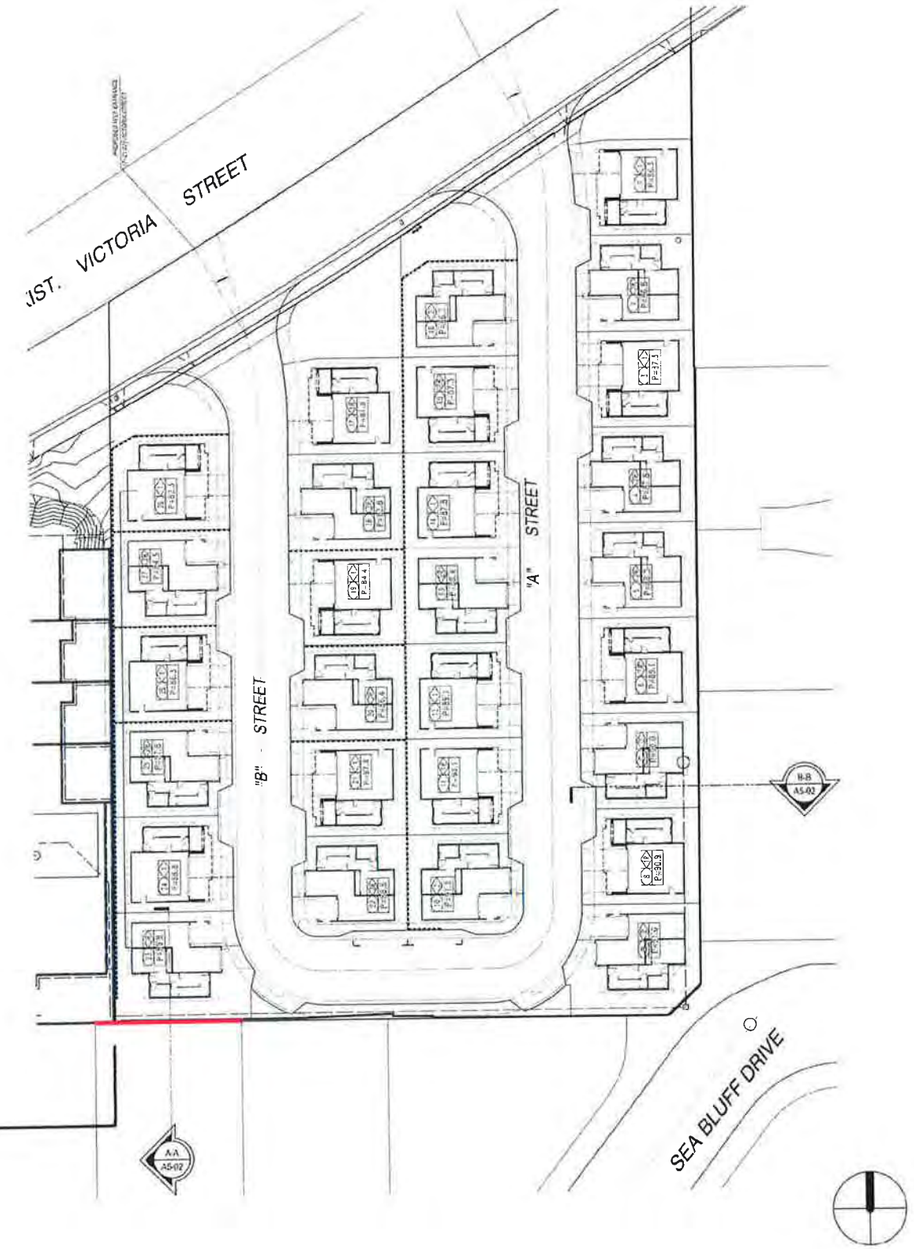
DRAFT FOR DISCUSSION ONLY - SUBJECT TO CHANGE

EXHIBIT A

1144 Sea Bluff
Costa Mesa, CA

ATTACHMENT 1





4/8/2015

Eric A. Nelson - Trumark Homes

TRUMARK

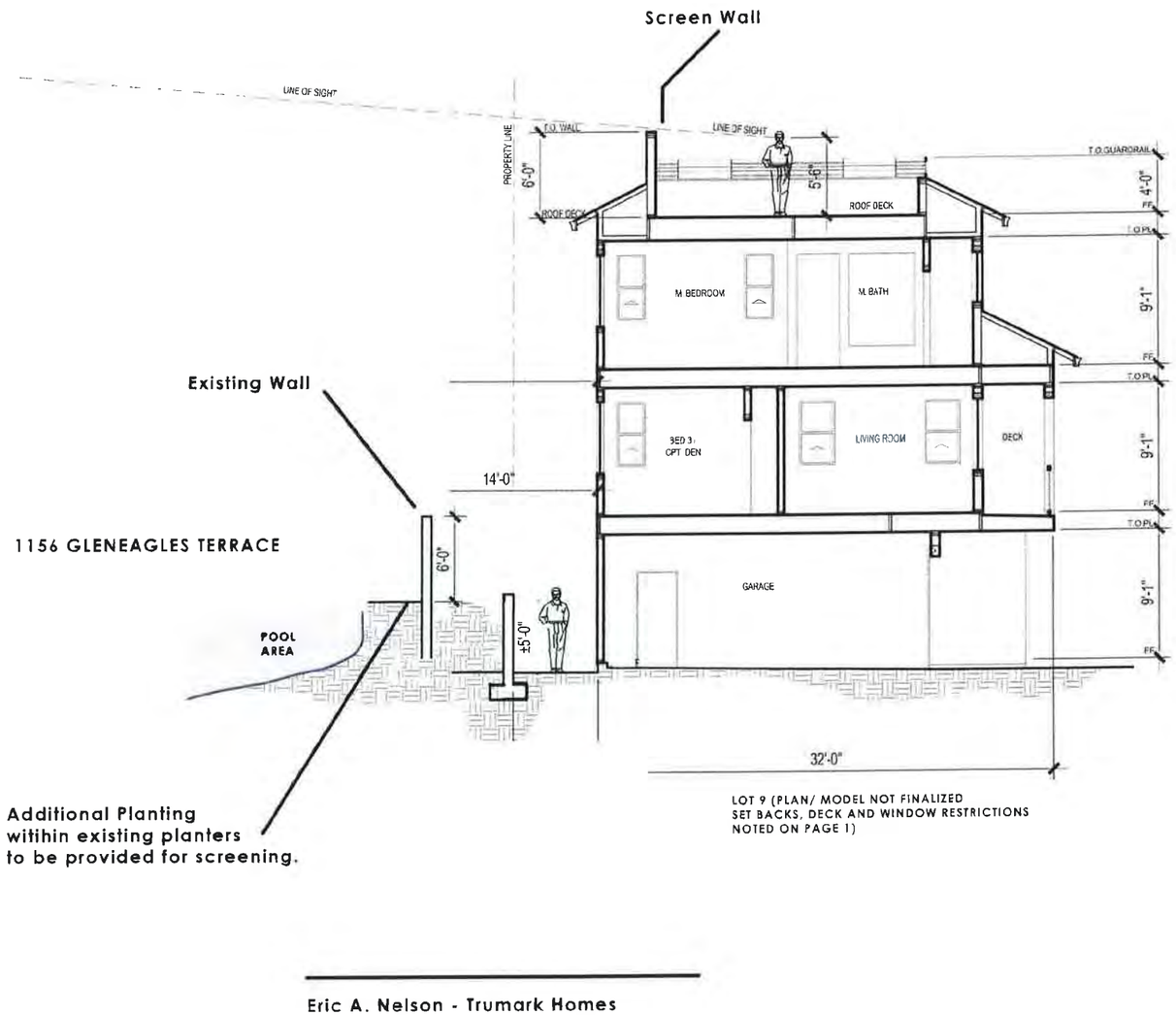
TRUMARK
450 Newport Center Drive, Suite 300
Newport Beach, CA 92660
949.999.9800

EN

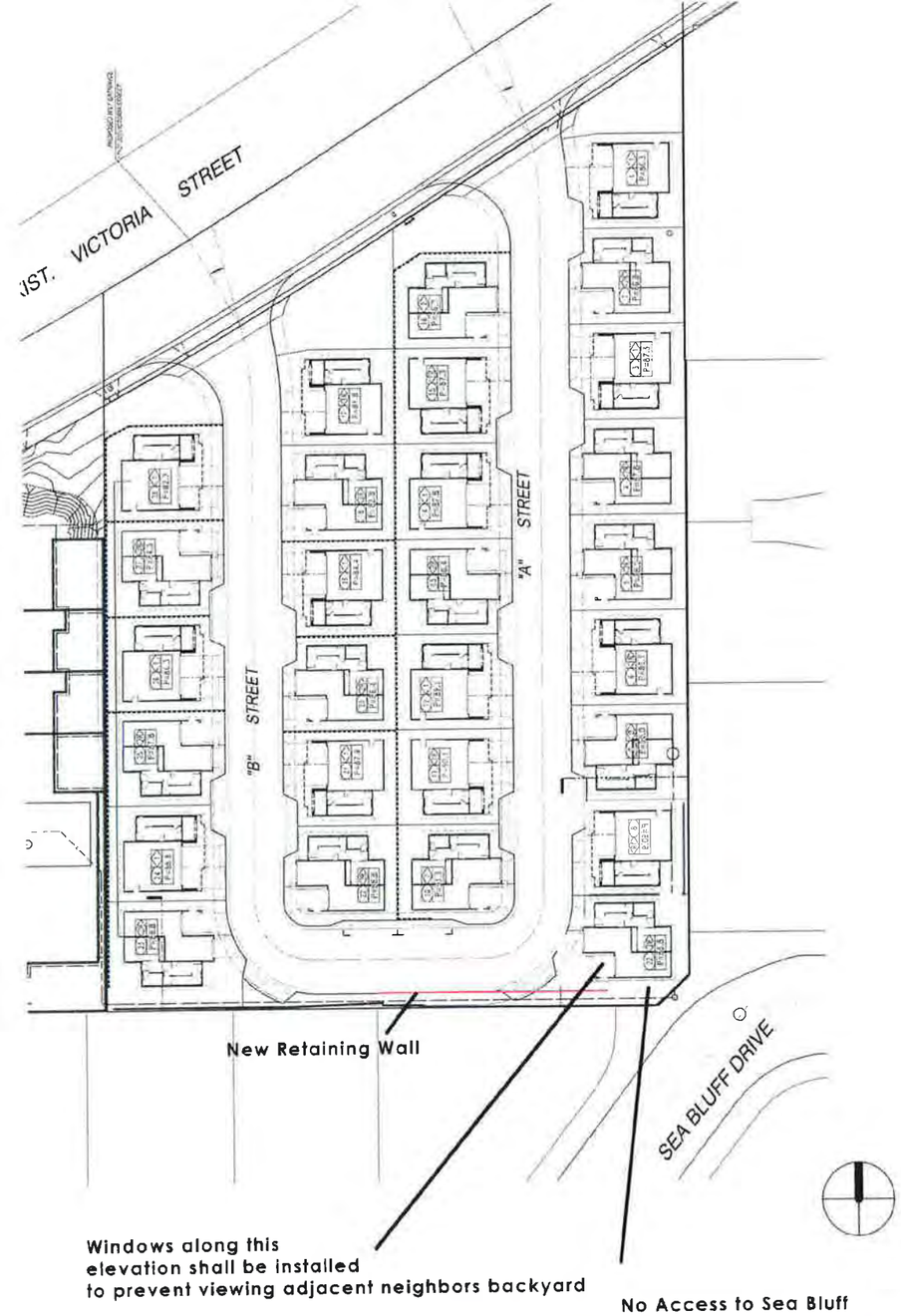
EXHIBIT A

1164 Gleneagles Terr
Costa Mesa, CA

DRAFT FOR DISCUSSION ONLY - SUBJECT TO CHANGE



Eric A. Nelson - Trumark Homes



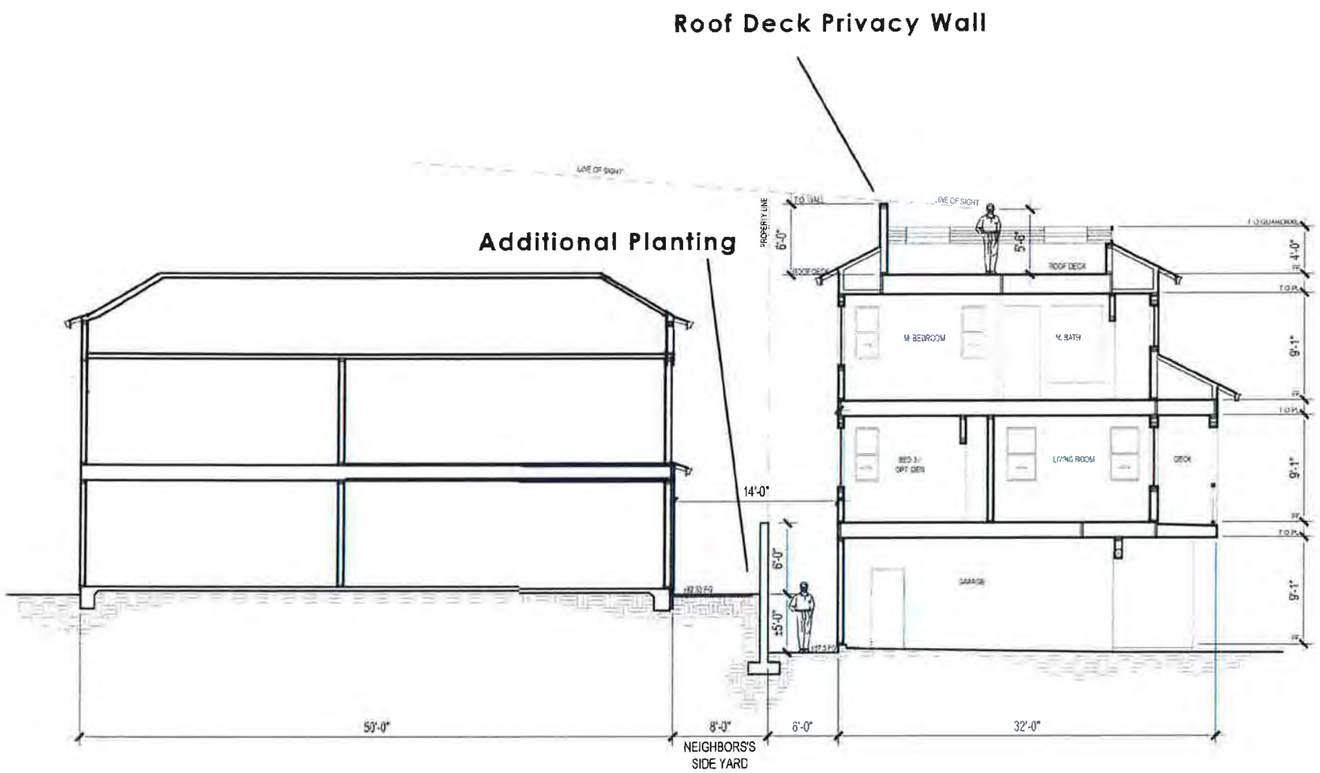
TRUMARK

TRUMARK
450 Newport Center Drive, Suite 300
Newport Beach, CA 92660
949.999.9800

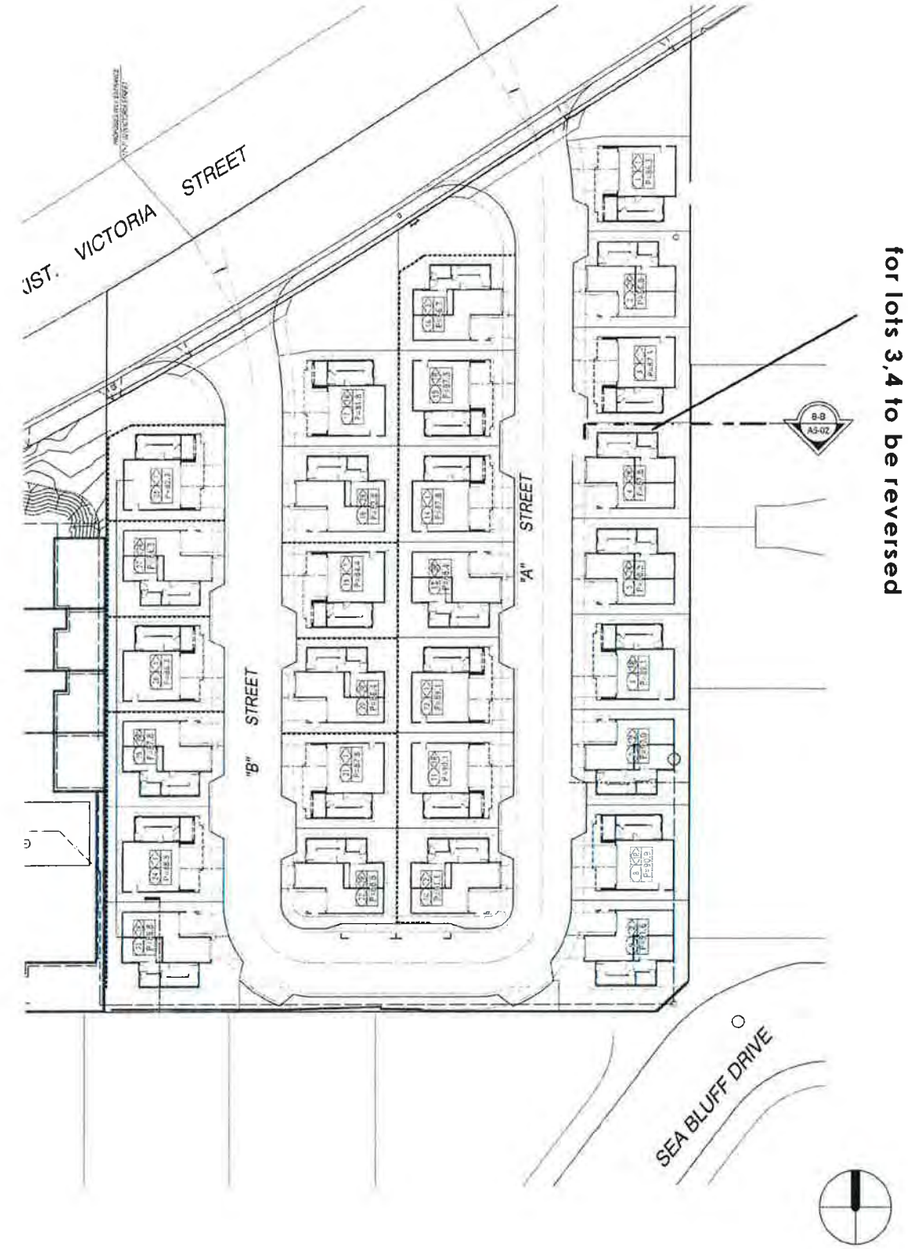
EXHIBIT A

1156 GLENEAGLES TERRACE
COSTA MESA, CA 92627

DRAFT FOR DISCUSSION ONLY - SUBJECT TO CHANGE



SECTION B-B



TRUMARK

TRUMARK
450 Newport Center Drive, Suite 300
Newport Beach, CA 92660
949.999.9800

DRAFT FOR DISCUSSION ONLY - SUBJECT TO CHANGE

-239

EXHIBIT A

Valley Circle

Costa Mesa, CA

I _____own the home located at 1444 Sea Bluff Drive and am immediately adjacent to 1239 Victoria, the location of a proposed 28 home project. Trumark Homes has agreed to make the following changes to reduce or eliminate the impacts of the prosed project on my property. In addition, Trumark has agreed to include these changes as shown on Exhibit A as Conditions of Approval to insure they are required by the city as part of the development.

Because of these changes, I am not opposing this project. I reserve the right to request further changes and oppose this project if any of the following agreed conditions change.

Proposed Changes:

1. No access, pedestrian or vehicular access will be permitted from the project site to Seabluff.
2. Lot 9 Stairs and Lot 8 Stairs shall be located as shown on the attached Exhibit
3. Lot 7 and Lot 6 stairs shall be located as shown on the attached Exhibit.
4. A 6' tall wall shall be included on the southern portion of the roof decks to prevent viewing into yard and home.
5. Trumark will provide addition planting along my property of bamboo or other acceptable screening at Trumark's expense.
6. The project will include lowering the site 4'-5' from existing grades. This will include a new retaining wall, located on the property line.
7. During construction of the new retaining wall, Trumark will be permitted to access my yard when necessary.
8. Trumark will make every attempt at preserving the existing trees adjacent to the existing wall.
9. Windows will be oriented to obstruct views and protect privacy.
10. The roof decks will be removed on the following Lot (s)_____

_____ _____

Eric A. Nelson Dated
Trumark Homes

_____ _____

Homeowner Dated

DRAFT FOR DISCUSSION ONLY - SUBJECT TO CHANGE

I _____ own the home located at _____ _____ and am immediately adjacent to 1239 Victoria, the location of a proposed 28 home project. Trumark Homes has agreed to make the following changes to reduce or eliminate the impacts of the prosed project on my property. In addition, Trumark has agreed to include these changes as shown on Exhibit A as Conditions of Approval to insure they are required by the city as part of the development.

Because of these changes, I am not opposing this project. I reserve the right to request further changes and oppose this project if any of the following agreed conditions change.

Proposed Changes:

1. No access, pedestrian or vehicular access will be permitted from the project site to Seabluff.
2. Windows on southern elevation of Lot 9 shall be installed to prohibit/ obstruct views to pool area and direct views into yard.
3. A 6' tall wall shall be included on the southern portion of the roof decks to prevent viewing into yard and home.
4. Trumark will provide addition planting along my property of bamboo or other acceptable screening at Trumark's expense.
5. The project will include lowering the site 4'-5' from existing grades. This will include a new retaining wall, located 6' from existing rear wall.
6. During construction of the new retaining wall, Trumark will be permitted to drain my pool. Upon completion they will be responsible for the cost of refilling the pool (including penalties) and will acid wash it and pay for an initial startup and cleaning. In addition Trumark will provide an insurance policy for any defects caused by the retaining wall construction.
7. In the event the pool is not drained, Trumark homes will provide, at their expense, weekly pool cleaning to reduce impact of dust during grading.

_____ _____

Eric A. Nelson Dated
Trumark Homes

_____ _____

Homeowner Dated

DRAFT FOR DISCUSSION ONLY - SUBJECT TO CHANGE

I _____ own the home at _____ Valley Road and am immediately adjacent to 1239 Victoria, the location of a proposed 28 home project. Trumark Homes has agreed to make the following changes to reduce or eliminate the impacts of the prosed project on my property. In addition, Trumark has agreed to include these changes as shown on Exhibit A as Conditions of Approval to insure they are required by the city as part of the development.

Because of these changes, I am not opposing this project. I reserve the right to request further changes and oppose this project if any of the following agreed conditions change.

Proposed Changes:

1. Lot 3 and Lot 4 stairs shall be located as shown on the attached Exhibit.
2. A 6' tall wall shall be included on the eastern portion of the roof decks to prevent viewing into yard and home.
3. Trumark will provide addition planting along my property of bamboo or other acceptable screening at Trumark's expense.
4. Windows will be oriented to obstruct views and protect privacy.

_____ _____

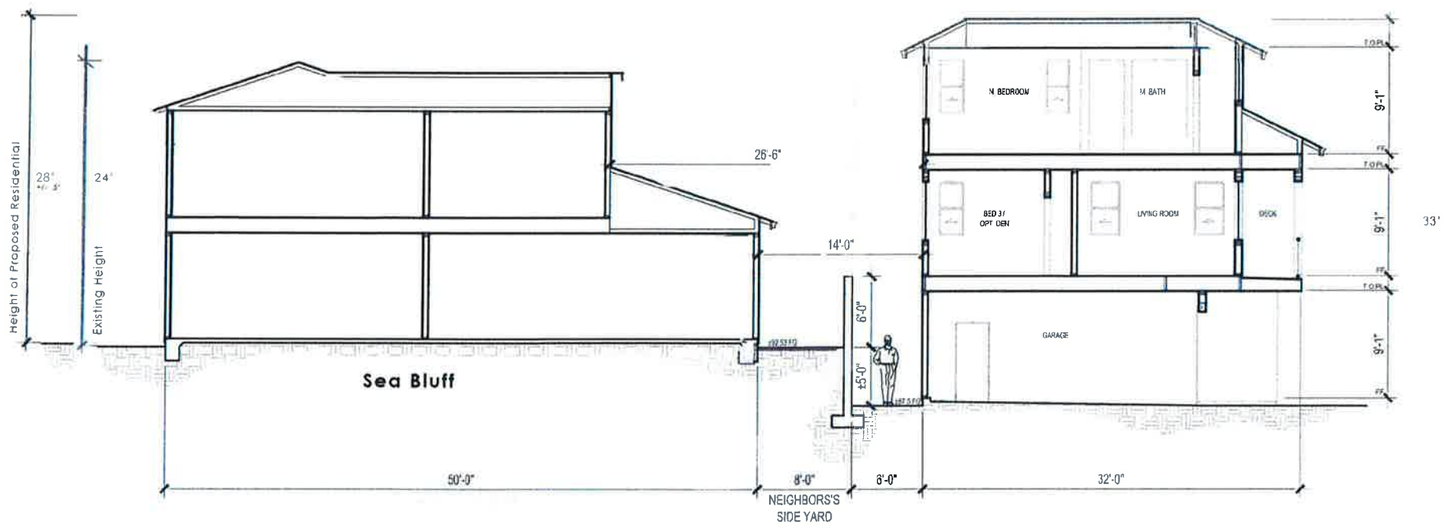
Eric A. Nelson Dated
Trumark Homes

_____ _____

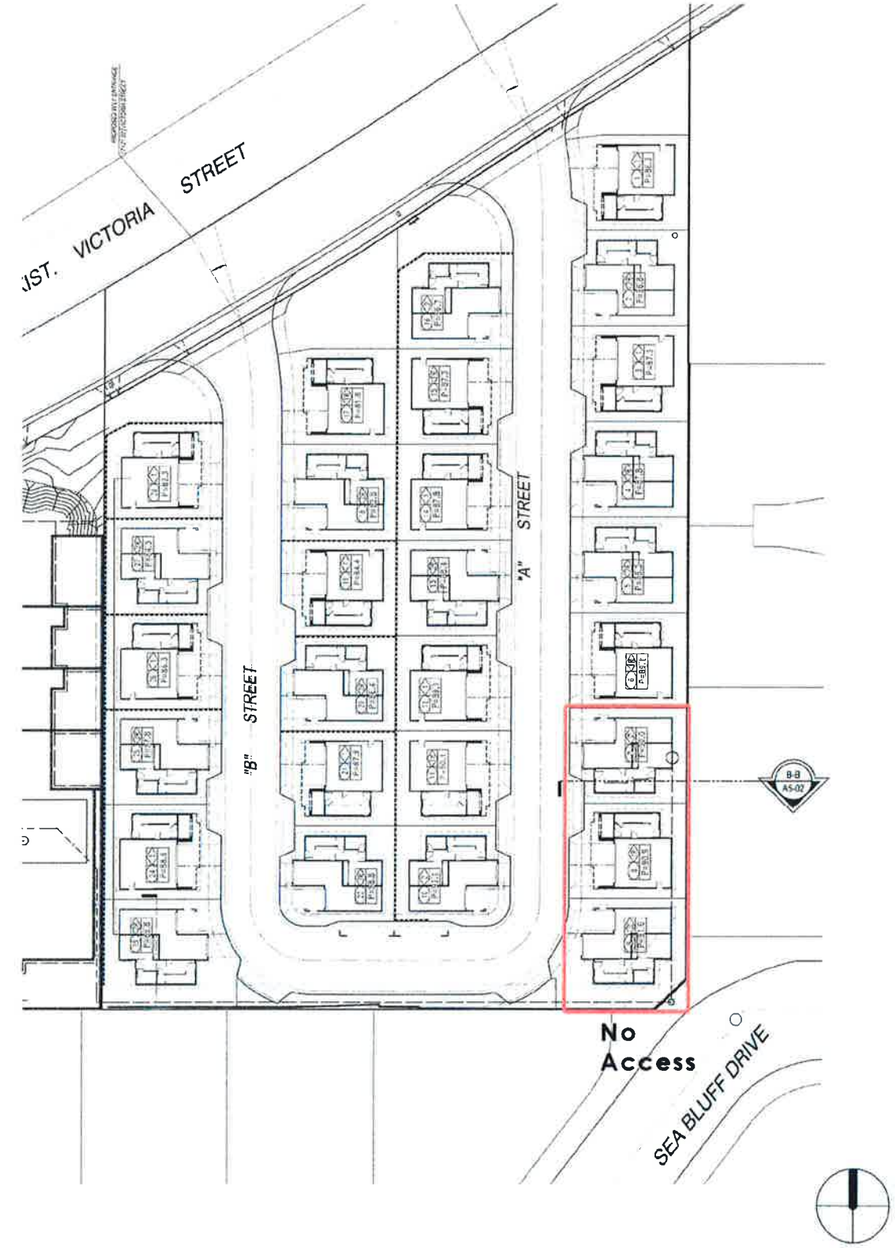
Homeowner Dated

ATTACHMENT 2
CROSS SECTIONS WITHOUT ROOF DECKS

Roof Deck Removed
Includes lower site 4-5'



SECTION B-B



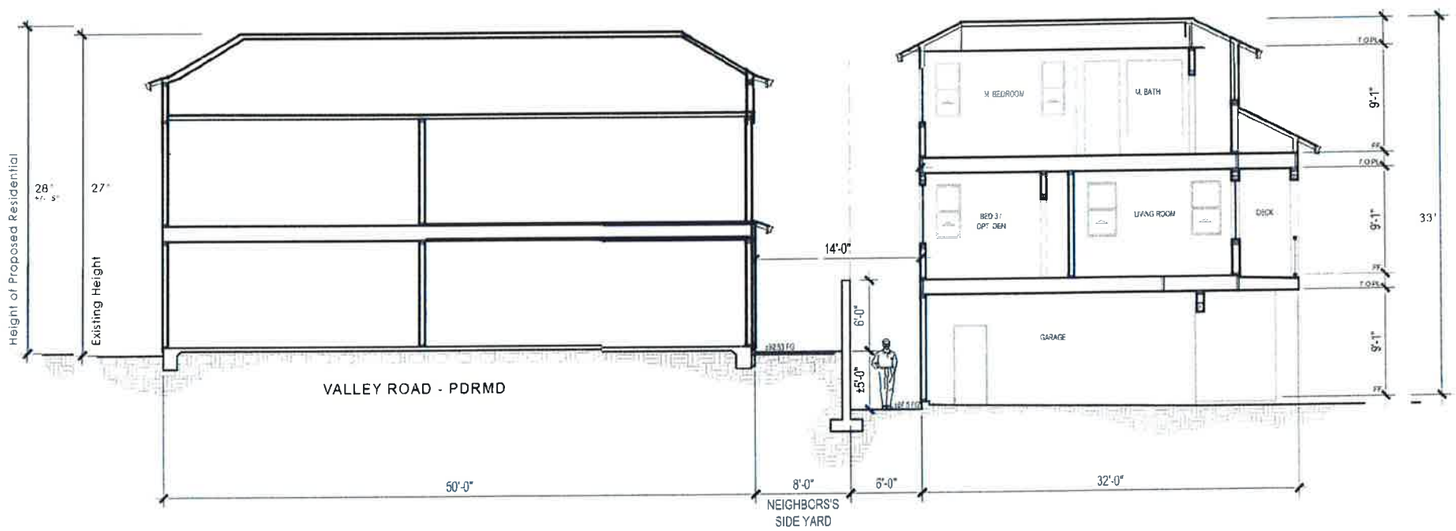
TRUMARK

TRUMARK
450 Newport Center Drive, Suite 300
Newport Beach, CA 92660
949.999.9800

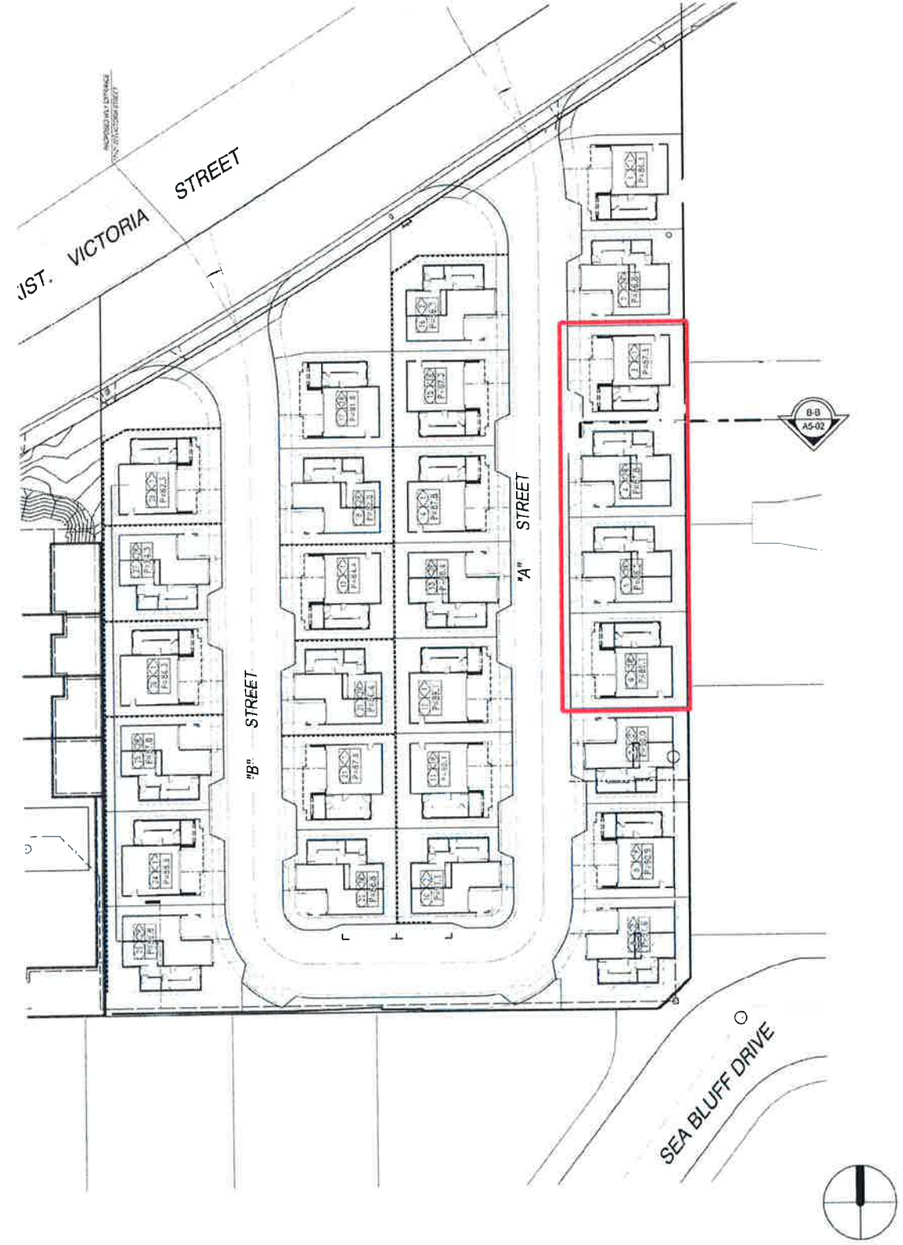
Height Measurements
@ Sea Bluff Property Line
with site lowered 4.5 - 5'
Costa Mesa, CA

Roof Deck Removed

Adjacent Grade is approximatley 4.5-5' above Proposed project site.



SECTION B-B



TRUMARK

TRUMARK
450 Newport Center Drive, Suite 300
Newport Beach, CA 92660
949.999.9800

Height Measurements
@ Valley Road Property Line
Costa Mesa, CA

ATTACHMENT 3
UPDATED STREET ELEVATION

TRUMARK COSTA MESA 2

TRUMARK
450 Newport Center Drive, Suite 300
Newport Beach, CA 92660
949.999.9800

VICTORIA PERSPECTIVE AT PROJECT ENTRY

A5-0

COSTA MESA, CA

KTGY # 130841
Jurisdiction #

09.03.2014

KTGY Group, Inc.
Architecture+Planning
17922 Fitch
Irvine, CA 92614
949.851.2133
ktgy.com

Updated Table Comparing Vehicle Trips For The Proposed Project Versus The Existing Development On Handwritten Page 9 Of The April 13, 2015 Staff Report

Land Use	Units/SF	AM	PM	Daily
Proposed 28-Unit Residential Development	28 Units	21	28	268
Existing Use (Office/Warehouse)	55,000 SF (Non-Conforming Building)	61	54	406
Existing Zoning (Administrative/Professional Offices)	55,000 SF (Non-Conforming Building)	132	197	1,987
Existing Zoning (Administrative/Professional Offices)	26,581 SF (Conforming Per 0.30 Max. FAR)	64	95	965

CITY COUNCIL AGENDA REPORT

MEETING DATE: FEBRUARY 4, 2014 **ITEM NUMBER:**

SUBJECT: **GENERAL PLAN SCREENING GPS-13-04 - FOR PROPOSED 28-UNIT RESIDENTIAL PROJECT AT 1239 VICTORIA STREET**

DATE: **JANUARY 27, 2014**

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

PRESENTATION BY: **ANTONIO GARDEA, SENIOR PLANNER**

FOR FURTHER INFORMATION CONTACT: **ANTONIO GARDEA (714) 754-5692**
antonio.gardea@costamesaca.gov

RECOMMENDATION

Accept or deny General Plan amendment to change the land use designation from General Commercial to High Density Residential to facilitate development of a 28-unit single-family detached residential project.

REQUEST

The applicant is proposing a 28-unit residential development on the site of an existing 55,000 square foot office building. If the General Plan Screening is accepted for processing, the proposal would require approval of the following:

- General Plan Amendment to change the land use designation from General Commercial to High Density Residential;
- Rezone to change the zoning from AP (Administrative and Professional) to PDR-HD (Planned Development Residential – High Density);
- Design/site plan review; and,
- Tentative Tract Map.

BACKGROUND

General Plan Amendment Screening Criteria

City Council Policy 500-2 (Attachment 2) sets forth the criteria to evaluate General Plan amendment requests. Council takes action on whether or not a proposal should be accepted for processing by using the following criteria as guidance. A General Plan Amendment should be accepted if: 1) it is necessary to resolve an inconsistency between the General Plan designation and zoning; 2) it is necessary to provide a uniform land use designation on a single parcel or development site; or 3) it would result in decreased traffic impacts from the property. An amendment to the General Plan should not be considered if the request applies to a single small lot or a small

area, especially if the change would make the property inconsistent with the surrounding properties.

City Council Policy 500-2 also establishes a procedure for processing privately initiated General Plan amendments. The policy also acknowledges these criteria are only guidelines and City Council may accept an application which does not meet the criteria if it finds there are overriding reasons to do so.

Acceptance of a proposal for screening is not a commitment to approve the General Plan amendment. This action represents that Council would like to consider the request for processing, and subsequently explore alternatives prior to making a final decision on amending the General Plan.

ANALYSIS

Project Setting

The proposed project is located on the south side of Victoria Street, between the City's westerly boundary and Valley Road to the east (Attachment 3). The 1.4-acre property to the west is designated as medium density residential (R2-MD zone) and Planning Application PA-12-24 was approved for development of 17 units (12 dwelling units per acre) on the site (Attachment 9). The properties to the east are designated as neighborhood commercial, medium density residential and low density residential with corresponding zoning of C1 (Local Business), PDR-MD (Planned Development – Residential Medium Density), and R1 (Single Family Residential), respectively. The commercial property at the corner of Victoria Street and Valley Road is developed as a one-story, multiple-tenant shopping center. The residentially zoned properties east of the site are developed with two-story detached houses. The properties to the south are designated as low density residential (six dwelling units per acre) and zoned R1 (Single Family Residential). These properties are developed with one and two-story residences adjacent to the proposed project. Vista Park, which is designated as Public/Institutional and zoned as Institutional and Recreational, is located to the north of Victoria Street across from the project site.

Proposed Project

The proposed project submitted for screening to the City Council involves a *General Plan amendment* to change the designation to High Density Residential, which allows up to 20 dwelling units/acre. The site would be rezoned from AP (Administrative and Professional) to a corresponding zoning that would allow up to 20 dwelling units per acre. The 28-unit residential development on the 1.63 acre site results in a density of 17 dwelling units per acre. The proposed product type consists of three-story buildings with three bedroom, roof decks and attached two car garages. Because this site is along a major arterial street and potential traffic impacts may result, an initial study with a traffic analysis will be required for the project. A project Summary Sheet (Attachment 1) has been prepared describing the project site and provides further evaluation of the proposed project.

CONCLUSION

In addition to providing general feedback on the proposed project, City Council would need to take action on the General Plan amendment screening request.

1. *Accept for processing the General Plan Amendment request*. This would allow the General Plan Amendment to High Density Residential to proceed through the development review process for consideration by the Planning Commission and possible action by City Council.

2. *Reject for processing the General Plan Amendment request from further processing*. Denial of this request would maintain the existing Administrative and Professional land use designation and prohibit the establishment of residential uses.

ANTONIO GARDEA
Senior Planner

GARY ARMSTRONG, AICP
Economic and Development Services Director

Attachments:

1. Summary Sheet
2. Council Policy 500-2
3. Vicinity Map
4. Zoning Map
5. Site Photos
6. Proposed Site Plan,
7. Floor Plan 1 / Floor Plan 2
8. Applicant's Letter
9. 1259 Victoria Street Sections

cc: Chief Executive Officer
Assistant Chief Executive Officer
Director of Economic & Development/Deputy CEO
Public Services Director
City Attorney
Transportation Services Manager
City Engineer
City Clerk (9)
Staff (7)
File (2)

Eric A. Nelson
Trumark Homes
450 Newport Center Drive #300
Newport Beach, CA 92660

GPS-13-04- 1239 Victoria Street

DEVELOPMENT CONCEPT

The project site is a 1.63 acre parcel of land with a General Commercial land use designation developed with a 55,000 square foot commercial office building and a surface parking lot. The request is to amend the General Plan Designation from General Commercial to High Density Residential to allow development of the site with a 28-unit residential project.

SITE SURROUNDINGS

The site is bounded by a commercial shopping center which is zoned as C1 (Local Business) and residential properties which are zoned as PDR-MD (Planned Development Residential – Medium Density), and R1 (Single Family Residential) to the east. The properties to the west, which are currently being graded, are zoned R2-MD (Multiple Family Residential – Medium Density). The residential properties immediately to the south are zoned as R1 (Single Family Residential). Vista park (Institutional & Recreational zone) is across Victoria Street to the north.

TRAFFIC EVALUATION

The Transportation Division completed a preliminary trip generation analysis to compare the proposed 28 unit project to existing conditions and General Plan build out. The proposed General Plan Amendment will result in decreasing traffic impacts because the existing office building has a higher trip generation, the preliminary projections (268 daily trips) indicate a net decrease in vehicle trips (decreased trips range from 1,544 to 2,467 trips) from the site is anticipated with development as residential units.

The average daily trips for the existing commercial office building is 3,735 trips (average daily rate for office uses is 14.72 trips). The overall average daily trips with the proposed project will decrease compared to the maximum allowable build out for a commercial building pursuant to the General Plan land use designation. The Transportation Division will require an analysis of both access points to determine if there may be any traffic impacts because of the driveway configuration. A traffic study is required to be submitted with the planning application.

Preliminary Trip Generation Analysis

Land use	Units	AM	PM	Daily
Proposed Residential Units - 28 Single-Family Detached	28	21	28	268
Existing Uses (Commercial)	55,000 SQ.FT.	83	344	3,735
Existing Zoning (AP)	0.30 FAR	42	167	1,813

The proposed development complies with the minimum number of parking spaces required. The required parking for the proposed development as a detached residential unit with three bedrooms is a two-car garage and two open parking spaces. The plans indicate 112 parking spaces would be provided. Any comments received from the City Council and the community will need to be addressed if the application is submitted for processing.

PROJECT COMPLIES WITH GOALS OF THE GENERAL PLAN

Staff believes that the proposed project is in compliance with the following goals of the City's General Plan:

1. General Plan Housing Objective HOU-3.1. Encourage the conversion of existing marginal land to residential where feasible and consistent with environmental conditions that are suitable for new residential development. The proposed ownership housing is consistent with the General Plan objective and will provide new residential units in a primarily residential area.

2. Projected increase in vehicle trips is lower than General Plan build out under the General Commercial designation. The General Plan land use designation for the project site is "General Commercial". The proposed project will not generate any additional traffic since existing office use has a higher trip generation than the proposed residential use.

3. The proposal is consistent with General Plan Land Use Objective LU-2A. The proposed project will encourage new development and improve the quality of environment. Residential development would be compatible with existing multiple-family homes to the east and the 17-unit project to the west.

ISSUES TO BE HIGHLIGHTED

Although a residential development may be desirable at this location, the proposed project raises the following concerns.

1. *The proposed development may impact surrounding properties.* The proposed change to high density residential use would allow three story units. The proposed roof decks are considered an additional story above the third floor. The proposed buildings may have impacts to the residences along the east and south sides of the site.

2. *The proposed site plan may have to be modified to provide an adequate street setback and separation from the single-family residential properties.* The proposed site may have to be modified to provide adequate front, side and rear setbacks, as well as open space and perimeter landscaping. Similar buffering issues were addressed in the recently approved project to the west (Attachment 9) at 1253 Victoria Street.

ATTACHMENT 2

CITY OF COSTA MESA, CALIFORNIA

COUNCIL POLICY

SUBJECT	POLICY NUMBER	EFFECTIVE DATE	PAGE
PROCESSING OF GENERAL PLAN AMENDMENTS	500-2	11/3/86 Rev. 8/1/94	1 of 2

Background

The General Plan constitutes the official policy of the City Council of the City of Costa Mesa with regard to physical development of the City. The City Council may, at its option, amend the General Plan or any element thereof. On August 2, 1982, the City Council enacted Resolution 82-65 adopting "General Plan Administration and Implementation Policies and Procedures". These procedures provided that regularly scheduled General Plan review hearings would be held at the first Planning Commission meeting in February, June, and October. Since that date, State Law has been amended to allow elements of the General Plan to be amended four, rather than three, times during any calendar year. Due to the increased workload on Staff, Planning Commission and City Council resulting from the review of General Plan Amendment applications, the City Council wishes to review the type and number of such applications prior to acceptance for processing.

Purpose

It is the purpose of this policy to:

1. Establish dates for the hearing of General Plan Amendments.

2. Establish guidelines to assist the City Council in providing direction to Staff with regard to processing privately initiated General Plan Amendment applications.

Policy

Privately initiated General Plan Amendment applications shall be heard at the first Planning Commission meetings in February, June, and October. A fourth date for the hearing of General Plan Amendment applications may be assigned by the City Council at its discretion for either privately initiated or City initiated General Plan Amendments.

The City Council shall review applications for amendments to the General Plan and shall direct Staff to either proceed with processing of the applications or to return all materials to the applicant and refund the application fee. A list of applications, including the name of applicant, location of

property, and request shall be submitted to the City Council by the Planning Staff in sufficient time to be heard by the City Council at the second Council meeting following the application deadline.

The following criteria shall be used as guidelines for the City Council to determine which applications will be accepted for processing. An application should be accepted if:

- A General Plan Amendment is necessary to resolve inconsistency between General Plan designation and zoning.
- A General Plan Amendment is necessary to provide a uniform land use designation on a single parcel or development site.
- A General Plan Amendment would result in decreased traffic impacts from the property.

An application for amendment to the General Plan should not be considered if:

- The request applies to a single small lot or a small area, especially if the change would make the property inconsistent with surrounding properties.
- The property is located in the Redevelopment Area (requires action by the Redevelopment Agency to amend the redevelopment plan).

No General Plan Amendment shall be accepted which would increase the overall, City-wide development cap. However, General Plan Amendments which would result in development exchanges or transfers, may be considered.

As these are simply guidelines, the Council may deviate from them if there are other important reasons for accepting or rejecting a particular application.

ATTACHMENT 3

City of Costa Mesa

CITY OF COSTA MESA - [Created: 1/23/2014 1:16:06 PM] [Scale: 237.38] [Page: 8.5 x 11 / Portrait]

Overview Map

Legend

Address Small
Address Points
Freeway
Roads
Collector (cont)
Freeway
Major
Newport BLVD (cont)
Primary
SECONDARY
Hydrology
Channels

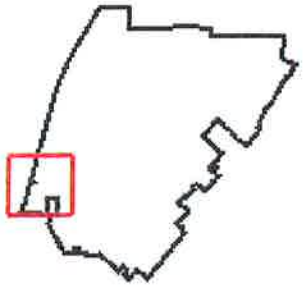
Map Display

(C) 2002-4 GeoPrise.net (GeoVec, Inc.) - (866)422-2505

City of Costa Mesa

CITY OF COSTA MESA - [Created: 1/23/2014 1:17:48 PM] [Scale: 237.38] [Page: 8.5 x 11 / Portrait]

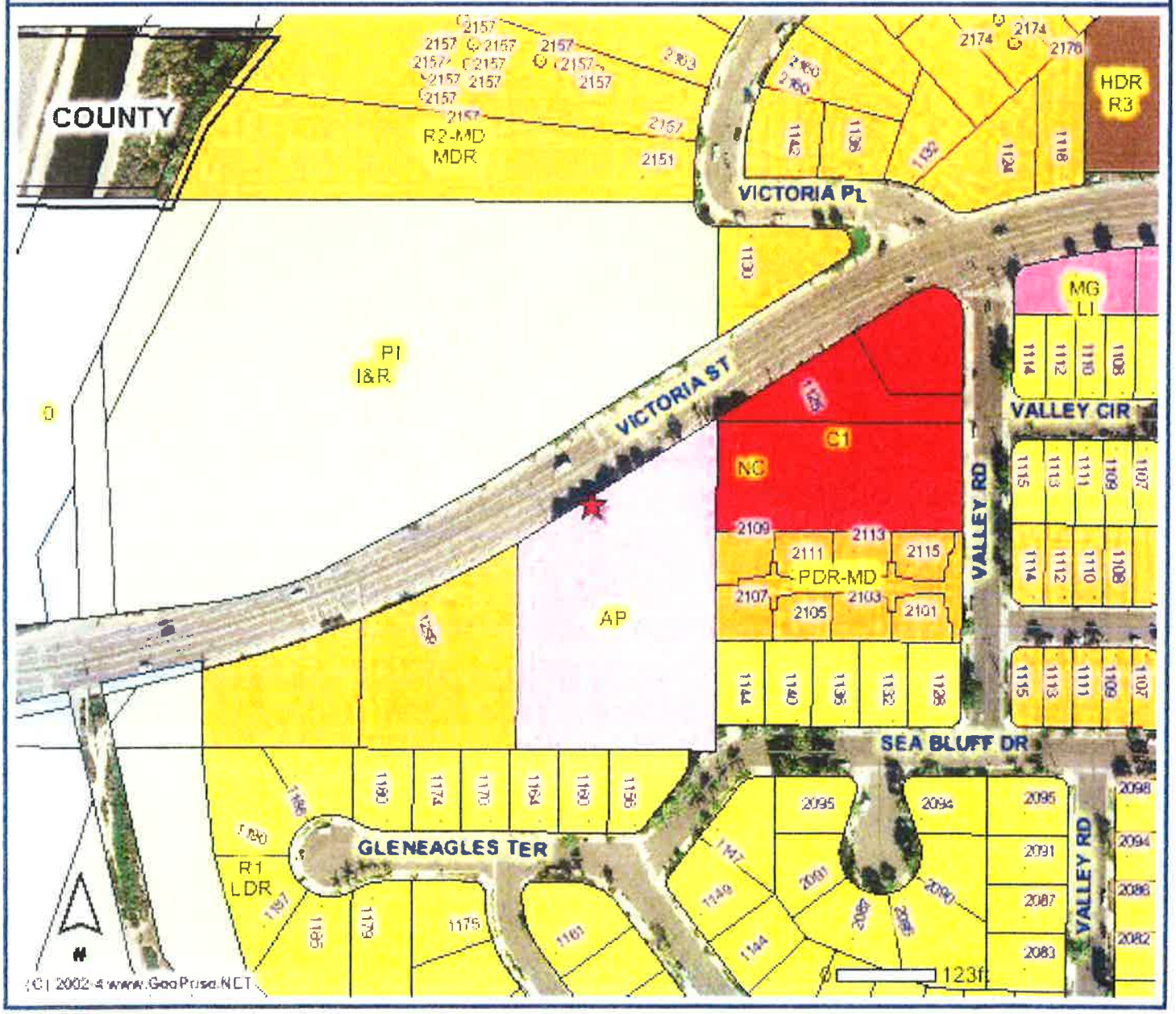
Overview Map



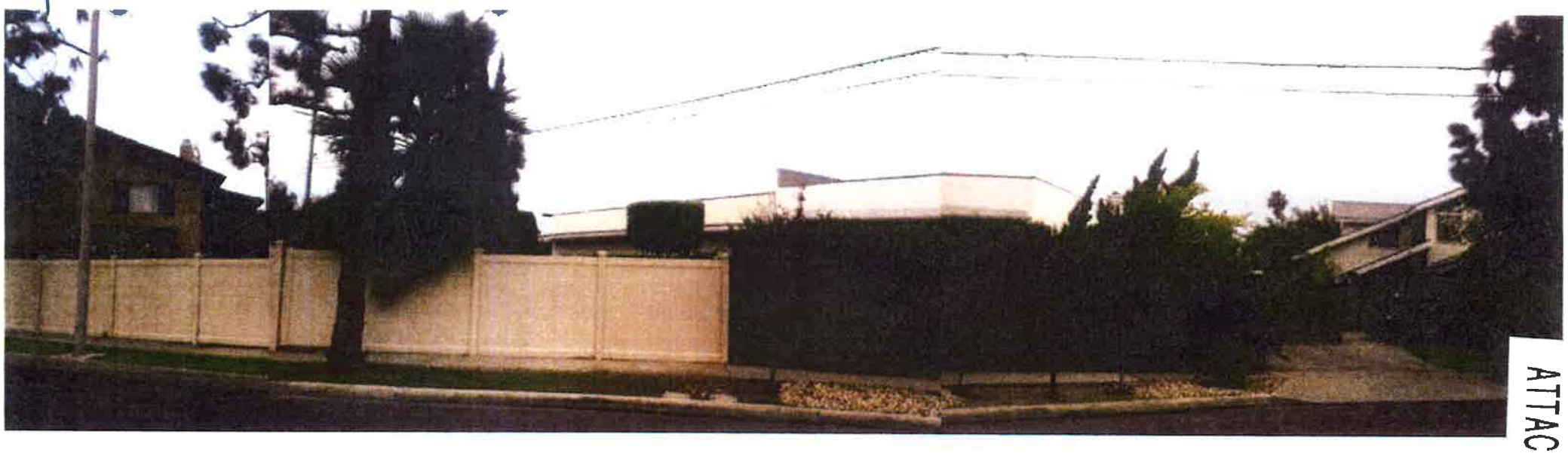
Legend

Address Small
Address Points
Freeway
Roads
Collector
Freeway
Major
Newport BLVD
Primary (cont)
SECONDARY
Hydrology Channels
Street Names
Street Centerlines
Parcel Lines
City Boundary
Water Ways
Zoning (cont)

Map Display



1239 Victoria Street



Gleneagles Terrace/Sea Bluff Road

ATTACHMENT 5

LOCATION MAP

Project Summary

40' x 47' lots
28 du
1.63 acres (net)
17.18 du/ac

Product
3 bedroom: 28 units

Parking Required
3 br: 4 spaces/unit
112 spaces

Parking Provided
112 spaces (4/unit)

TRUMARK HOMES

TRUMARK - COSTA MESA 2

TRUMARK

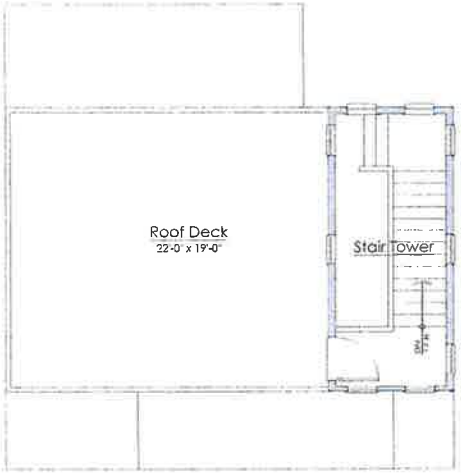
DENSITY STUDY

COSTA MESA, CA

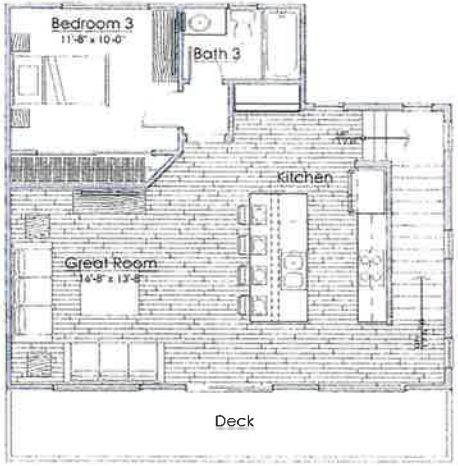
NTS

Option 1B

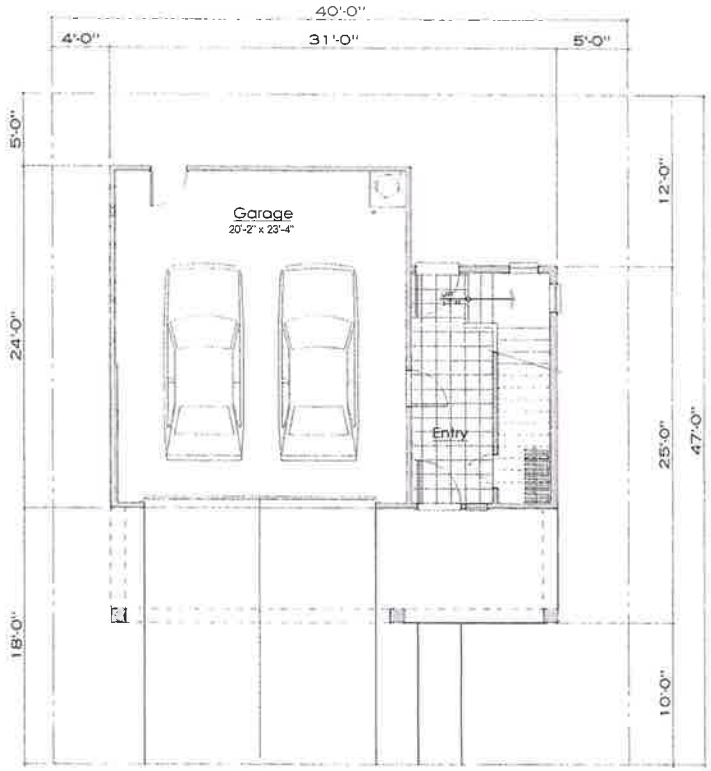
ATTACHMENT 6



THIRD FLOOR



SECOND FLOOR



FIRST FLOOR

PLAN 1 - 1850 SQUARE FEET

A1.1

Costa Mesa

TRUMARK HOMES

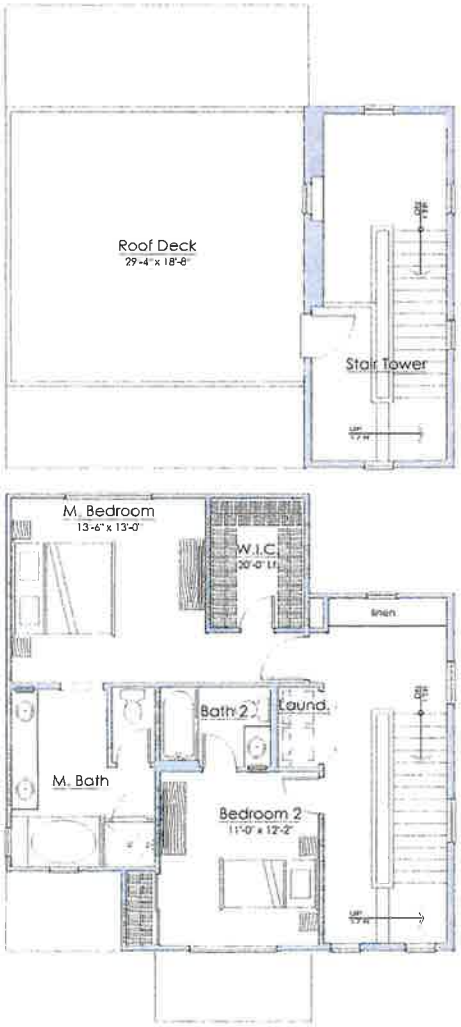
Costa Mesa , Ca.

1.2.2014

KTGY Group Inc.
Architecture+Planning
17922 Fitch
Irvine , California 92614
ktgy.com
949 851 2133

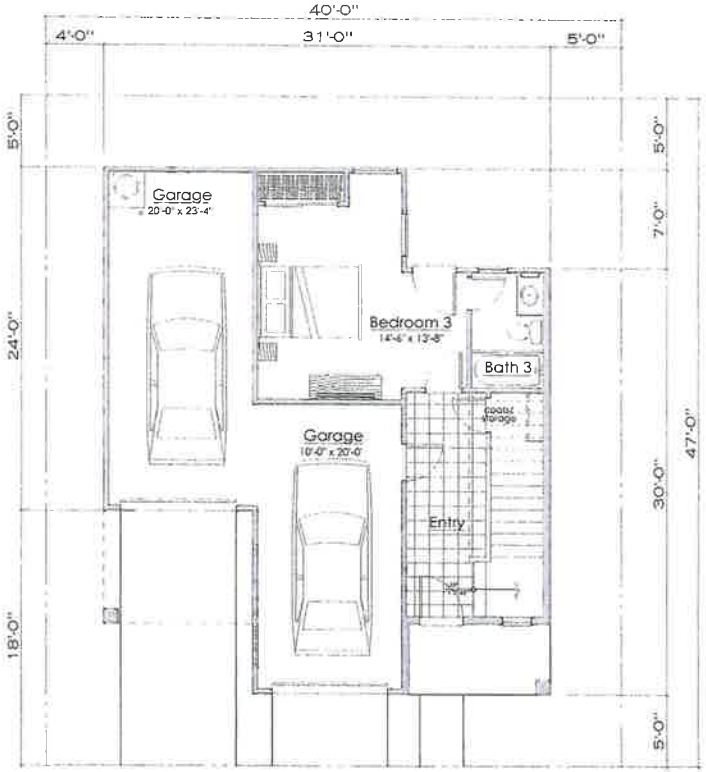
-260-

ATTACHMENT 1



THIRD FLOOR

SECOND FLOOR



FIRST FLOOR

Costa Mesa

PLAN 2 - 2127 SQUARE FEET

A2.1

TRUMARK HOMES

Costa Mesa , Ca.

1.2.2014

KTGY Group Inc.
Architecture+Planning
17922 Fitch
Irvine , California 92614
ktgy.com
949 851 2133

TRUMARK HOMES

Eric A. Nelson
Vice President
Land Development
Office: (949) 999-9820
Cell: (949) 510-2076
[illegible]

SENT VIA HAND DELIVERY

December 5, 2013

Planning Division
City of Costa Mesa
16600 Civic Center Drive
Bellflower, CA 90706

RE: 1239 Victoria Street
General Plan Screening Application

To whom it may concern:

On behalf of Trumark Homes, LLC I am pleased to present the following request for a General Plan Screening Application.

PROJECT DESCRIPTION

The subject property is located on the south side of Victoria Street, west of Valley Rd and contains an existing two-story office building that would be demolished to accommodate the future, proposed development. Records show that the existing structure was built in phases with the original northeast building in 1960. An addition was added in 1966 with the final building addition in 1968. The building is approximately 54,000 square feet and includes office space, research and development, production space and warehouse areas that are mostly vacant.

The property is a roughly shaped rectangle lot containing 1.75 acres and is zoned Administrative Professional (AP). The General Plan designation for the property is General Commercial (GC). The site topography varies approximately 10' +/- from the street to the rear of the property.

If the request for a General Plan Amendment and Zone Change is approved, a single-family residential development will be contemplated. Concept plans have been prepared for discussion and are included as part of the application package. The proposed concept plan anticipates 28 single-family residential units on lots that are approximately 40'x47'. The product type is currently being refined but would likely consist of two and three story plans with roof decks.

The architecture has not been developed at this point and we will be finalizing exterior design ideas as part of our screening process and based on input received from city staff, council and neighborhood leaders. An image board with conceptual ideas has

been included for talking points. The concept project includes garage parking for all units as well as driveway and guest spaces for a total of 4 spaces per dwelling unit.

Located adjacent to the future Better Shelters project, Trumark is reviewing the approvals to better understand the community dynamics, opposition and support that occurred as part of their overall process. Our goal is to design a project that gains broad support, minimizes impacts and has city support.

We look forward to working with city staff, community leaders and the City Council on this project. If you have any questions or need more information, please do not hesitate to contact me.

Sincerely,
Trumark Homes, LLC

Eric Nelson

Eric A. Nelson
Vice President
Land Development

EAN/en

Cc Westar Nutrition Corp.
Randy Maples
File

SITE SECTION 1

SITE SECTION 2

Peter Zehnder
Victoria Residential Partners, L.P.
2454 Alton Pkwy
Irvine, Calif. 92626

SITE SECTIONS

1259 VICTORIA ST. HOMES

COSTA MESA, CA

0 4 8 16 24

SCALE: 1/8" = 1'-0"

J Z M K
P A R T N E R S

P-06

-18-

-264-

ATTACHMENT 9

ATTACHMENT 6
UPDATED RESPONSE TO COMMENTS FOR IS/MND

AECOM
999 Town and Country Road
Orange, CA 92868

714-567-2501 tel
714-567-2782 fax

April 08, 2015

Mel Lee, AICP
Senior Planner
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92628

Subject: Response to Comments on the Initial Study and Proposed Negative Declaration for the Trumark Homes Project at 1239 Victoria

The City of Costa Mesa circulated the Initial Study/Mitigated Negative Declaration for public comment from February 25, 2015 through March 27, 2015.

The list of comments received includes the following comments provided either in writing, or verbally at the March 23, 2015 Planning Commission meeting:

- Letter from Department of Transportation, District 12 (February 27, 2015)
- Letter from Macie and Tim (March 17, 2015)
- Letter from Geri Cicero (March 23, 2015)
- Letter from Dan Hakala (March 23, 2015)
- Letter from James and Gudrun Dodelson (March 23, 2015)
- City of Costa Mesa Planning Commission Meeting (March 23, 2015)
- Letter from Airport Land Use Commission, Orange County (March 26, 2015)

A record of these comments is on file with the City Planning Department. As preparer of the IS/MND under contract to the City, AECOM has reviewed the comments received. Public comments and concerns were focused largely on general traffic, traffic safety, zoning, and housing density concerns. In response to concerns related to zoning/housing density, the applicant has proposed a zoning change from the previously proposed PDR-HD (up to 20 dwelling units per acre) to R2-HD (up to 14.5 dwelling units per acre). Traffic generation and parking were studied in detail and it was determined that the proposed Project would result in a reduction in overall traffic impacts when compared to the current use and zoning classification at the Project site. In addition, a full traffic and engineering review was conducted for the project, which determined that parking as proposed meets City standards and the Project design complies with safety standards intended to assure safe ingress/egress from the Project site.

None of the comments received addressed the specific content, adequacy or findings of the Initial Study/Mitigated Negative Declaration (IS/MND) prepared for the Trumark Homes Project at 1239 Victoria.

Yours sincerely,

Thomas Holm, AICP
Environmental Planning Manager
AECOM
(714) 689-7189
thomas.holm@aecom.com

Date: April 9, 2015

From: Neighbors to Proposed Development

To: Costa Mesa Planning Commission

Subject: **Concerns about Proposed Development Plan of 1239 Victoria St. (Application No.: GP-14-03, R-14-03, PA-14-19, VT-17779)**

Dear Commissioners,

We, the undersigned, would like to take this opportunity to present to the commission our concerns and opposition to certain aspects of the proposed development plan.

First we want to make sure that we express the fact that we do not oppose the development of the lot into residential units. It is in the city's master plan and an appropriate use of the land in our opinion.

Our concerns are in the following areas:

Privacy of the Neighbors

The "Residential Development Standards" document from Costa Mesa city's website clearly states in section 4.4. that "Consideration shall be given to the effect of proposed development on the light, air, and privacy of adjacent properties".

The proposed plan will create these tall, overwhelming buildings that overlook its neighbors. Many will have roof decks. Even without roof decks, the residents of these building will be looking down over their neighbors' properties from a vantage point that can cause privacy issues.

We, as property owners around the proposed development, have certain rights and expectation to quite enjoyment of our properties. The imposing buildings with roof deck and third story windows overlooking our backyard from 2 stories above can definitely cause concern for our privacy, and can curtail our ability to enjoy outdoor activities.

Impact to Neighborhood Parking

With the proposed number of parking spaces, it will be a certainty that many vehicles belonging to the residents or visitors will have to be parked outside of the development. Since the strip mall is a private property, the most likely overflow for their parking issue will be Valley Road. If you visit Valley Road, you will find that parking there is already at a premium, and the additional cars will simply add to the congestion.

Number of Deviations to Code

Even if the city go ahead with High Density Residential zoning, the number of request for variation from code requirements is highly alarming.

The builder is pushing to change the current development standard of R2-HD for its project so that:

1. The required rear setback of 20 ft to reduce to 10 ft
2. The maximum number of stories of 2 increased to 3 plus a roof deck
3. The required front setback of 20 ft reduced to 14 ft
4. The required open space rate of 40% reduced to 34.95%

The requests are all attempts to squeeze more square footage into each unit, thus increasing the sale price at the expense of quality of life.

Table 13-32 of the "Residential Development Standards" document from Costa Mesa city's website clearly states that according to Costa Mesa Municipal Code for R2-HD zone the following need to be followed:

a) 2 Stories and Maximum of 27 ft
b) 40% Minimum Open Space
c) Front setback of 20 ft
d) Rear setback of 20 ft for 2 Story Building

The "Residential Design Guidelines" document also from Costa Mesa city's website clearly states that for R2-HD zone the following need to be followed:

a) 2 Stories and Maximum of 27 ft for sloped roof design (section 7.3)
b) 2 Stories and Maximum of 22 ft for flat roof design (which should cover the roof deck type design) and <u>must be consistent with the bulk and scale of the structures in the surrounding neighborhood</u> (section 7.3)

Code requirements exist for a reason. We believe it is the responsibility of the Planning Commission to ensure that the proper requirements are met by the developer, and not become complicit in the builder's attempt to maximize profit.

Impact to Property Value around the Development

The new building being so tall will certainly block the view of some neighbors and reduce free movement of breeze. Combined with the issues of privacy and more congested street parking, may negatively impact property value. It will be a travesty to enrich the coffers of the developer at the same time sacrifice the value of home around the new development. The city should be protecting the interest of its residents and not simply kowtow to the wishes of the developer.

Welfare of the Residents who will be Living in the Development

There have been several studies that link high density living to negative effects to people's health, happiness, and safety.

Health

1. High density living is associated with higher risks of psychosis (70% higher) and depression (16% higher).
2. Higher level of stress caused by high density living can lead to twice as high incidence of schizophrenia.
3. Absence of green space causes adverse mental problems.
   The prevalence of depression and anxiety was significantly greater for those living in areas with only 10% green space in their surroundings compared to those with 90% green space.
4. Children living in high density areas suffer much higher rate of behavioral problems such as anti-social behaviors.
5. Restricted length of vision and exposure to noises cause children in high density homes to have short-sightedness and auditory discrimination.
6. Air pollution – higher density living increases the level of air pollution. Air pollution affects residents' respiratory system and results in lower birth weight.

Source: http://www.newgeography.com/content/003945-health-happiness-and-density

Happiness

Studies show that the higher the density of living, the less happy the residents. Lack of privacy, imposed social interacts, noises, difficulty in parking...all contribute to a less satisfied population.

Source: http://www.newgeography.com/content/003945-health-happiness-and-density

Safety

Even though the zoning and traffic analysis may specify that the number of car trips is acceptable, as people who live in and around the area, we witnessed many accidents around the area because of the hill and blind corners, and the fact that most drivers tend to accelerate when going downhill.

In the latest available report of California Office of Traffic Safety, Costa Mesa was the fifth worst among all 56 cities at its size. It is hard to convince anyone that high density building will improve this ranking.

Source: http://www.ots.ca.gov/Media_and_Research/Rankings/default.asp

We are also concerned that items blown from the proposed roof-top decks proposed by the developer such as umbrella, lamp, or flower pots in high wind may cause serious injury and property damage to the residents and their neighbors.

Our Recommendation

1) Rezone to Medium Density Residential with 12 units per acre

OR

2) If the city determines the High Density Residential is appropriate, then ensure all code requirement are met and not permit deviations:
   a. Allow maximum of 2 stories
   b. No roof decks
   c. Require compliance to code requirement for front and rear setbacks
   d. Require compliance to code requirement of open space

To conclude, we trust that the Planning Commission will do the right thing and ensure the quality of life, and that current property owners' and residents' interests are protected by allowing only reasonable development that adhere to code to happen.

Thank you.

Chris and Amber Webster

2115 Valley Rd., Costa Mesa, 92627

Name, Address and Signature of Supporters of this Letter

MINUTES OF THE REGULAR MEETING OF THE COSTA MESA CITY SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY

February 4th, 2014

CALL TO ORDER

The Mayor called the meeting to order at 4:45 p.m. in the Council Chambers at Costa Mesa City Hall, 77 Fair Dr., Costa Mesa, California.

ROLL CALL

Council Members Present: Mayor Righeimer, Mayor Pro Tem Mensinger, Council Member Leece, Council Member Genis (arrived at 5:05 p.m.), and Council Member Monahan (arrived at 4:48 p.m.)
Council Members Absent: None

Officials Present: City Chief Executive Officer Thomas R. Hatch, City Attorney Thomas Duarte, Assistant CEO Rick Francis, Assistant Chief Executive Officer/Administrative Services Director Tamara Letourneau, Economic and Development Services Director Gary Armstrong, Public Services Director Ernesto Munoz, and City Clerk Brenda Green.

3. **GENERAL PLAN SCREENING GPS-13-04 FOR PROPOSED 28-UNIT RESIDENTIAL PROJECT AT 1239 VICTORIA STREET**

Staff report provided by Minoo Ashabi, Senior Planner.

Councilmember Monahan – "Just a clarification, what you are looking for today, Minoo, is just whether we proceed with the General Plan Amendment or not?"

Minoo Ashabi – "That is correct."

Mayor Righeimer – "Minoo, can you help me with this thing - 3735 trips a day it has now doesn't make sense on paper. I mean is that, so this is going to drop, 90% drop in trips. Can we bank those trips for other new projects? Just joking okay. Actually the fact of the matter is we don't bank, when Carmax when to the Segerstrom site they had thousands and thousands of trips they didn't use and they just disappear. And those trips are figured into the model, because our model here, just so everyone understands our model and our city has every single lot in the city completely built out 100%. It has trips added to it even though it never happens and then when someone like Carmax comes in and cuts the metrix by maybe 5,000 extra trips they had left over, who doesn't use those trips, we don't put those back in the bank and change the model. We just say someday Carmax could get knocked down and rebuilt and used up again therefore we never use the trips."

Councilmember Genis – "Mr. Mayor, actually as far as a traffic model, we always have a baseline which is based on how many cars are actually coming out of there."

Mayor Righeimer – "No that is not how our model is in our city."

Councilmember Genis – "Well no when we verify our model and stuff for existing conditions for environmental analysis we always have to cover our baseline."

Mayor Righeimer – "Our model in our city, our model in our city says that every lot is built out for what, but that's the plan that people have to do then they do a study and the number comes in lower."

Councilmember Genis– "Which actually kind of brings me to this issue. My first question is, it's unfortunate that this is coming along now. Is the project, the next one over to the west, is it too far along to be able to integrate these in terms of ingress/egress, those sorts of things? Is that too far along?"

Minoo Ashabi – "I believe they obtained grading permits, yes."

Councilmember Genis – "Okay, cause that would have been the optimal situation where we could've combined all this, where they could have coordinated even if they weren't the same owner. And then the other things is, you mentioned the model says what we go to build out, and that's part of the problem because I see an issue here let's say a general plan amendment gets approved and then it doesn't get built and then somebody comes back later and says well under the rules I could go to twenty units an acre and so we get a denser project, and it's not just the traffic it's because we have single family residence and then they'd be walled off and stuff so I am not inclined to go to the high density but I was wondering if there's a provision, of course that would probably be spot zoning if we just said say 15 units an acre or 17 units an acre or something like that. Have we done that anywhere? I'm trying to think that we have"

Minoo Ashabi - "Yes we have. Not necessarily in the range between medium density and high density but there has been times where the general plan amendment specified specific density first."

Eric Nelson, Applicant, spoke on the project.

Councilmember Leece – "Yes Mr Mayor, one of the concerns we had with Mr. Zender's project, Mr. Nelson, was the issue of the ingress and the egress because of the traffic in the morning going down and then coming back. Have you worked with staff on what your resolution would be in other words because you'll have people competing with the people next door to get out there. I haven't, to be honest with you, I haven't looked to see the details but is there a separate lane or what resolution do you have to keep it safe?"

Eric Nelson – "That's a great question and we don't have a resolution. We know traffic is a concern obviously as a resident who would purchase a house and they're going to look at that street and wonder is it safe so part of our process will be engaging traffic engineers to work directly with us and the city to make the access not only safe but compatible with that street.

Councilmember Leece - Cause you had talked about maybe even working with them to make one

Eric Nelson – "To try to connect yeah and we tried and unfortunately the majority of their homes about that side and they're not interested in postponing their project to wait for us basically."

Councilmember Leece – "Another thing we talked about just the design compatibility of your project with that project. Are they compatible as far as?"

Eric Nelson – "That's a process that we are currently working on to ensure that. One of the challenges between this project and that project is. If you look at it at both projects, that one lives a lot more dense because their homes, there's six inches of air space and

what we're trying to do here is provide a little bit more of a single family home environment with yards and not the small lot, the air space condo basically. From an architecture perspective we'll look at their colors and ensure we're coordinating those so it doesn't go too far off."

Councilmember Leece – "Yeah because that is an entry way to our city and an exit way too. What about the longtime residents, one is a little street that has the, are they, have you met with them to make sure everything goes forward. I know we had a big issue of you."

Eric Nelson – "We haven't met with them but that is part of our process so this step would allow us to then go to the next step which is engage the community, reach out, talk to all our adjacent homeowners and that entire community, get some feedback to really drive our design so we don't end up here with what happened during their hearing."

Councilmember Leece – "I hope you do that because that was very time consuming and it didn't have a happy ending as far as I was concerned. So those residents on that street, is it Aviemore or Gleneagles, Gleneagles, they've already kind of been through it. What about, do you plan to have an HOA?"

Eric Nelson – "Absolutely"

Councilmember Leece – "Alright that's all I have for right now"

Mayor Pro Tem Mensinger – "Mr Mayor, I know this is just a screening so you are looking for some input, have you looked at accesses off of sea bluff, have you looked into possibly purchasing a parcel."

Eric Nelson – "Oh you mean demolishing a house and adding a drive, connecting?"

Mayor Pro Tem Mensinger – "or requiring an easement"

Eric Nelson – "You know we've looked up at that corner there, and it may be wide enough the question is whether or not staff and council would support that connection and also what the neighborhood would say to that. I think there's some challenges there being that we could see being that driving a project back into a neighborhood that doesn't currently exist but we're open to it so we haven't shut the door to that possibility. That connection point there is not more than 24 feet so it's pretty narrow and it clips the driveway that would be to the east. That is definitely something we could study and get back to staff on."

Mayor Pro Tem Mensinger – "I think as I look at it my only concern is on Victoria is, you've got an arterial that is fairly busy and you've got these driveways going in and out. That's a concern."

Eric Nelson – "and on that is we proposed an EV access only for one side to try to limit the amount of driveway curb cuts people use every day. You can see up on the top there, that easterly driveway. And that may flip to the other side given the other project if in fact this is the final layout. Again we're still in that early stage here trying to design something that works."

Mayor Pro Tem Mensinger – "And then the other concern I have is the density and the compatibility issues with the project next door. I appreciate the yards and everything else but I think the guy to the left of your project had 15 units to the acre or 16."

Eric Nelson – "Yeah they're about 14ish if you take out all the bluff and the areas that are undevelopable its comparable density that lives a lot more dense."

Mayor Pro Tem Mensinger – "So you're saying the bluff is what really gives it the lower density."

Eric Nelson – "There's a portion of land there that you can't build on, it's bluff and then it goes down that hillside."

Mayor Pro Tem Mensinger – "Yeah I just think you're going to have some traffic issues and some engineering issues to deal with."

Eric Nelson – "Absolutely we've got topography here that we have to deal with, there's about a 13 foot grade change."

Mayor Pro Tem Mensinger – "The only thing I will say is that the offices, you are going to reduce the traffic count, you are going to reduce traffic so we can neg that against some of the stuff we were talking about earlier and if councilman McGinnis can pull out our calculators and figure out how much traffic is going to go down for this project."

Eric Nelson – "I think the number was like 700% reduction in daily trips, something like that."

Mayor Pro Tem Mensinger – "700% I think we're going to end up on the positive side. And the other issues I'm interested in is seeing what the project looks like. Councilwoman Leece did mention earlier, it's a market window that is very important to us as you come into the city. That streetscape is critical as you are doing your planning so keep that in mind."

Councilmember Leece – "Mr Mayor, what are you going to do to address visitor parking?"

Eric Nelson – "We meet the, we have the 4 units per home as required under the code, so we the parking requirements, so each unit has either a driveway with 2 additional spaces, which is under the code, the guest parking, or in the cases where you have a 2 car garage and a 1 car driveway, there's a parallel parking space in front of that home."

Councilmember Leece – "So there's no parking on the little street, it's not one side's red and the other side."

Eric Nelson – "Well it's parallel, if you look on the plan, it's parallel to the unit."

Councilmember Leece – "Oh I see, the cut-out there."

Eric Nelson – "In theory it's on the street."

Councilmember Leece – "So you're going to paint all the curbs red."

Eric Nelson – "Where you can't park yes."

Councilmember Leece – "Yeah where you can't park. So you're going to have to have kind of like a real strict HOA otherwise people are going to be parking in the shopping center around the corner cause I think that happened when that building was in full mode with vitamins or something. That's my concern is ingress and egress, that that be safe and that the parking really be onsite and not flow over to the shopping center. I don't know, that may happen."

Chris McEvoy, resident, spoke in opposition to the project due to density; and is concerned with safety and lack of parking.

Jay Humphrey, resident, expressed concerns with the lack of parking, guest parking and safety.

Greg Thunnell, resident, concerned with traffic safety; and spoke on the sale of units.

Robin Leffler, resident, spoke on General Plan Amendments; and asked not to consider General Plan Amendments until the process is complete.

Tom Pollitt, resident, thanked the City Council for improving the City and for their efforts; spoke on low density projects; and water supply.

Tamar Goldmann, resident, spoke on density and project compatibility with the neighborhood; parking; and jobs.

Mayor Pro Tem Mensinger – "Mr. Mayor just a couple things, one of the speakers talked about it a couple times, think about the future but that speaker's left, we're going to be talking about the pension issue and that's really about the future. We have $230M of unfunded liability that we need to think about for our kids, that we're settling them with but that speaker's left already. Secondly, I keep hearing from the same people over and over and one of the people in general has been talking about it for 10 years, developers are bad but then they go home to their house that was built by a developer. They wouldn't be here without that developer building that house. Developers are builders, they're business owners, they're called property owners, there's something called property rights. Some people need to refresh on the role that developers and business owners play in this city, they own a piece of property that is their right. It really gets old after a while. You hear about developers being bad, we have one developer in town generates 1.7B in retail sales, $40M to our city. And I'm sure that person goes to South Coast Plaza on a frequent basis and shops there with no complaints. That same person was against Ikea, was against AAA, was against Metro Pointe. Everything is bad when you want to use it as a commentary. As for the comment on parking, okay, I have a 2 car garage, my son parks on one side, my wife parks on the other. I happen to be part of a 4 person family. You do have to park on the street sometimes. Or I could park in the driveway but our driveways, it was built by somebody without the depth that fit the car. As a result I'm on the street but I appreciate somebody taking notice of my house like that. It's a popular thing apparently, recently some people even put tracking devices on my car cause I'm so popular. I hope the speaker takes pictures cause it's kind of in vogue these days so I appreciate the comment. Thank you."

MOTION: Accept the General Plan Amendment. Moved by Councilmember Monahan, seconded by Mayor Righeimer.

Councilmember Leece – "I have a question for staff please. What is the zoning of Marina Highlands. The development that's there on Aviemore, Glen Eagles and Valley Circle because you are asking us....so it's R1."

Minoo Ashabi – "This is the General Plan but it is kind of consistent with the zoning....R1.

Councilmember Leece – "So what is the threshold again? In other words, to go to high it would have to be?"

Minoo Ashabi – "The R2-MD, which is the medium density allows up to 12 dwellings per acre."

Councilmember Leece - "12....and this is going to be 28 so that's why we're going to high density. Is Mr. Nelson still here? I lived on Valley Circle for 27 years....Jay Ray built those homes. Great place to raise a family, it was adequate for us but you know, a lot of times people had to go park in the parking lot at the liquor store. We didn't say shopping center, we'd say "go park at the liquor store". So I think you're being unrealistic as far as the capacity that you're allowing for this number of homes. I would like to see what I have in California Sea Breeze where one side of the street is white and the other side is red – to open it up if you can fix it, to allow parking on one side of the street because you just count the places that you have....1, 2, 3, 4, 5, 6, 7, I mean, you are under parked for events because there is no overflow. Where do people go? The only place they can go is through the liquor store. So, I will support this on the condition that, that you look into that improvement and also the traffic, the seriousness of the traffic. Because you don't want to sell a product and then you know, have junior's birthday party and where to they go and then you're going to have a problem with the owner of the shopping center over there. And it is not that safe either because you've got people coming up the hill – oh, we've gotta something here at the liquor store – so you're gonna have people...you know, it's not a safe.....from where I lived on Valley Circle it was because we weren't coming with the traffic coming up the hill or going down. I think it's good if you can work with the neighbors that have been there for a long time. I think you said that what you are proposing is basically the same thing that's been there. In other words, they're not going to have anything...as far as the number of stories, it's already a three-story so that they are used to that and there's probably less noise. I'm really concerned that you're not being realistic – if you have to take out a couple of houses or whatever to make it happen...to make that street...I think it's going to be better for Costa Mesa."

Councilmember Genis – "Mr. Mayor, I have a question for probably the City Attorney but maybe staff. If this were initiated as high-density residential and advertised as such for public hearings, and then in the hearing whatever body was present, wanted to go....felt that medium-density residential was more appropriate. Would it have to be reinitiated? Is it you could get the same thing or less or would you have to start from scratch with the initiation and the noticing and so forth? Because for myself, I look at the medium on the one end and the medium on the other and maybe have a little flexibility on that...maybe but go to something a little higher than standard medium just so it was approximately reflective of what it was surrounded by but I hate to open the door to the 20 units an acre so can we get a redo on that?"

Counsel Duarte – "In my opinion, you would probably need to re-notice that to make sure. It would be a cleaner way to do it."

Mayor Righeimer – "But they're doing a General Plan that how many units to the acre are you looking at? Seventeen."

Councilmember Genis – "But see the initiation...what, if we actually went to the HD (high density) we could be stuck with somebody then say he goes away whatever happens? He's hit by a truck, we don't want that to happen.

Mayor Righeimer – "But he's bringing a General Plan at the same time."

Councilmember Genis – "But whatever happens, you win the lottery and you move to wherever, that's a better scenario and then somebody else says, "well, hey, it's high density residential I can get 20 units" and that's my concern. I don't want it to go to 20 because I always felt this was a bizarre place.

Mayor Righeimer – "But if they came in with a General Plan at the same time…"

Councilmember Genis – "But that's what this is – it's a General Plan. You're talking about a tract map."

Mayor Righeimer – "No, they're talking about a PDR – plan development."

Councilmember Genis – "But even so, if he went away, you can come back with a PDR once the GPA was in place."

Mayor Righeimer – "And you will remember this meeting and tell the people they gotta do the….."

Councilmember Genis – "Yeah, but look at we just had…the eyesore there on Hamilton and Harbor. I mean it is an eyesore right now, that's what I meant."

Councilmember Leece – "Mr. Mayor, I just have a question as far as process. So with this request, what are the next steps? Is it going to go before the Planning Commission, just the request for the General Plan amendment?"

Minoo Ashabi – "Typically, the General Plan amendment is accompanied by the Rezone and the Master Plan. The first step would be to go before the Planning Commission – they would recommend, they would make the recommendation to the City Council so it will be back to the City Council for another vote."

Councilmember Leece – "So it will come back to us….okay, all right."

Councilmember Monohan – "Mr. Mayor, can we call for the question, please."

The motion carried by the following roll call vote:
Ayes: Mayor Righeimer, Mayor Pro Ten Mensinger, Council Member Genis, Council Member Leece, Council Member Monahan,
Nays: None
Absent: None
Motion carried: 5-0