



# **PLANNING COMMISSION AGENDA REPORT**

MEETING DATE: JANUARY 12, 2004

ITEM NUMBER:

SUBJECT: APPEAL OF MINOR DESIGN REVIEW ZA-03-76  
2160 MYRAN DRIVE

DATE: DECEMBER 31, 2003

FOR FURTHER INFORMATION CONTACT: MEL LEE, ASSOCIATE PLANNER  
(714) 754-5611

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## **PROJECT DESCRIPTION**

Appeal of the Zoning Administrator's approval of a minor design review to construct a two-story, 2,376 square foot residence.

## **APPLICANT**

The applicant is Brad Smith, representing the property owner, Willard Chilcott.

## **RECOMMENDATION**

Uphold Zoning Administrator's approval of ZA-03-76.

MEL LEE  
Associate Planner

PERRY L. VALANTINE  
Asst. Development Services Director

## PLANNING APPLICATION SUMMARY

Location: 2160 Myran Drive Application: ZA-03-76 (Appeal)  
 Request: One 2 story residential unit

### SUBJECT PROPERTY:

Zone: R2-MD North: Surrounding properties are residential  
 General Plan: Medium Density Residential South: and constructed with residences  
 Lot Dimensions: 60 FTx132 FT East: \_\_\_\_\_  
 Lot Area: 7,920 SF West: \_\_\_\_\_  
 Existing Development: Residence and detached garage

### SURROUNDING PROPERTY:

### DEVELOPMENT STANDARD COMPARISON

<u>Development Standard</u>	<u>Required/Allowed</u>	<u>Proposed/Provided</u>
<b>Lot Size:</b>		
Lot Width	100 FT	60 FT*
Lot Area	12,000 SF	7,920 SF*
<b>Density:</b>		
Zone	1 du/3,630 SF	1 du/7,920 SF
General Plan	1 du/3,630 SF	1 du/7,920 SF
<b>Building Coverage:</b>		
Buildings	NA	1,320 SF (17%)
Paving	NA	2,256 SF (28%)
Open Space	3,168 SF (40%)	4,344 SF (55%)
<b>TOTAL</b>		<b>7,920 SF (100%)</b>
Building Height:	2 Stories 27 FT	25 FT
Chimney Height	29 FT	25 FT
First Floor Area (Including Garage)	NA	1,320 SF
Second Floor Area		1,056 SF
Ratio of First Floor to Second Floor	80%	80%
<b>Setback</b>		
Front	20 FT	60 FT
Side (left/right)	5 FT (1 Story) 10 FT Avg. (2 Story)	5 FT (1 Story) 10 FT Avg. (2 Story)
Rear	10 FT (1 Sty)/20 FT (2 Sty)	13 FT, 11 IN/20 FT
Rear Yard Lot Coverage	300 SF (25%)	254 SF (21%)
<b>Parking:</b>		
Covered	1	2
Open	3	2
<b>TOTAL</b>	<b>4 Spaces</b>	<b>4 Spaces</b>
Driveway Width:	10 FT	10 FT

NA = Not Applicable or No Requirement

\*The lot is legal nonconforming

CEQA Status Exempt

Final Action Planning Commission

## **BACKGROUND**

On November 20, 2003, the Zoning Administrator approved a request to demolish an existing one story, 616 square foot residence and detached, 396 square foot, two car garage and construct a new two-story, 2,376 square foot residence. Council Members Steel and Cowan, and Planning Commissioner Foley, appealed the Zoning Administrator's decision on November 26, 2003 on the basis that the amount of public opposition to the project necessitates a public hearing before the Planning Commission.

## **ANALYSIS**

The property, which is zoned R2-MD, is accessed from Myran Drive, a private street that also provides access from Victoria Street to three other parcels. The proposed residence will contain a living room, kitchen, dining room, bathroom, office, and attached two-car garage on the first floor; and three bedrooms, two bathrooms, and a family room on the second floor. A 60 square foot master bedroom deck is proposed at the front of the house. The exterior materials consist of a standing-seam metal roof, decorative window and door trims, and exterior plaster finishes.

The minor design review process was created to provide the City with discretionary review over proposed second-story residential construction. The process also provides neighbors with prior notice of the proposed construction and an opportunity to express any opinions or concerns about possible impacts before a decision is rendered. The project is opposed by neighboring property owners on Myran Drive who believe that the proposed residence will destroy their privacy and would be a detriment to the neighborhood, which is predominately single story residences constructed in the 1950's. Copies of letters and petitions received by staff are included as a separate document to this report.

A major part of the minor design review process involves evaluation of the proposed construction with respect to the City's Residential Design Guidelines. These guidelines were created to help ensure that the proposed construction is compatible and harmonious with other properties in the neighborhood. In this regard, staff notes the following:

1. The second-story area is approximately 80% of the first floor per Section 3.2 of the Residential Design Guidelines;
2. The residence incorporates variation in building heights and forms, as well as variation in the depth of the floor plans to alleviate building mass, per Section 4 of the Residential Design Guidelines;
3. The second story has an average 10-foot side setback per Section 5.1 of the Residential Design Guidelines;
4. Privacy impacts on adjoining properties will be reduced due to the following factors:

- North (left side): The only window - a second-story bathroom window - is small and will be screened by existing trees on the adjacent property;
- East (rear): Second-story bedroom and family room windows are set back 20 feet from property line per code;
- South (right side): Second-story bathroom windows are small windows. The deck will be set back 13 feet from the property line and will overlook the roof of the residence on the adjacent property.

The Zoning Administrator determined that the visual prominence associated with the construction of a two-story house in a predominately single-story neighborhood was appropriately reduced as a result of the above items.

### Other Issues

The applicant initially proposed a second two-story residence on the portion of the lot closer to the private street. This proposal has been deleted from the current plan but could be submitted at a later date. The applicant has also indicated an intention to redevelop the property at 2172 Myran Drive (the second lot to the north of the subject property). Future redevelopment (if the structure(s) are two stories in height) would be subject to a separate minor design review application, residential development standards and residential design guidelines, and public notification.

### ALTERNATIVES

The Commission has the following alternatives:

1. Uphold the Zoning Administrator's approval of ZA-03-76;
2. Overturn the Zoning Administrator's approval and deny ZA-03-76; or
3. Approve ZA-03-76 with modifications.

### CONCLUSION

Based on the issues identified in the Zoning Administrator's decision letter and this report, staff does not recommend overturning the Zoning Administrator's approval of ZA-03-76.

Attachments:        Planning Commission Resolution  
                             Exhibit "A" Draft Findings  
                             Exhibit "B" Conditions of Approval  
                             Applicant's Project Description and Justification  
                             Appeals  
                             Zoning Administrator Letter dated November 20, 2003  
                             Zoning/Location Map  
                             Plans

File Name: 011204ZA0376

Date: 12/23/03

Time: 2:15 p.m.

cc: Deputy City Manager - Dev. Svcs. Director  
Assistant City Attorney  
City Engineer  
Fire Protection Analyst  
Staff (4)  
File (2)

Willard Chilcott  
167B Rochester Street  
Costa Mesa, CA 92627

Brad Smith Architect  
365 Old Newport Boulevard  
Newport Beach, CA 92663

Distribution List

**RESOLUTION NO. PC-04-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF COSTA MESA APPROVING MINOR DESIGN  
REVIEW ZA-03-76**

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

WHEREAS, an application was filed by Brad Smith Architect, representing Willard Chilcott with respect to the real property located at 2160 Myran Drive, requesting approval of a minor design review to demolish an existing one story residence and construct a new two-story, 2,376 square foot residence construct a two-story, single family residence; and

WHEREAS, the Zoning Administrator approved Minor Design Review ZA-03-76 on November 20, 2003; and

WHEREAS, Minor Design Review ZA-03-76 was appealed to the Planning Commission; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on January 12, 2004.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", and subject to the conditions contained in Exhibit "B", the Planning Commission hereby **APPROVES** Minor Design Review ZA-03-76 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa 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 Minor Design Review ZA-03-76 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B". 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.

**PASSED AND ADOPTED this 12th day of January, 2004.**

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Chair, Costa Mesa  
Planning Commission



**EXHIBIT "A"****FINDINGS**

- A. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(14) in that 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 design excellence in new residential construction, with consideration being given to compatibility with the established residential community. The residence conforms to all development standards and the residential design guidelines. Specifically, the second-story area is approximately 80% of the first floor and the second story has an average 10-foot side setback. The residence incorporates variation in building heights and forms as well as variation in the depth of the floor plans to alleviate building mass. This minor 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 other applicable design features. Although this will be the first two-story residence in the immediate neighborhood, the proposed residence conforms to residential development standards and residential design guidelines. The visual prominence associated with the construction of a two-story house in a predominately single-story neighborhood has been reduced through appropriate transitions between first and second floors and the provision of second floor offsets to avoid unrelieved two-story walls.
- B. The proposed project complies with Costa Mesa Municipal Code Section 13-29(e) because:
1. The proposed development and use is compatible and harmonious with uses on surrounding properties because the residence conforms to all development standards and the residential design guidelines. Visual and privacy impacts on adjoining properties will be reduced due to mass and scale of the structure, location of windows, varied roof forms and roof plane breaks, and other applicable design features.
  2. Safety and compatibility of the design of the buildings, landscaping, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.
  3. The project is consistent with the General Plan.
- C. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA.
- D. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.
- E. The building is at an excessive distance from the public street, but the plan does

not lend itself to fire apparatus access or placement of an on-site fire hydrant. Problems associated with the depth of the building on this property can be reduced by installation of a residential sprinkler system.

**EXHIBIT "B"****CONDITIONS OF APPROVAL**

- Plng.
1. Street addresses shall be displayed on the fascia adjacent to the main entrance or front door in a manner visible from the private street. Numerals shall be a minimum 6 inches in height with not less than ½-inch stroke and shall contrast sharply with the background.
  2. The conditions of approval for ZA-03-76 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
  3. The subject property's ultimate finished grade level may not be filled/raised in excess of 30 inches above the finished grade of any abutting property. If additional fill dirt is needed to provide acceptable on-site stormwater flow to a public street, an alternative means of accommodating that drainage shall be approved by the City's Building Official prior to issuance of any grading or building permits. Such alternatives may include subsurface tie-in to public stormwater facilities, subsurface drainage collection systems and/or sumps with mechanical pump discharge in-lieu of gravity flow. If mechanical pump method is determined appropriate, said mechanical pump(s) shall continuously be maintained in working order. In any case, development of subject property shall preserve or improve the existing pattern of drainage on abutting properties. Applicant is advised that recordation of a drainage easement across the private street may be required to fulfill this requirement.
  4. Prior to issuance of grading or building permits, the applicant shall obtain approval of a hydrology and drainage study showing the method of disposal of stormwater. Because the applicant has indicated an intention to redevelop the property at 2172 Myran Drive, said study shall also include that property as well.
  5. Construction, grading, materials delivery, equipment operation or other noise-generating activity shall be limited to between the hours of 7 a.m. and 8 p.m., Monday through Friday, and between the hours of 8 a.m. and 7 p.m., on Saturday, Sunday, and Federal holidays. Exceptions may be made for activities that will not generate noise audible from off-site, such as painting and other quiet interior work.
  6. 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.
  7. Demolition permits for existing structures shall be obtained and all work and inspections completed prior to final building inspections. Applicant is notified that written notice to the Air Quality Management District may be required ten (10) days prior to demolition.
  8. Exterior elevations shall be submitted for pre-plan check review and approval by the Planning Division. Once the exterior elevations have

been reviewed and approved by the Planning Division, the exterior elevations shall be incorporated into the plan check drawings.

9. Second floor windows shall be designed and placed to minimize visibility into the abutting yards. Every effort shall be made to maintain the privacy of abutting property owners.
10. Applicant is advised that this approval does not constitute approval to construct the second "future unit" indicated on the submitted plans, and such development will be subject to a separate minor design review process and public notification (if the structure is two stories in height), as well as applicable residential development standards and residential design guidelines. Applicant is also advised that the design and location of the subject residence will not provide a basis to support any requests for deviation from the residential development standards and residential design guidelines including, but not limited to, setbacks, open space, or parking requirements for the "future unit".
11. At the time the residence is ready for occupancy, the applicant shall provide landscaping in the yard area between Myran Drive and the proposed residence if approval and/or permits for the "future unit" have not yet been obtained.
12. Applicant shall provide a paved driveway surface within the private street, extending from the subject property to Victoria Street, minimum 16 feet in width, subject to approval by the Planning Division.
- Eng. 13. Maintain the public right-of-way in a "wet-down" condition to prevent excessive dust and remove any spillage from the public right-of-way by sweeping or sprinkling.

PLANNING DIVISION - CITY OF COSTA MESA

DESCRIPTION/JUSTIFICATION

Application #: 2A-03-76

Environmental Determination: EXEMPT

Address:

2160 Myran Dr, Costa Mesa

1. Fully describe your request:

To construct a single family detached home at 2160 Myran Dr.

2. Justification

A. For a Conditional Use Permit or Minor Conditional Use Permit: Describe how the proposed use is substantially compatible with uses permitted in the same general area and how the proposed use would not be materially detrimental to other properties in the same area.

B. For a Variance or Administrative Adjustment: Describe the property's special circumstances, including size, shape, topography, location or surroundings that deprive the property of privileges enjoyed by other properties in the vicinity under the identical zoning classification due to strict application of the Zoning Code.

3. This project is: (check where appropriate)

- In a flood zone.
- Subject to future street widening.
- In the Redevelopment Area.
- In a Specific Plan Area.

4. I have reviewed the HAZARDOUS WASTE AND SUBSTANCES SITES LIST published by the office of Planning and Research and reproduced on the rear of this page and have determined that the project:

Is not included in the publication indicated above.

Is included in the publication indicated above.

Willard Chiles  
Signature

12

10/27/03  
Date

CITY OF COSTA MESA  
P.O. BOX 1200  
COSTA MESA, CALIFORNIA 92626  
APPLICATION FOR APPEAL OR REHEARING

FEE: \$ 0

Applicant Name Chris Steel

Address 77 Fair Drive, Costa Mesa

Phone \_\_\_\_\_ Representing \_\_\_\_\_

Decision upon which appeal or rehearing is requested: (Give number of rezoning, zone exception, ordinance, etc., if applicable, and the date of the decision, if known.) 2A-03-76, 2160 Myran Drive

November 20, 2003

Decision by: Zoning Administrator

Reason(s) for requesting appeal or rehearing:

Policy issues and public opposition necessitate a public hearing.

Date: 11/25/03

Signature: \_\_\_\_\_

*Chris M. Steel*

For Office Use Only — Do Not Write Below This Line

SCHEDULED FOR THE CITY COUNCIL/PLANNING COMMISSION MEETING OF:

RECEIVED

CITY OF COSTA MESA

DEVELOPMENT

NOV 26 2003

JANUARY 12, 2004

NOV-26-2003 WED 10:54 AM

FAX NO.

P. 02 <sup>002</sup>

CITY OF COSTA MESA  
P.O. BOX 1200  
COSTA MESA, CALIFORNIA 92626  
**APPLICATION FOR APPEAL OR REHEARING**

FEE: \$ 0

Applicant Name Libby Cowan

Address 77 Fair Drive, Costa Mesa

Phone \_\_\_\_\_ Representing \_\_\_\_\_

Decision upon which appeal or rehearing is requested: (Give number of rezone, zone exception, ordinance, etc. if applicable, and the date of the decision, if known.) ZA-03-76, 2160 Myran Drive

November 20, 2003

Decision by: Zoning Administrator

Reason(s) for requesting appeal or rehearing:

The amount of public response indicates that this project needs  
a Planning Commission Public Hearing.

Date: 11/25/03

Signature: *Alwan*

For Office Use Only -- Do Not Write Below This Line

SCHEDULED FOR THE CITY COUNCIL PLANNING COMMISSION MEETING OF:

JANUARY 12, 2004





# CITY OF COSTA MESA

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

DEVELOPMENT SERVICES DEPARTMENT

November 20, 2003

Brad Smith Architect  
365 Old Newport Boulevard  
Newport Beach, CA 92663

**RE: MINOR DESIGN REVIEW ZA-03-76**  
**2160 MYRAN DRIVE, COSTA MESA**

Dear Mr. Smith:

The minor design review for the above-referenced project has been completed. The application has been approved, based on the following project description and findings, subject to the conditions set forth below:

## **PROJECT DESCRIPTION**

The applicant is proposing to demolish an existing one story, 616 square foot residence and detached, 396 square foot, two car garage and construct a new two-story, 2,376 square foot residence. The proposed residence will contain a living room, kitchen, dining room, bathroom, office, and attached two-car garage on the first floor; and three bedrooms, two bathrooms, and a family room on the second floor. A 60 square foot master bedroom deck is proposed at the front of the house. The exterior materials consist of a metal roof, decorative window and door trims, and exterior plaster finishes. The property, which is zoned R2-MD, is accessed from Myran Drive, a private street that also provides access from Victoria Street to three other parcels.

Because the second story of the residence exceeds 50% of the first floor (80% is proposed), a minor design review is required. The purpose of the minor design review is to ensure that the scale and massing of proposed second-story construction will not negatively impact the neighborhood. In this case, the homes abutting the property are one-story. Although this will be the first two-story residence in the immediate area (there is a two-story residence to the northwest, on Miner Street), the proposed residence conforms to residential development standards and residential design guidelines. The second-story area is approximately 80% of the

first floor and the second story has an average 10-foot side setback. The residence incorporates variation in building heights and forms as well as variation in the depth of the floor plans to alleviate building mass. The visual prominence associated with the construction of a two-story house in a predominately single-story neighborhood has been reduced through appropriate transitions between first and second floors and the provision of second floor offsets to avoid unrelieved two-story walls. In addition, privacy impacts on adjoining properties will be reduced due to the following factors:

1. North (left side): Second story bathroom window is a small window and will be screened by existing trees on the adjacent property;
2. East (rear): Second story bedroom and family room windows are set back 20 feet from property line per code;
3. South (right side): Second story bathroom windows are small windows. The deck will be set back 13 feet from the property line and will overlook the roof of the residence on the adjacent property.

The applicant initially proposed a second two-story residence on the portion of the lot closer to the private street. This proposal has been deleted from the current plan but could be submitted at a later date. The applicant has also indicated an intention to redevelop the property at 2172 Myran Drive (one lot to the north of the subject property). Future redevelopment (if the structure(s) are two stories in height) would be subject to a separate minor design review application, residential development standards and residential design guidelines, and public notification.

### **FINDINGS**

- A. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(14) in that 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 design excellence in new residential construction, with consideration being given to compatibility with the established residential community. The residence conforms to all development standards and the residential design guidelines. Specifically, the second-story area is approximately 80% of the first floor and the second story has an average 10-foot side setback. The residence incorporates variation in building heights and forms as well as variation in the depth of the floor plans to alleviate building mass. This minor 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 other applicable design features. Although this will be the first two-story residence in the immediate neighborhood, the proposed residence conforms to residential development standards and residential design guidelines. The visual prominence associated with the construction of a two-story house in a predominately single-story neighborhood has been reduced through appropriate transitions between first and second floors

and the provision of second floor offsets to avoid unrelieved two-story walls.

- B. The proposed project complies with Costa Mesa Municipal Code Section 13-29(e) because:
1. The proposed development and use is compatible and harmonious with uses on surrounding properties because the residence conforms to all development standards and the residential design guidelines. Visual and privacy impacts on adjoining properties will be reduced due to mass and scale of the structure, location of windows, varied roof forms and roof plane breaks, and other applicable design features.
  2. Safety and compatibility of the design of the buildings, landscaping, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.
  3. The project is consistent with the General Plan.
- C. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA.
- D. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.
- E. The building is at an excessive distance from the public street, but the plan does not lend itself to fire apparatus access or placement of an on-site fire hydrant. Problems associated with the depth of the building on this property can be reduced by installation of a residential sprinkler system.

#### **CONDITIONS OF APPROVAL**

- Ping.
1. Street addresses shall be displayed on the fascia adjacent to the main entrance or front door in a manner visible from the private street. Numerals shall be a minimum 6 inches in height with not less than ½-inch stroke and shall contrast sharply with the background.
  2. The conditions of approval for ZA-03-76 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
  3. The subject property's ultimate finished grade level may not be filled/raised in excess of 30 inches above the finished grade of any abutting property. If additional fill dirt is needed to provide acceptable on-site stormwater flow to a public street, an alternative means of accommodating that drainage shall be approved by the City's Building Official prior to issuance of any grading or building permits. Such alternatives may include subsurface tie-in to public stormwater facilities, subsurface drainage collection systems and/or sumps with mechanical pump discharge in-lieu of gravity flow. If mechanical pump

method is determined appropriate, said mechanical pump(s) shall continuously be maintained in working order. In any case, development of subject property shall preserve or improve the existing pattern of drainage on abutting properties. Applicant is advised that recordation of a drainage easement across the private street may be required to fulfill this requirement.

4. Prior to issuance of grading or building permits, the applicant shall obtain approval of a hydrology and drainage study showing the method of disposal of stormwater. Because the applicant has indicated an intention to redevelop the property at 2172 Myran Drive, said study shall also include that property as well.
5. Construction, grading, materials delivery, equipment operation or other noise-generating activity shall be limited to between the hours of 7 a.m. and 8 p.m., Monday through Friday, and between the hours of 8 a.m. and 7 p.m., on Saturday, Sunday, and Federal holidays. Exceptions may be made for activities that will not generate noise audible from off-site, such as painting and other quiet interior work.
6. 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.
7. Demolition permits for existing structures shall be obtained and all work and inspections completed prior to final building inspections. Applicant is notified that written notice to the Air Quality Management District may be required ten (10) days prior to demolition.
8. Exterior elevations shall be submitted for pre-plan check review and approval by the Planning Division. Once the exterior elevations have been reviewed and approved by the Planning Division, the exterior elevations shall be incorporated into the plan check drawings.
9. Second floor windows shall be designed and placed to minimize visibility into the abutting yards. Every effort shall be made to maintain the privacy of abutting property owners.
10. Applicant is advised that this approval does not constitute approval to construct the second "future unit" indicated on the submitted plans, and such development will be subject to a separate minor design review process and public notification (if the structure is two stories in height), as well as applicable residential development standards and residential design guidelines. Applicant is also advised that the design and location of the subject residence will not provide a basis to support any requests for deviation from the residential development standards and residential design guidelines including, but not limited to, setbacks, open space, or parking requirements for the "future unit".
11. At the time the residence is ready for occupancy, the applicant shall

provide landscaping in the yard area between Myran Drive and the proposed residence if approval and/or permits for the "future unit" have not yet been obtained.

12. Applicant shall provide a paved driveway surface within the private street, extending from the subject property to Victoria Street, minimum 16 feet in width, subject to approval by the Planning Division.
- Eng. 13. Maintain the public right-of-way in a "wet-down" condition to prevent excessive dust and remove any spillage from the public right-of-way by sweeping or sprinkling.

### **CODE REQUIREMENTS**

The following list of federal, state and local laws applicable to the project has been compiled by staff for the developer's reference. Any reference to "City" pertains to the City of Costa Mesa.

- PIng. 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. Approval of the zoning action is valid for one (1) year and will expire at the end of that period unless building permits are obtained and business commences or the applicant applies for and is granted an extension of time.
3. Development shall comply with all requirements of Section 13-32, Title 13, of the Costa Mesa Municipal Code relating to development standards for residential projects.
4. A minimum 20-foot by 20-foot clear interior dimension shall be provided for the garage.
5. Minimum garage door width shall be 16 feet.
6. All new on-site utility services shall be installed underground.
7. Installation of all new 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.
8. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.
9. Five (5) sets of detailed landscape and irrigation plans shall be required as part of the project plan check review and approval process. Three (3) sets shall be provided to the representative water agency and two (2) set shall be submitted to the Planning Division for review. Plans shall be approved by the water agency with two (2) approved sets

forwarded by the applicant to the Planning Division for final approval prior to issuance of building permits.

10. Two (2) sets of landscape and irrigation plans, approved by both the water agency and the Planning Division, shall be attached to two of the final building plan sets.
11. Landscape and irrigation plans shall meet the requirements set forth in Costa Mesa Municipal Code Sections 13-103 through 13-108 as well as irrigation requirements set forth by the water agency. Consult with the representative water agency. Mesa Consolidated Water District, Ray Barela (949) 631-1291.
12. Landscaping and irrigation shall be installed in accordance with the approved plans prior to final inspection or occupancy clearance.
- Bldg. 13. Comply with the requirements of the California Code of Regulations, Title 24, also known as the California Building Standards Code, as amended by the City of Costa Mesa.
14. Prior to or concurrent with the submittal of plans for grading/building/plan check/submittal of final subdivision map for engineering plan check, the applicant shall prepare and submit documentation for compliance with the State Water Resources Control Board (SWRCB) Water Quality Order 99-08-DWQ; National Pollutant Discharge Elimination System (NPDES) Permit No. CAS000002 for Storm Water Discharges Associated with Construction Activity (General Permit); the California Regional Water Quality Control Board (RWQCB) Santa Ana Region Order No. R8-2002-0010 and NPDES Permit No. CAS618030; and, the City of Costa Mesa Ordinance No. 97-20 for compliance with NPDES Permit for the City of Costa Mesa. Such documentation shall include a Storm Water Pollution Prevention Plan (if over 5 acres) and a Water Quality Management Plan (WQMP) identifying and detailing the implementation of the applicable Best Management Practices (BMPs).
15. The project applicant shall require the contractor to comply with the SCAQMD's regulations during construction, including Rule 402 which specifies that there be no dust impacts offsite sufficient to cause a nuisance, and SCAQMD Rule 403, which restricts visible emissions from construction. Specific measures to reduce fugitive dust shall include the following:
  - a. Moisten soil prior to grading.
  - b. Water exposed surfaces at least twice a day under calm conditions and as often as needed on windy days when winds are less than 25 miles per day or during very dry weather in order to maintain a surface crust and prevent the release of visible emissions from the construction site.
  - c. Treat any area that will be exposed for extended periods with a

- soil conditioner to stabilize soil or temporarily plant with vegetation.
  - d. Wash mud-covered tires and under-carriages of trucks leaving construction sites.
  - e. Provide for street sweeping, as needed, on adjacent roadways to remove dirt dropped by construction vehicles or mud which would otherwise be carried off by trucks departing project sites.
  - f. Securely cover loads of dirt with a tight fitting tarp on any truck leaving the construction sites to dispose of excavated soil.
  - g. Cease grading during periods when winds exceed 25 miles per hour.
  - h. Provide for permanent sealing of all graded areas, as applicable, at the earliest practicable time after soil disturbance.
- Eng. 16. A construction access permit and deposit of \$350 for street sweeping will be required by the Engineering Division prior to the start of any on- or off-site work.
- Fire 17. Provide an automatic fire sprinkler system according to NFPA 13D.

#### **SPECIAL DISTRICT REQUIREMENTS**

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

- Sani. 1. Developer will be required to construct sewers to serve this project, at his own expense, meeting the approval of the Costa Mesa Sanitary District.
2. County Sanitation District fees, fixture fees, inspection fees, and sewer permit are required prior to installation of sewer. To receive credit for buildings to be demolished, call (714) 754-5307.
3. Developer 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 developer 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. Developer 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 using curbside services. Residences using bin or dumpster services are exempt from this requirement.
- School 6. Pay applicable Newport Mesa Unified School District fees to the Building Division prior to issuance of building permits.
- State 7. 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.

Upon receipt of this letter, your project has been approved, subject to the above-listed conditions. A copy of the conceptually-approved plans is enclosed. The decision will become final at 5 p.m. on December 1, 2003, unless appealed by an affected party or by a member of the Planning Commission or City Council.

If you have any questions regarding this letter, please feel free to contact the project planner, Mel Lee, at (714) 754-5611, between 1 p.m. and 5 p.m., Monday through Friday.

Sincerely,



PERRY L. VALANTINE  
Zoning Administrator

Enclosure: Conceptually-approved plans

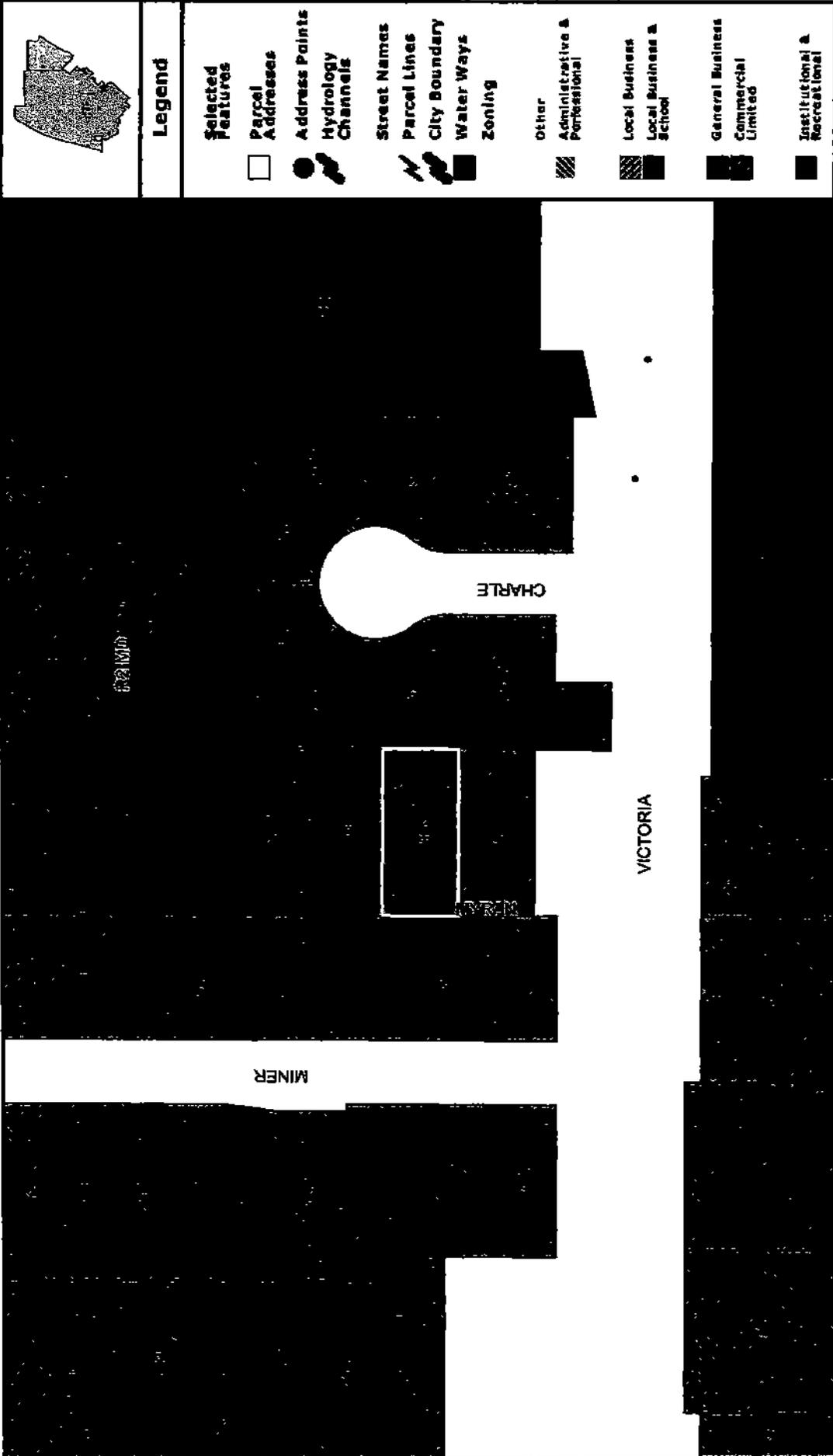
cc: Engineering  
Fire Protection Analyst  
Water District  
Building Division

Willard Chilcott  
167B Rochester Street  
Costa Mesa, CA 92627

Distribution List

# ZONING/LOCATION MAP

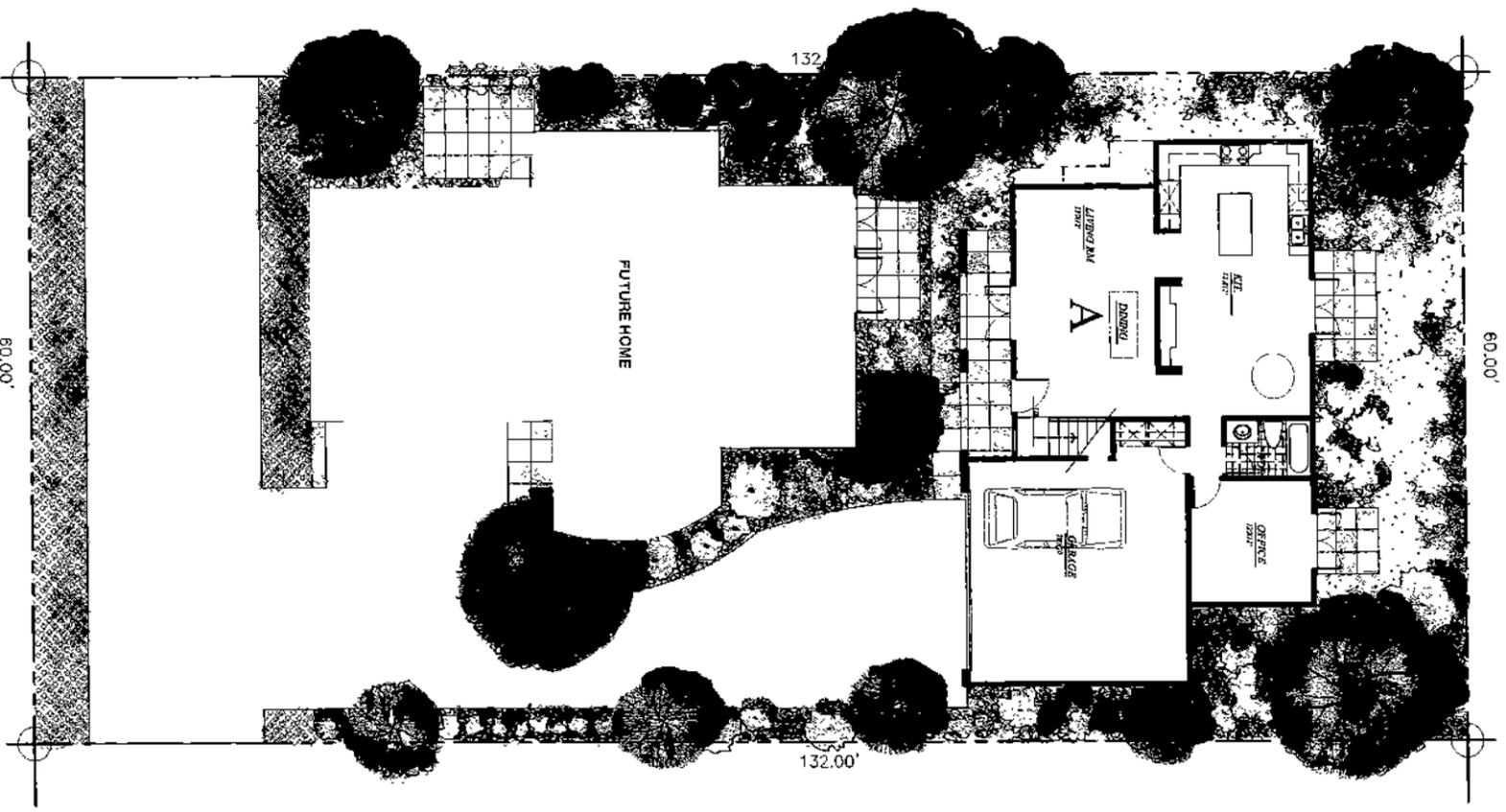
ZA-03-76 (APPEAL)



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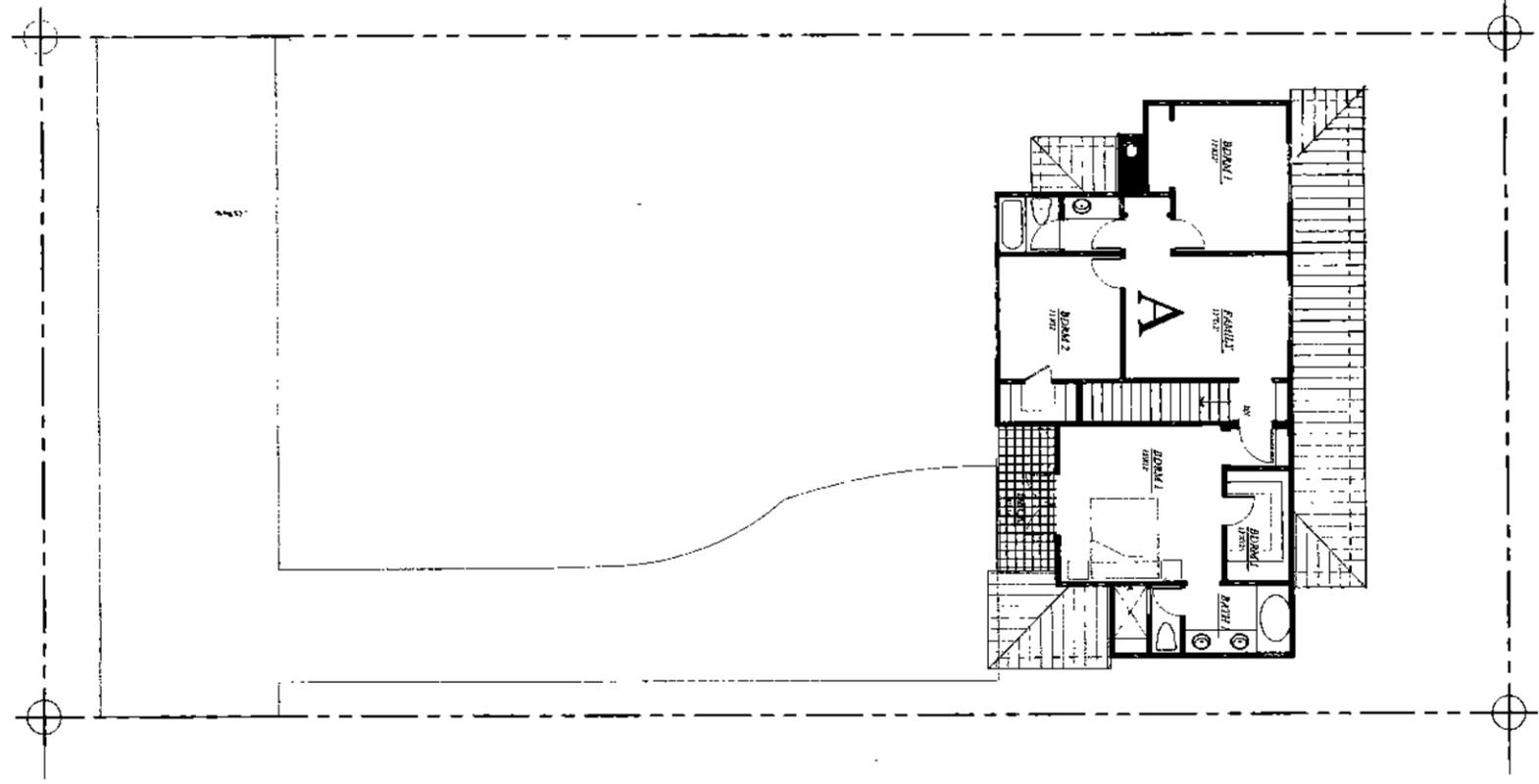
*WARNING: This map does not meet national map accuracy standards and cannot be used for engineering purposes.*





LOWER LEVEL PLAN

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



UPPER LEVEL PLAN

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

WILLARD CHILCOTT & STEPHANIE FAWLEY  
 A RESIDENTIAL DEVELOPMENT  
 2160 MYRAN DR.  
 COSTA MESA, CA. 92627

BRADFORD C. SMITH, ARCHITECT  
 (949) 631 - 3682 FAX: (949) 631 - 3685  
 365 B OLD NEWPORT BLVD.  
 NEWPORT BEACH, CALIFORNIA

**PROJECT DESCRIPTION**  
 PROPOSED: TWO SINGLE FAMILY HOMES WITH ATTACHED  
 TWO CAR GARAGE. BOTH HOMES ARE OF CALIFORNIA  
 CONTEMPORARY DESIGN FEATURING SMOOTH STUCCO  
 WALLS, STANDING SEAM ROOFING AND WROUGHT IRON  
 ACCENTS.

ZONING: R-2 MD

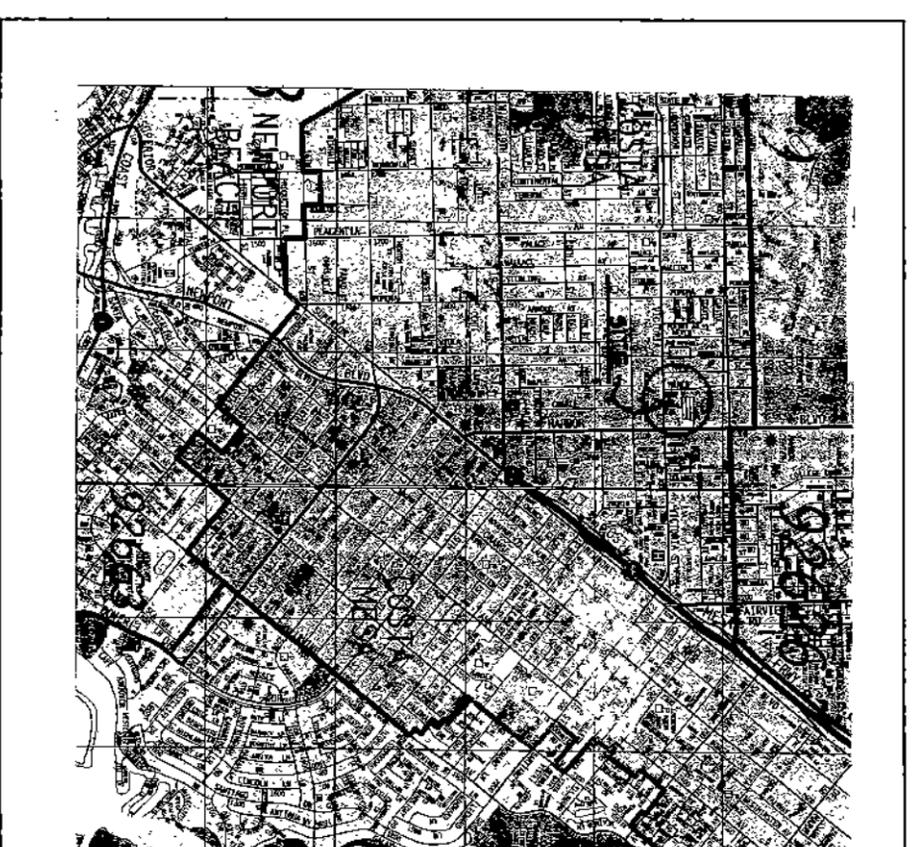
*DESIGN REVIEW*

MINOR CONDITIONAL USE PERMIT/  
 ADMINISTRATIVE ADJUSTMENT NO. 24-0

**Approval in Concept**

SUBJECT TO CONDITIONS  
 CITY OF COSTA MESA  
 PLANNING DEPT.

BY MEL FOR DATE 11/29/04



VICINITY MAP

SITE TABULATION

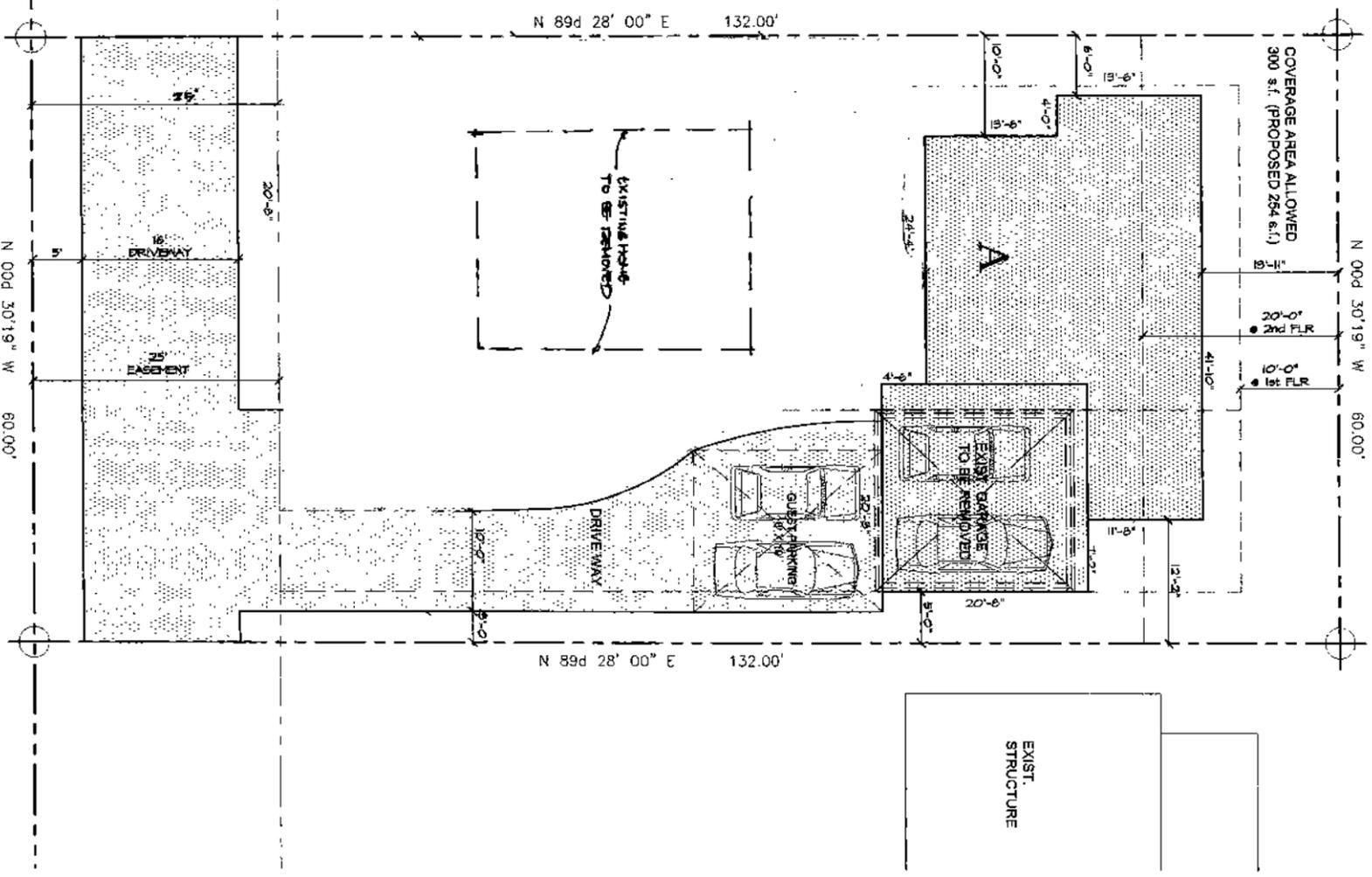
BUILDING COVERAGE:	AREA	GARAGE	1st FLR	2nd FLR	TOTAL	TOTW/E
BUILDING A (3 BDRM.)	1,320 sf	427 sf	893 sf	1,056 sf	1,949 sf	2.376
PAVING	1,810 sf					
OPEN SPACE	4,790 sf					
TOTAL	7,920 sf					
PARKING GARAGE		2 sp				
PARKING GUEST		2 sp				
PARKING TOTAL		4 sp				

LEGAL

TRACT 1163  
 LOT 35  
 A.P. NO. 422-203-07  
 ZONING: R-2 MD

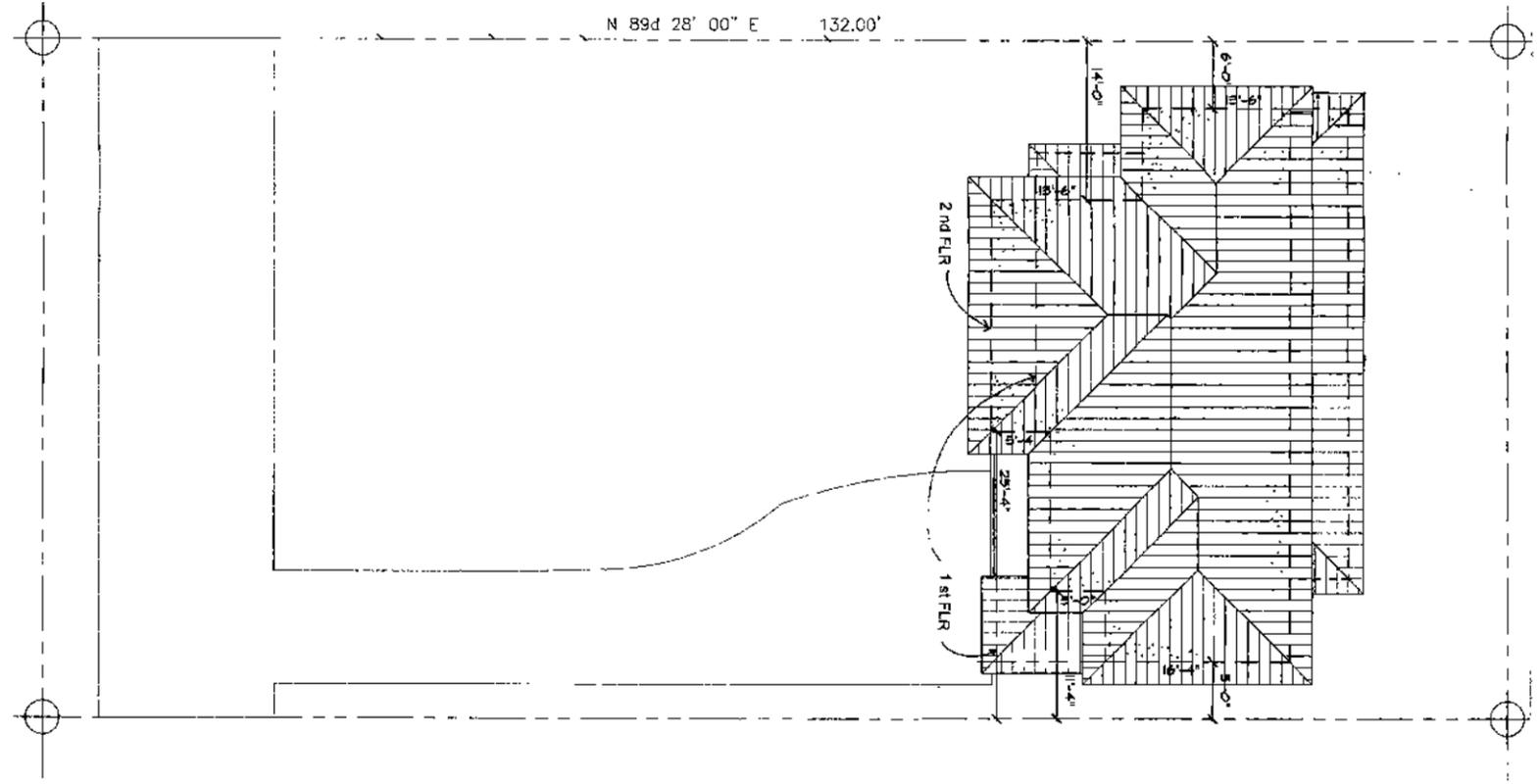
PROJECT DESCRIPTION

PROPOSED: TWO SINGLE FAMILY HOMES WITH ATTACHED TWO CAR GARAGE. BOTH HOMES ARE OF CALIFORNIA CONTEMPORARY DESIGN FEATURING SMOOTH STUCCO WALLS, STANDING SEAM ROOFING AND WROUGHT IRON ACCENTS.



SITE PLAN

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



ROOF PLAN

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

WILLARD CHILCOTT & STEPHANIE FAWLEY

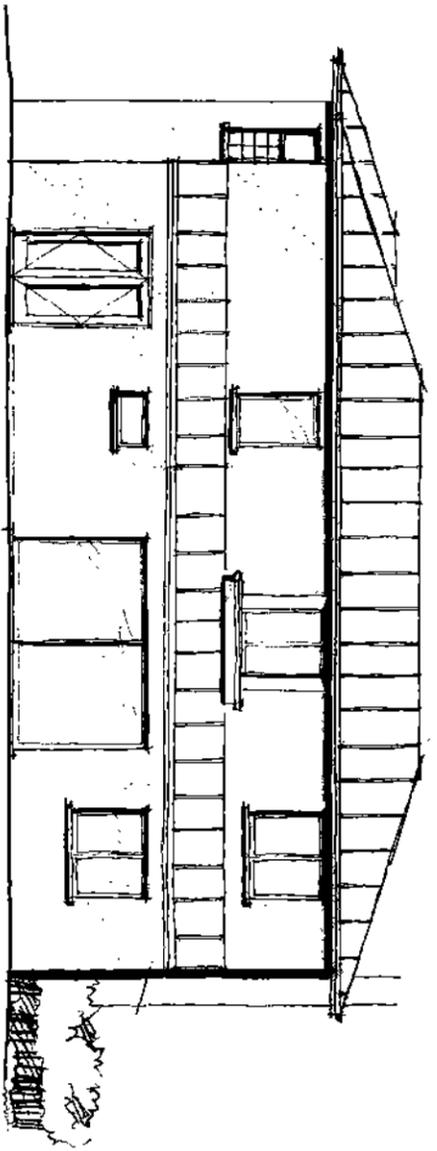
A RESIDENTIAL DEVELOPMENT

2160 MYRAN DR.  
 COSTA MESA, CA. 92627

BRADFORD C. SMITH, ARCHITECT

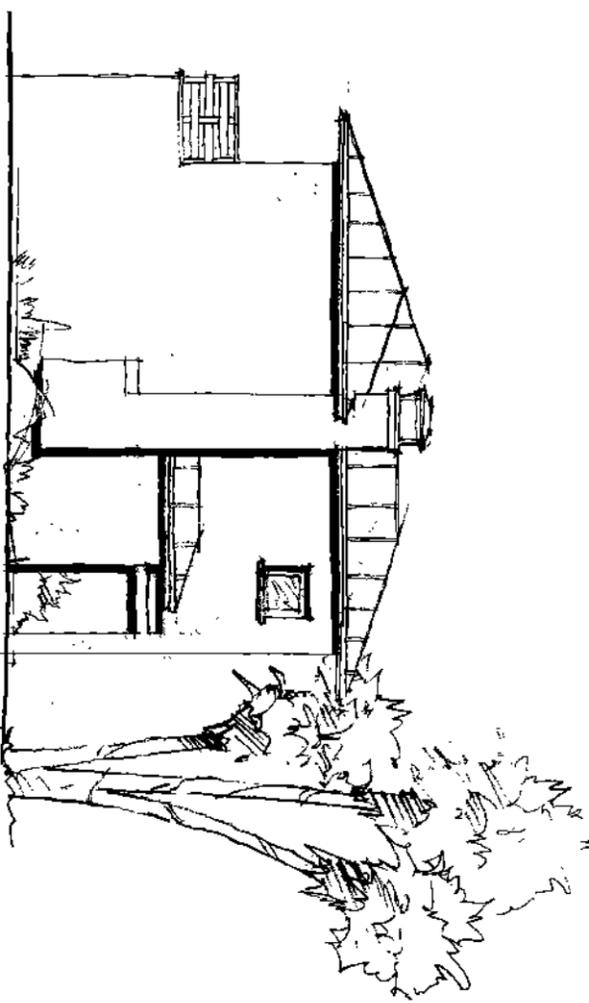
(949) 631-3682 FAX: (949) 631-3685

365 B OLD NEWPORT BLVD.  
 NEWPORT BEACH, CALIFORNIA



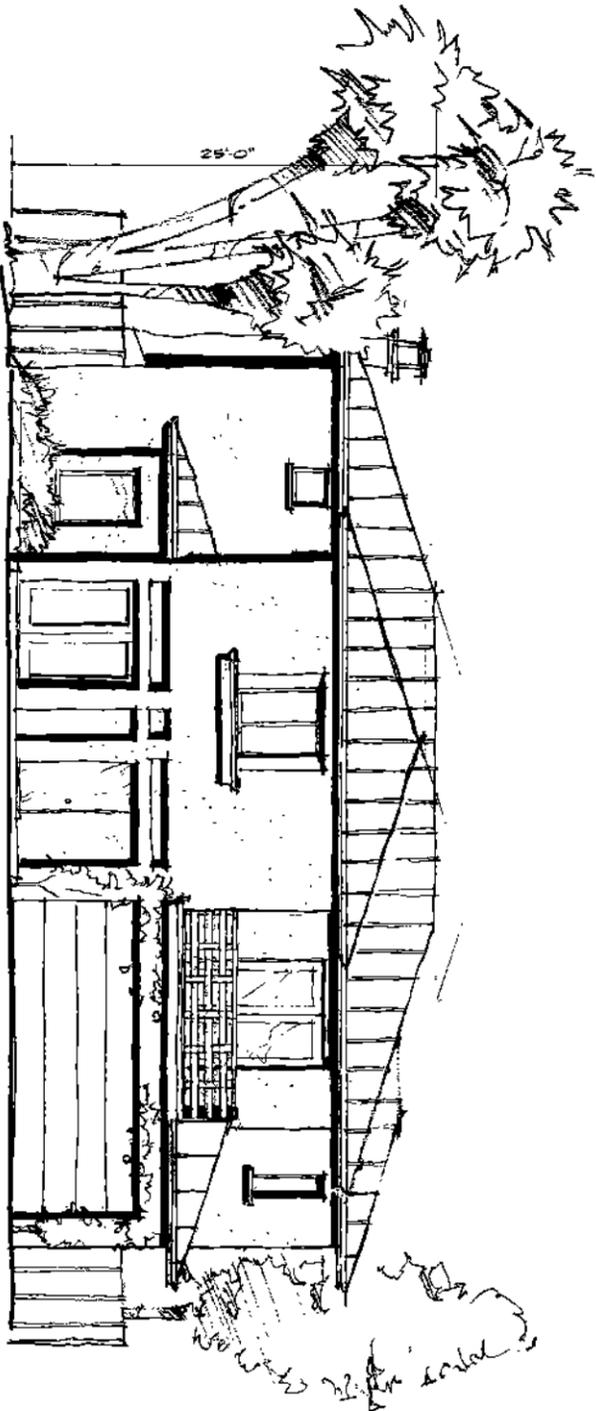
REAR

SCALE: 3/16" = 1'-0"



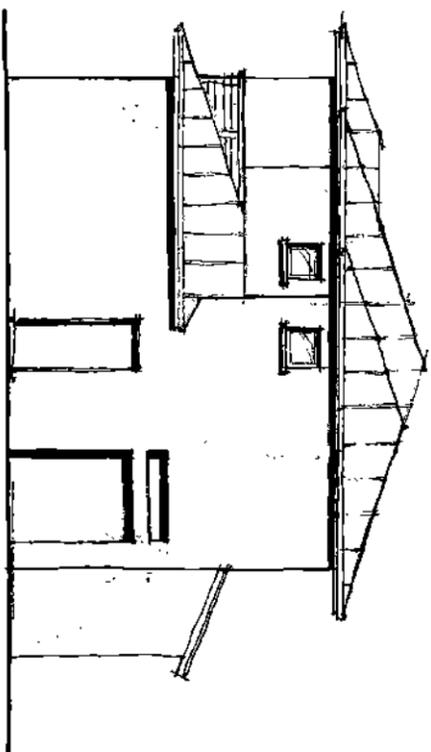
LEFT SIDE

SCALE: 3/16" = 1'-0"



FRONT

SCALE: 3/16" = 1'-0"



RIGHT

SCALE: 3/16" = 1'-0"

WILLARD CHILCOTT & STEPHANIE FAWLEY  
 A RESIDENTIAL DEVELOPMENT  
 2160 MYRAN DR.  
 COSTA MESA, CA. 92627

BUILDING A ELEVATIONS

BRADFORD C. SMITH, ARCHITECT  
 (949) 631 - 3682 FAX: (949) 631 - 3685  
 365 B OLD NEWPORT BLVD.  
 NEWPORT BEACH, CALIFORNIA