



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: FEBRUARY 9, 2004

01.2.
ITEM NUMBER:

SUBJECT: APPEAL OF MINOR DESIGN REVIEW ZA-03-87
243 KNOX STREET

DATE: JANUARY 29, 2004

FOR FURTHER INFORMATION CONTACT: WILLA BOUWENS-KILLEEN, SENIOR PLANNER
714.754.5153

DESCRIPTION

The applicant is appealing the Zoning Administrator's denial of ZA-03-87, a minor design review to allow the construction of a new dwelling unit over a garage/carport/laundry room combination.

APPLICANT

The property owner, Phillip Larson, appealed the Zoning Administrator's denial.

RECOMMENDATION

Uphold the Zoning Administrator's denial.


WILLA BOUWENS-KILLEEN
Senior Planner


PERRY L. VALANTINE
Asst. Development Services Director

BACKGROUND

On January 8, 2004, the Zoning Administrator denied the applicant's requested minor design review to construct a second unit above a garage/carport/laundry room combination. A full bathroom is proposed for the ground floor laundry room and a loft is proposed for the unit. The Zoning Administrator found that the visual prominence of the proposed two-story structure would not be sufficiently reduced through appropriate transitions between the first and second floors, and the resulting structure would be incompatible with the surrounding neighborhood.

The applicant appealed the decision January 12, 2004, requesting that the plan be approved as submitted.

ANALYSIS

The structure is proposed to be constructed at the rear of the property, behind an existing residence. All parking will be at the rear of the property, accessed from an alley. The project satisfies applicable development standards but does not satisfy all of the City's residential design guidelines; specifically, a 6.5-foot average second-story right side setback is proposed rather than the 10-foot average second-story side setback called out by the guidelines.

It appears that the proposed loft necessitates the 27-foot height shown for the structure. Although the structure will not exceed the maximum height permitted by Code, the resulting structure will have a height and mass inconsistent with the immediately surrounding, one-story structures. The combination of the structure's height and the lack of architectural articulation and transition between floors will cause the structure to be visually prominent. Therefore, the necessary finding to support the project could not be made.

ALTERNATIVES

The Planning Commission has the following alternatives:

1. Approve the project, as proposed by the applicant; or
2. Approve with modifications; for example, Planning Commission could require deletion of the loft and a lowering of the roof line to reduce the structure's visual prominence; or
3. Deny the project. If the project is denied, the applicant would be unable to file a request for substantially the same development for six months.

ENVIRONMENTAL DETERMINATION

The project is exempt from the provisions of the California Environmental Quality Act.

CONCLUSION

The proposed structure satisfies applicable Zoning Code requirements. However, it does not satisfy all of the City's residential design guidelines. The structure, with the proposed loft, results in a building mass incompatible with the prevailing character of the immediate neighborhood with its visual prominence further emphasized by a lack of architectural articulation.

Attachments: Draft Planning Commission Resolution
 Exhibit "A" - Draft Findings
 Exhibit "B" - Draft Conditions of Approval
 Appeal form
 Zoning Administrator's letter for ZA-03-87
 Applicant's Description/Justification
 Location/Zoning Map
 Air Photo
 Plans

File Name: 020904ZA0387

Date: 1/28/04

Time: 4:15 pm

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

Phillip Larson
243 Knox Street
Costa Mesa, CA 92627

Richard Natland
9 Windsor
Newport Beach, CA 92660

H

RESOLUTION NO. PC-04-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA DENYING MINOR DESIGN REVIEW
ZA-03-87**

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

WHEREAS, an application was filed by Richard Natland, authorized agent for Phillip Larson, with respect to the real property located at 243 Knox Street, requesting approval of a minor design review to allow construction of a new dwelling unit over a garage/carport/laundry room combination in the R2-MD zone; and

WHEREAS, the Zoning Administrator denied the request on January 8, 2004; and

WHEREAS, the property owner filed an appeal of the Zoning Administrator's decision on January 12, 2004; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on February 9, 2004.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", the Planning Commission hereby **DENIES** Minor Design Review ZA-03-87 with respect to the property described above.

PASSED AND ADOPTED this 9th of February, 2004.

Chair, Costa Mesa
Planning Commission

EXHIBIT "A"

FINDINGS

- A. The information presented does not substantially comply with Costa Mesa Municipal Code Section 13-29(g)(14) in that the project does not comply with the City of Costa Mesa Zoning Code and does not meet 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 visual prominence associated with the construction of a two-story house or addition in a predominately single-story neighborhood has not been reduced through appropriate transitions between the first and second floors and the provision of second floor offsets to avoid unrelieved two-story walls. The second floor average side setback recommended by the City's residential design guidelines is not proposed to be satisfied. The proposed building mass is incompatible with the majority of the neighborhood.

- B. 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.

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

EXHIBIT "B"

CONDITIONS OF APPROVAL

- Plng. 1. Address assignment shall be requested from the Planning Division prior to submittal of working drawings for plan check. The approved address of individual units, suites, buildings, etc., shall be blueprinted on the site plan and on all floor plans in the working drawings.
- 2. The conditions of approval and ordinance or code provisions and special district requirements of Minor Design Review ZA-03-87 shall be printed on the face of the site plan.
- 3. The applicant shall contact the Planning Division to arrange for an inspection of the site prior to the final building inspection. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
- Eng. 4. 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 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 will not be granted until all such licenses have been obtained.
2. Approval of the minor design review is valid for one (1) year and will expire at the end of that period unless building permits are obtained and construction commences, or the applicant applies for and is granted an extension of time.
3. Street addresses shall be displayed on the complex identification sign or, if there is no complex identification sign, on the building fascia adjacent to the main entrance or front door in a manner visible to the public street. Street address numerals shall be a minimum 6 inches in height with not less than ½ inch stroke and shall contrast sharply with the background. Identification of individual units shall be provided adjacent to the unit entrances. Letters of numerals shall be 4 inches in height with not less than ¼ inch stroke and shall contrast sharply with the background.
4. All new on-site utility services shall be installed underground or provision made for future undergrounding, if it is impractical at this time.
5. Installation of all new utility meters shall be performed in a manner so as to obscure the installation from view from any placed 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.
6. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division. Roof-mounted equipment is prohibited.
7. Four (4) 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 one (1) 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.
8. 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.
9. Landscape and irrigation plans shall meet the requirements set

forth in Costa Mesa Municipal Code Sections 13-101 through 13-108 as well as irrigation requirements set forth by the water agency. Consult with the representative water agency Mesa Consolidated Water District (949) 631-1291 for requirements.

10. Landscaping and irrigation shall be installed in accordance with the approved plans prior to final inspection or occupancy clearance.
11. All landscaped areas shall be separated from paved vehicular areas by 6" high continuous Portland Cement Concrete curbing.
12. Existing mature trees shall be retained wherever possible. Should it be necessary to remove existing trees, the applicant shall submit a written request and justification to the Planning Division. A report from a California licensed arborist may be required as part of the justification. Replacement trees shall be of a size consistent with trees to be removed and may be required on a 1:1 basis. This condition shall be completed under the direction of the Planning Division.
13. All property line walls or fences shall be repaired or replaced as necessary under the direction of the Planning Division.
- Bldg. 14. 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.
15. 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 1 acre (if over 5 acres if submitted prior to March 10, 2003) and a Water Quality Management Plan (WQMP) identifying and detailing the implementation of the applicable Best Management Practices (BMPs).
- Fire 16. Provide approved smoke detectors to be installed in accordance with the 1997 Edition of the Uniform Fire Code.
- Eng. 17. At the time of development submit for approval an off-site plan to the Engineering Division that shows sewer, water, existing parkway improvements and the limits of work on the site, both prepared by a civil engineer or architect. Construction access approval must be obtained prior to building or engineering permits being issued by the City of Costa Mesa. Pay offsite plan check fee

to the Engineering Division. An approved offsite plan and fee shall be required prior to engineering/utility permits being issued by the City.

18. A site access permit and deposit of \$350.00 for street sweeping will be required by the Engineering Division prior to the start of any on- or off-site work.
19. Submit required cash deposit or surety bond to guarantee construction of offsite street improvements at time of permit per Costa Mesa Municipal Code Section 15-32, and as approved by City engineer. Cash deposit or surety bond amount to be determined by the City engineer.
20. Obtain a permit from the Engineering Division, at the time of development and then remove any existing driveways and/or curb depressions that will not be used and replace with full height curb and sidewalk at applicant's expense.

SPECIAL DISTRICT REQUIREMENTS

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

- | | | |
|--------|----|--|
| School | 1. | Pay applicable Newport Mesa Unified School District fees to the Building Division prior to issuance of building permits. |
| CDFA | 2. | Comply with the requirements of the California Department of Food and Agriculture (CDFA) to determine if red imported fire ants exist on the property prior to any soil movement or excavation. Call CDFA at (714) 708-1910 for information. |
| Sani. | 3. | Orange County Sanitation District fees, fixture fees, inspection fees, and sewer permit required prior to issuance of building permits. To receive credit for buildings to be demolished, call (714) 754-5307 for inspection. |
| | 4. | Developer shall submit a plan showing sewer improvements that meets with the District Engineer's approval to the Building Division as a part of the plans submitted for plan check. |

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

FEE: \$ 305.00

Applicant Name Philip G. Larson

Address 243 Knox ST

Phone 949 645-3720 Representing self

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-03-87

Appeal of ZA decision

Decision by: Zoning Administrator

Reason(s) for requesting appeal or rehearing:

To go forward with plan as is.
~~appeal~~ appealing denial based on ~~map~~'s setback on
west of property side. denial by zoning administration

Date: 1-2-04 Signature: Philip Larson

For Office Use Only — Do Not Write Below This Line

SCHEDULED FOR THE CITY COUNCIL/PLANNING COMMISSION MEETING OF:

9 February 2003
12



CITY OF COSTA MESA

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

DEVELOPMENT SERVICES DEPARTMENT

January 8, 2004

Phillip Larson
c/o Richard Natland
9 Windsor
Newport Beach, CA 92660

RE: MINOR DESIGN REVIEW ZA-03-87
243 KNOX STREET, COSTA MESA

Dear Mr. Larson:

The minor design review for the above-referenced project has been completed. The application has been denied, based on the following project description and findings:

PROJECT DESCRIPTION

The applicant requests a minor design review to allow the construction of a new dwelling unit over a garage/carport/laundry room combination. A full bathroom is proposed in the ground floor laundry room and a loft is proposed for the unit. A minor conditional use permit for the laundry room bathroom was included within this application but is no longer needed because interior access between the laundry room and the new unit is provided. The loft satisfies City standards so as not to be considered a third floor.

Exterior elevations are proposed to consist of stucco on the first floor and siding on the second floor. Wood trim is proposed for the building corners. Although the construction satisfies applicable Zoning Code requirements, it does not satisfy all of the City's residential design guidelines. The right side second floor does not satisfy the 10-foot average side setback called out by the design guidelines (a 6.5 foot, average side setback is proposed). Staff's main concern is with the massing of the building in a neighborhood comprised largely of one-story homes with shallow-pitched roofs. The building, at a 27-foot height, satisfies the Zoning Code but the appearance of the building, proposed at the maximum allowable height to accommodate a loft, is incompatible with the prevailing character of the majority of the neighborhood. The building becomes visually prominent in this predominately single-story neighborhood due to the unrelieved two-story walls because sufficient architectural articulation has not been provided. Consequently, the necessary finding to support this project cannot be made.

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FINDINGS

- A. The information presented does not substantially comply with Costa Mesa Municipal Code Section 13-29(g)(14) in that the project does not comply with the City of Costa Mesa Zoning Code and does not meet 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 visual prominence associated with the construction of a two-story house or addition in a predominately single-story neighborhood has not been reduced through appropriate transitions between the first and second floors and the provision of second floor offsets to avoid unrelieved two-story walls. The second floor average side setback recommended by the City's residential design guidelines is not proposed to be satisfied. The proposed building mass is incompatible with the majority of the neighborhood.
- B. 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.
- C. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

Upon receipt of this letter, your project has been denied. The decision will become final at 5 p.m. on January 15, 2004, unless appealed by an affected party (including filing of the necessary application and payment of the appropriate fee) 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, Willa Bouwens-Killeen, at (714) 754-5153, between 8 a.m. and 12 noon, Monday through Friday.

Sincerely,



PERRY L. VALANTINE
Zoning Administrator

cc: Engineering
Fire Protection Analyst
Water District
Building Division

Richard Natland
9 Windsor
Newport Beach, CA 92660

DESCRIPTION/JUSTIFICATION

Application #: 2A-03-87
Address: 243 Knox St

Environmental Determination: Exempt, Class 3

1. Fully describe your request: REQUESTING APPROVAL OF FIRST FLOOR LAUNDRY ROOM BATHROOM (MINOR CONDITIONAL USE PERMIT) AND APPROVAL OF SECOND FLOOR ONE BEDROOM UNIT. (DESIGN REVIEW)

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.

OWNER REQUESTS FIRST FLOOR BATHROOM TO CLEAN-UP BEFORE GOING UPSTAIRS TO LIVING UNIT. OWNER IS IN THE CONSTRUCTION BUSINESS.

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.

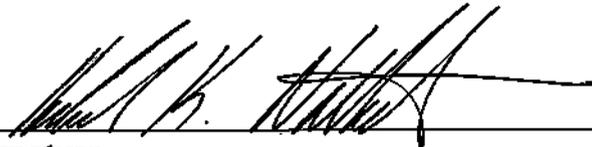
3. This project is: (check where appropriate)

- 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.

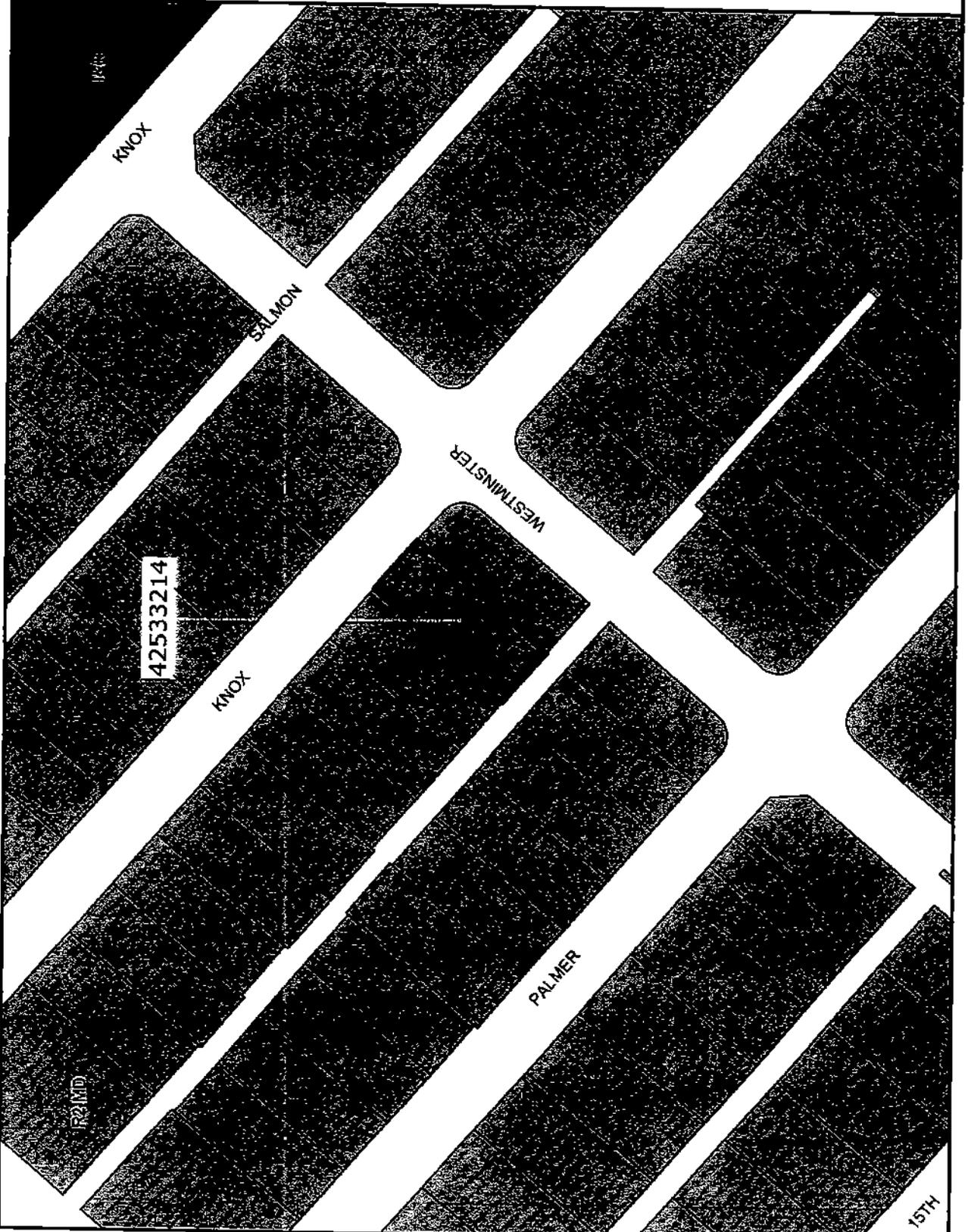
Is included in the publication indicated above.


Signature

10.1.03
Date

Location/Zoning Map

ZA-03-87

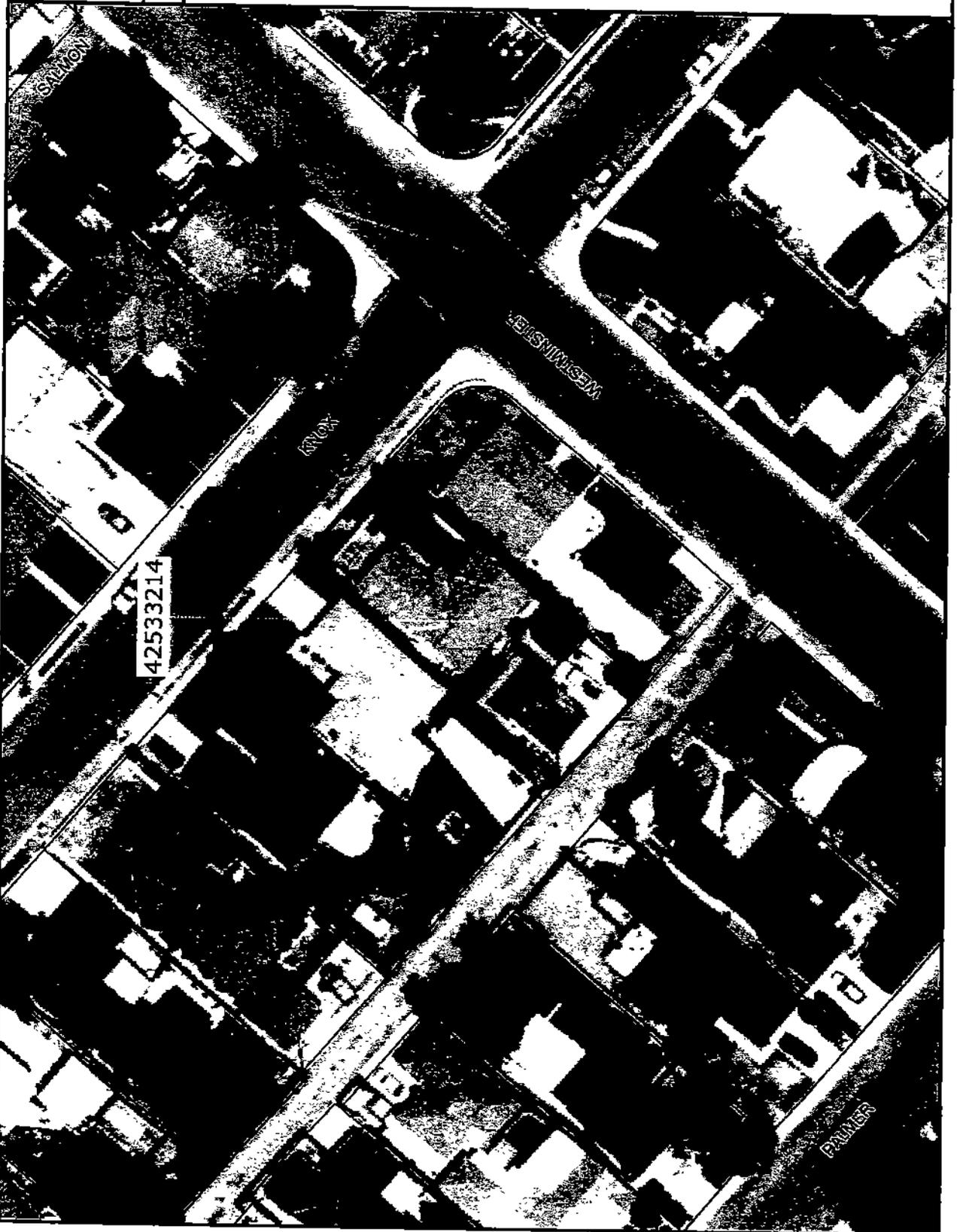


Legend

- Identified Features
- Street Names
- Parcel Lines
- Zoning
- Other
- Administrative & Professional
- Local Business
- Local Business & School
- General Business Commercial Limited
- Institutional & Recreational
- Institutional & Recreational - School
- General Industrial
- Industrial Park
- DCPD
- Off Street Parking
- Planned Development Commercial
- Planned Development

Air Photo

ZA-03-87



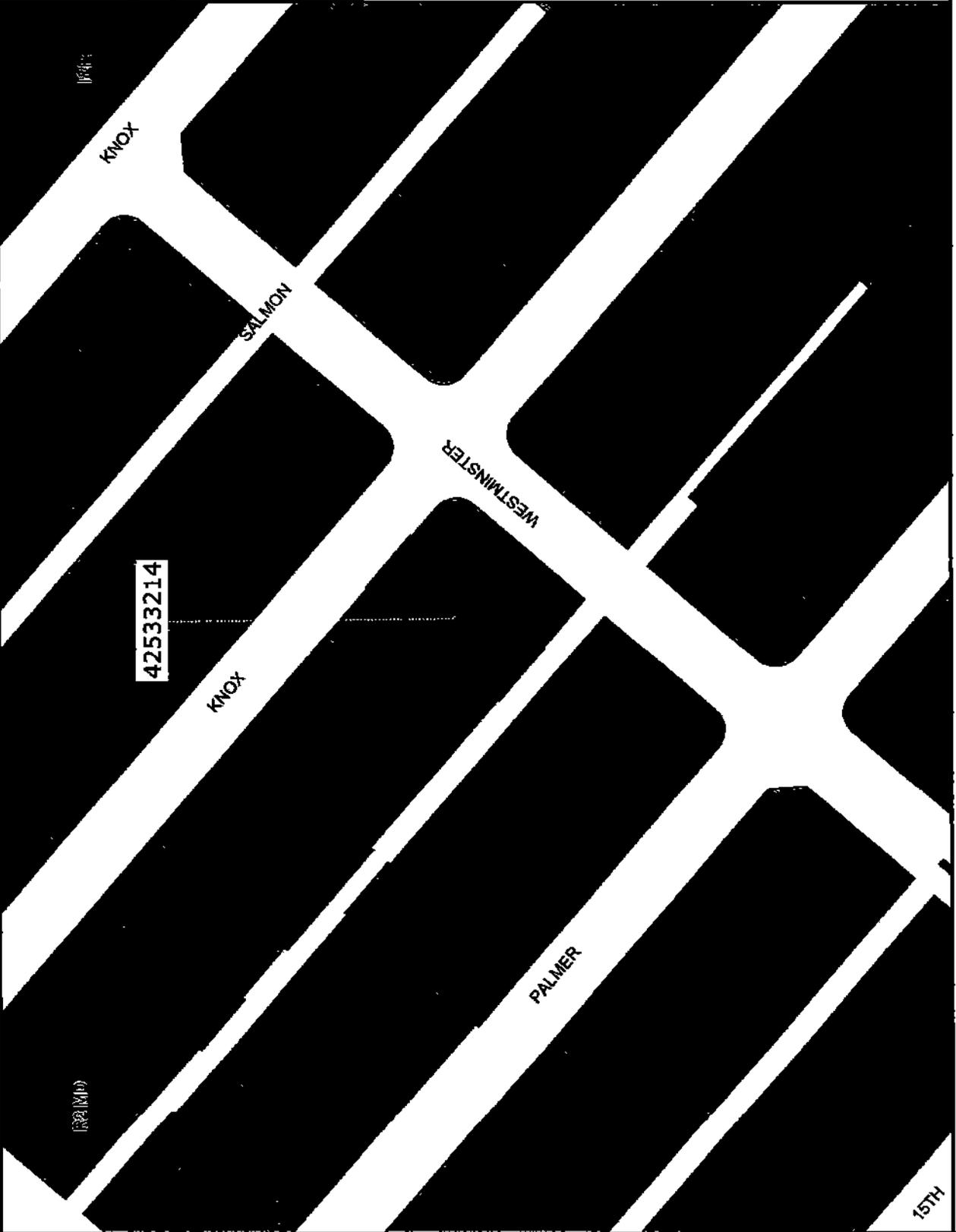
Legend

- Identified Features
- Street Names
- Parcel Lines
- Ortho Photography
- Parcels



Location / Zoning Map

ZA-03-87

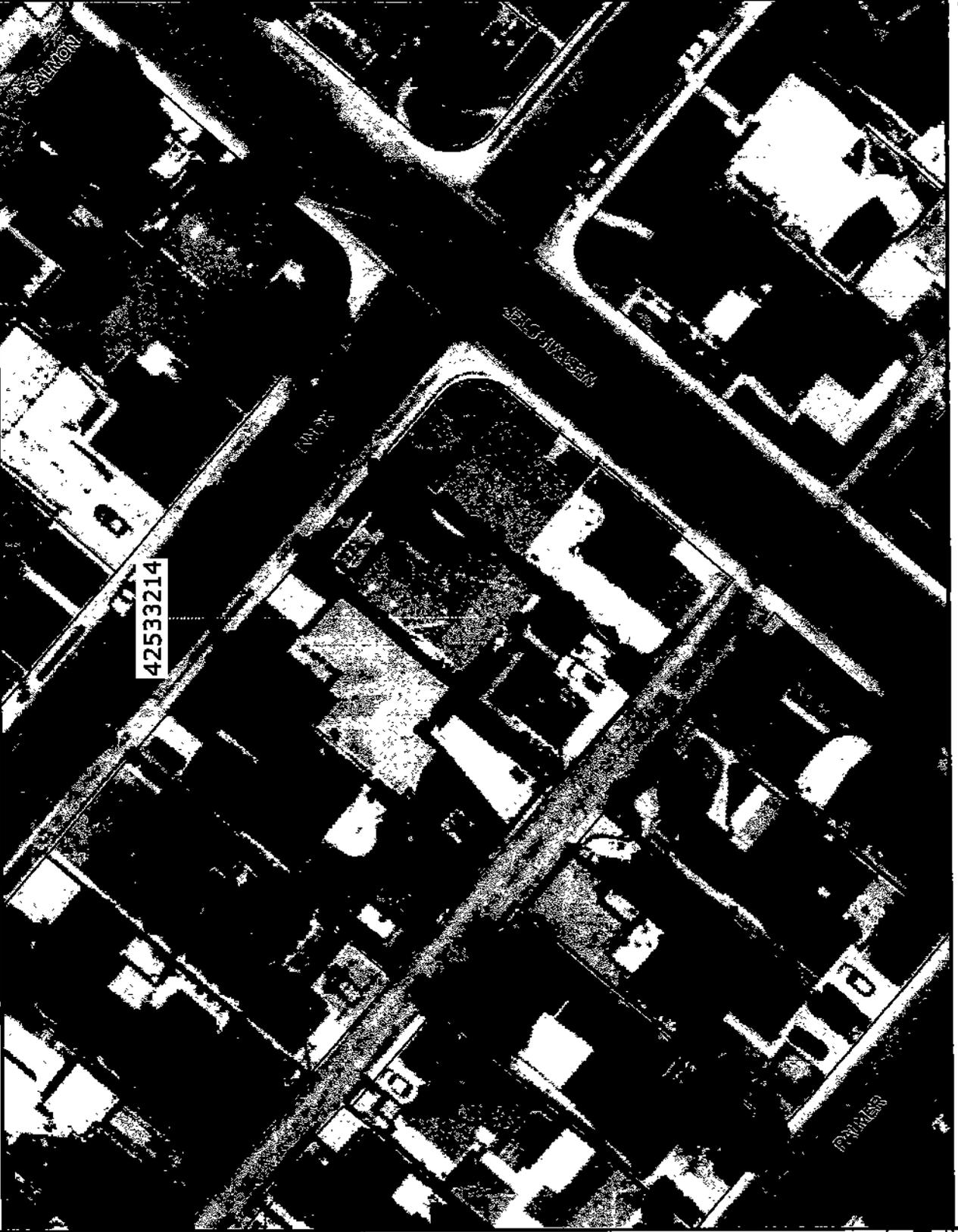


Legend

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- Off Street Parking
- Planned Development Commercial
- Planned Development

Air Photo

ZA-03-87



Legend

- Identified Features
- Street Names
- Parcel Lines
- Ortho Photography
- Parcels

GENERAL NOTES

- 1 - ALL ARRANGEMENTS, IDEAS & PLANS INDICATED OR REPRESENTED BY THESE DRAWINGS ARE OWNED BY THE PROPRIETOR OF RICHARD K. NATLAND ARCHITECT & WERE CREATED, EVOLVED & DEVELOPED FOR USE ON & IN CONSTRUCTION WITH THIS SPECIFIC PROJECT.
- 2 - NONE OF SUCH IDEAS, DESIGNS, ARRANGEMENTS OR PLANS SHALL BE USED BY OR DISCLOSED TO ANY PERSON, FIRM OR CORPORATION FOR ANY PURPOSES WHATSOEVER WITHOUT THE WRITTEN PERMISSION OF RKN.
- 3 - MATERIAL DIMENSIONS ON THESE DRAWINGS SHALL HAVE PRECEDENCE OVER SCALED DIMENSIONS.
- 4 - ALL CONSTRUCTIONS TO CONFORM WITH THE PROJECT'S EDITION & ALL APPLICABLE COSTA MESA STATE CODES, REGULATIONS & ORDINANCES.
- 5 - CONTRACTOR SHALL EXAMINE THE CONSTRUCTION REQUIREMENT & NOTIFY RKN OF ANY DISCREPANCIES, ERRORS OR OMISSIONS HE/SHE MAY FIND BEFORE PROCEEDING WITH THE WORK.
- 6 - NOTIFY RKN OF ANY DESIGN CHANGES PROPOSED BY OWNER OR CONTRACTOR DURING COURSE OF CONSTRUCTION. SUCH CHANGES AFFECTING ARCHITECTURAL DESIGN MAY ALSO AFFECT STRUCTURAL DESIGN.

PROJECT ANALYSIS

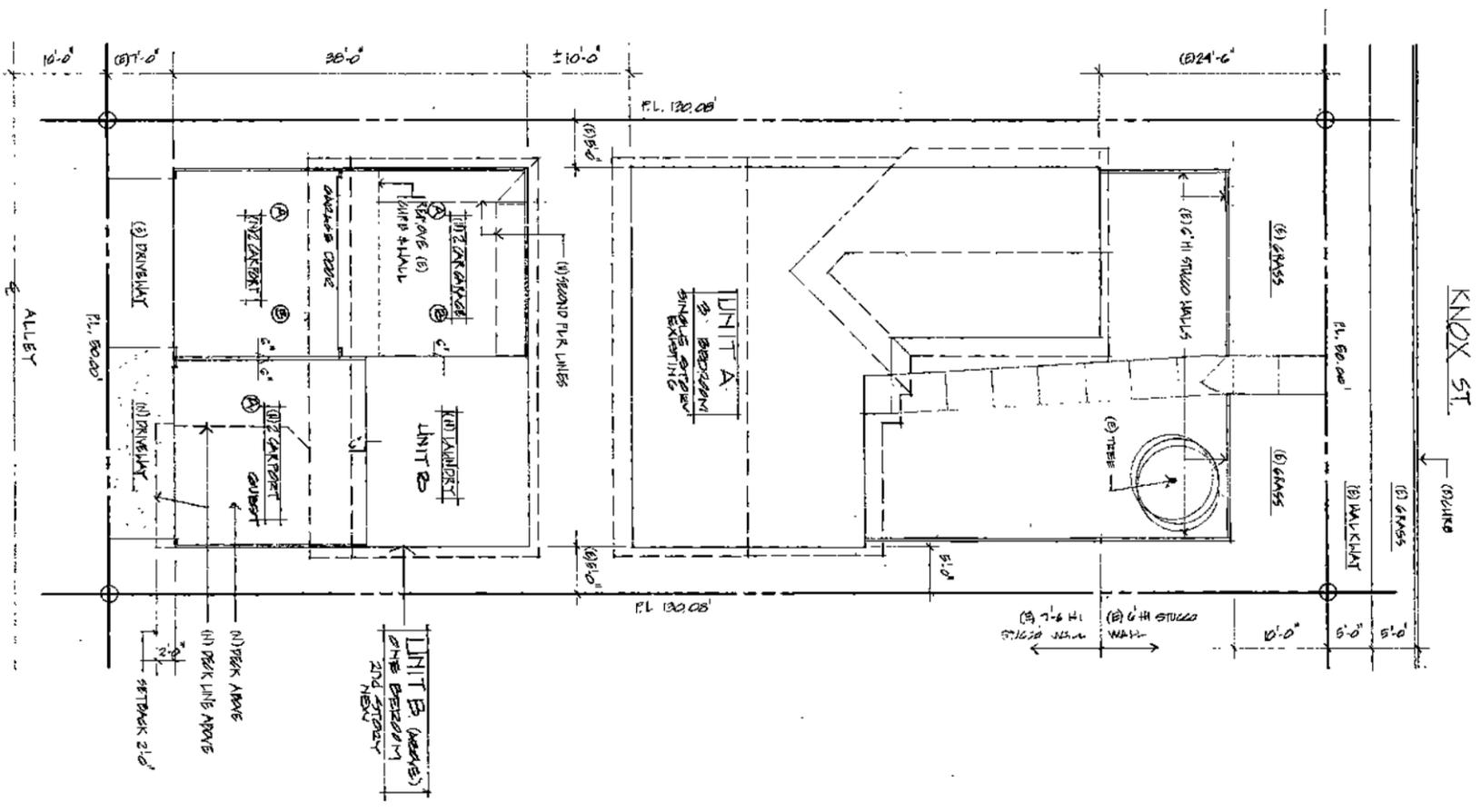
LEGAL DESCRIPTION: LOT 7	SQUARE FOOTAGE	EXISTING & EXISTING: HAWAIIAN ISLANDS	17944 SF
TAXLOT: 21871	UNIT A	NEW ONE BEDROOM: FIRST FLOOR	3400 SF
CITY: COSTA MESA	UNIT B	NEW ONE BEDROOM: SECOND FLOOR	1196 SF
COUNTY: ORANGE		SECOND FLOOR DECK	144 SF
STATE: CALIFORNIA		ONE 2 CAR GARAGE	350 SF
ACQUINITY: DA-110		TWO 2 CAR GARAGES	800 SF
CONTRACT: VN		(STUDIO) TOTAL HABITABLE	1020 SF
USE CODES: 19971		LOT COVERAGE FOR 130' =	0520 SF
SPORT: TND + TDRK ROOF		17944 SF + 1520 SF =	3314 SF
		OPEN SPACE =	44%

SHEET INDEX

SHT. NO.	DESCRIPTION	SHT. NO.	DESCRIPTION
A-1	PILOT PLAN & GENERAL NOTES		
A-2	FIRST SECOND & ROOF DECK FLOOR PLANS/SECTION		
A-3	EXTERIOR ELEVATIONS		

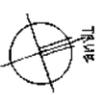
CONSULTANTS

REGISTERED CIVIL ENGINEER
 PHILIP M. LARSON
 3181 ALKIMY AVENUE #6-1
 COSTA MESA, CA 92625
 (949) 965-0825



PILOT PLAN

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



REVISIONS	BY

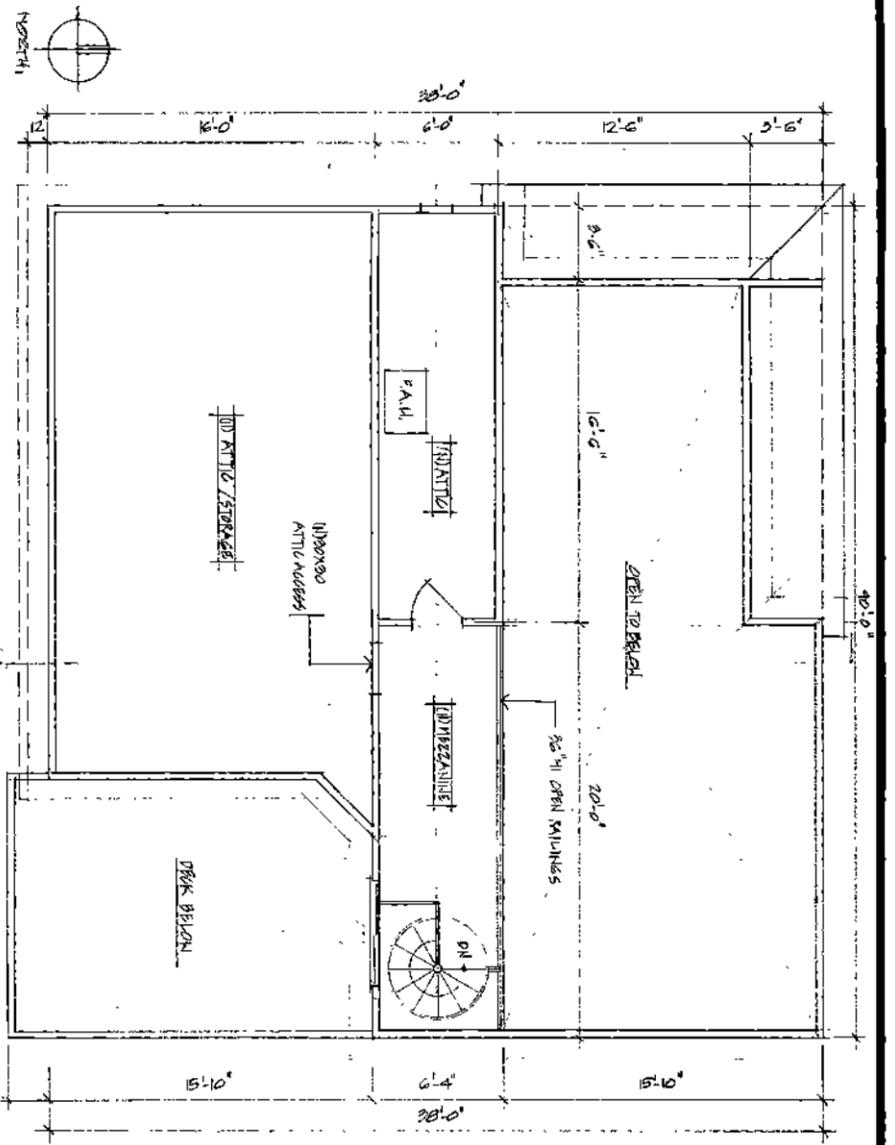
APPROVED:	DATE:
DESIGNED BY:	DATE:
PLANNING:	DATE:
USER REVIEW:	DATE:

Richard K. Natland
 ARCHITECT
 2445 KNEX ST.
 COSTA MESA, CA 92625

ADDITIONAL REVISIONS:
 PHILIP M. LARSON
 2445 KNEX ST.
 COSTA MESA, CA 92625

DRAWN:	DATE:
CHECKED:	DATE:
IN CHARGE:	DATE:
PROJECT:	

AQ1
 ARCHITECT



ROOF DECK PLAN

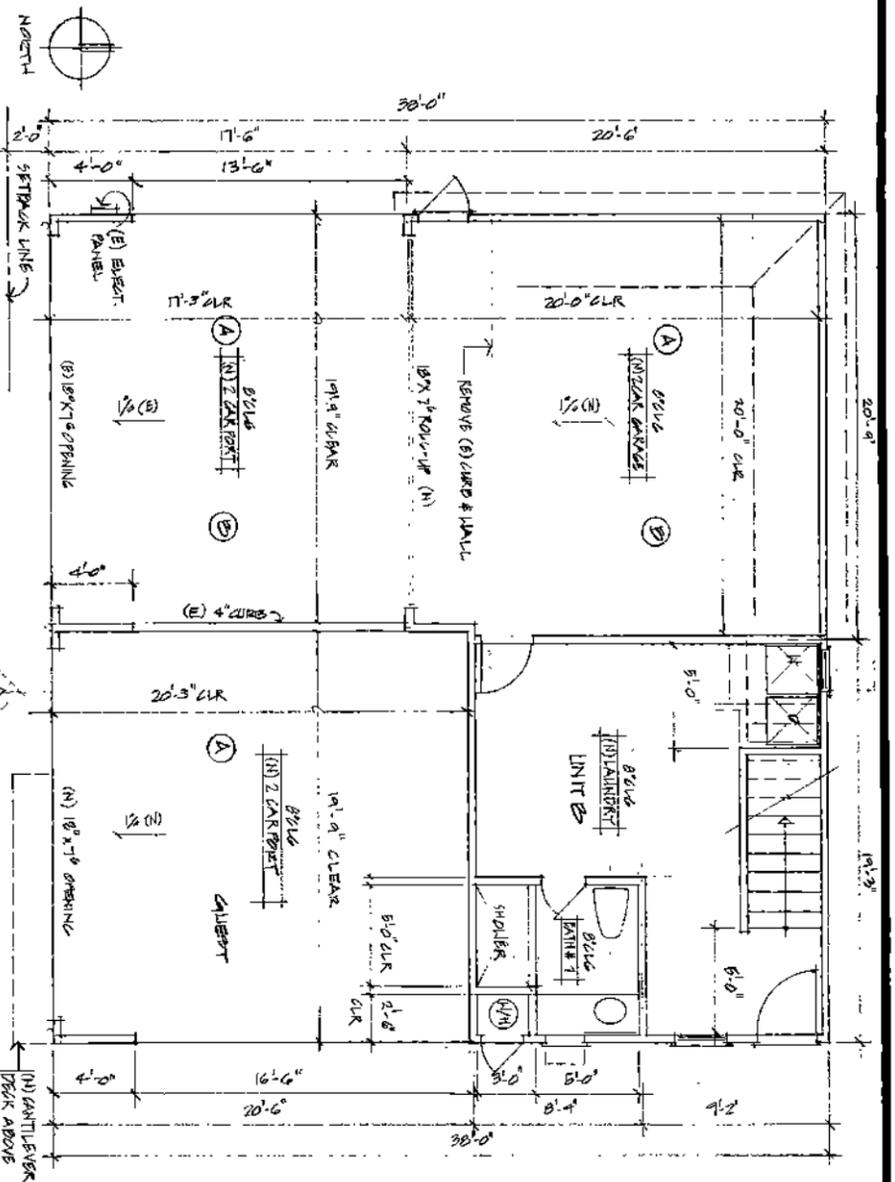
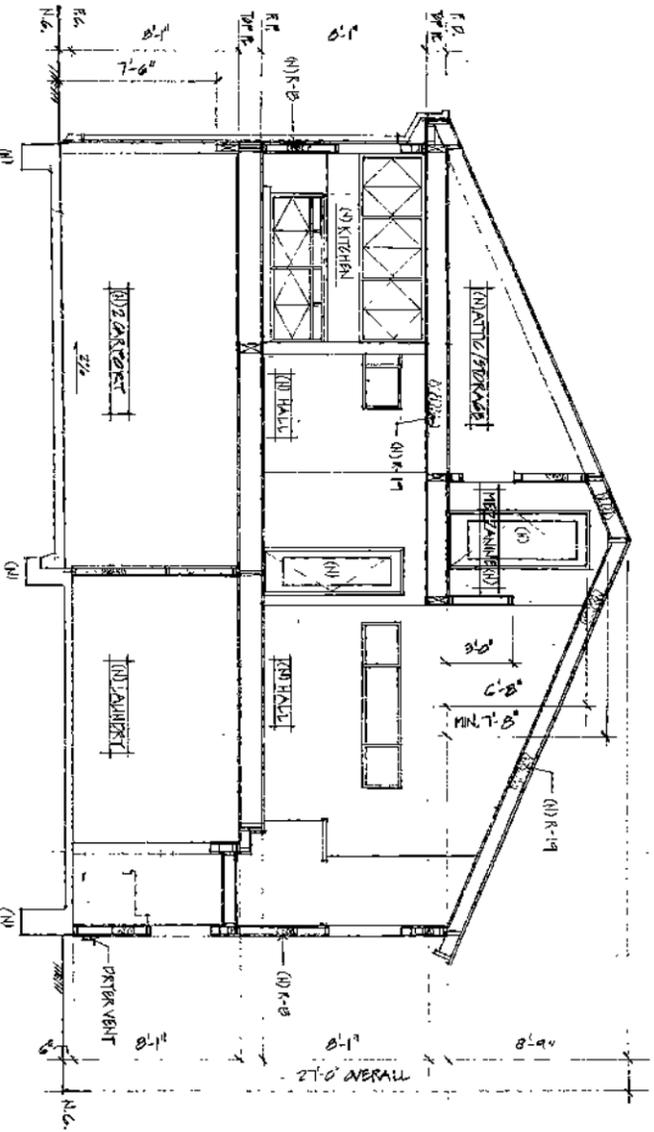
1/4" = 1'-0"

NOTES: 20% RAIN GUTTER.
FIRST FLOOR: 1530X207X3007
SECOND FLOOR: 1530-1216X3004

SECTION A

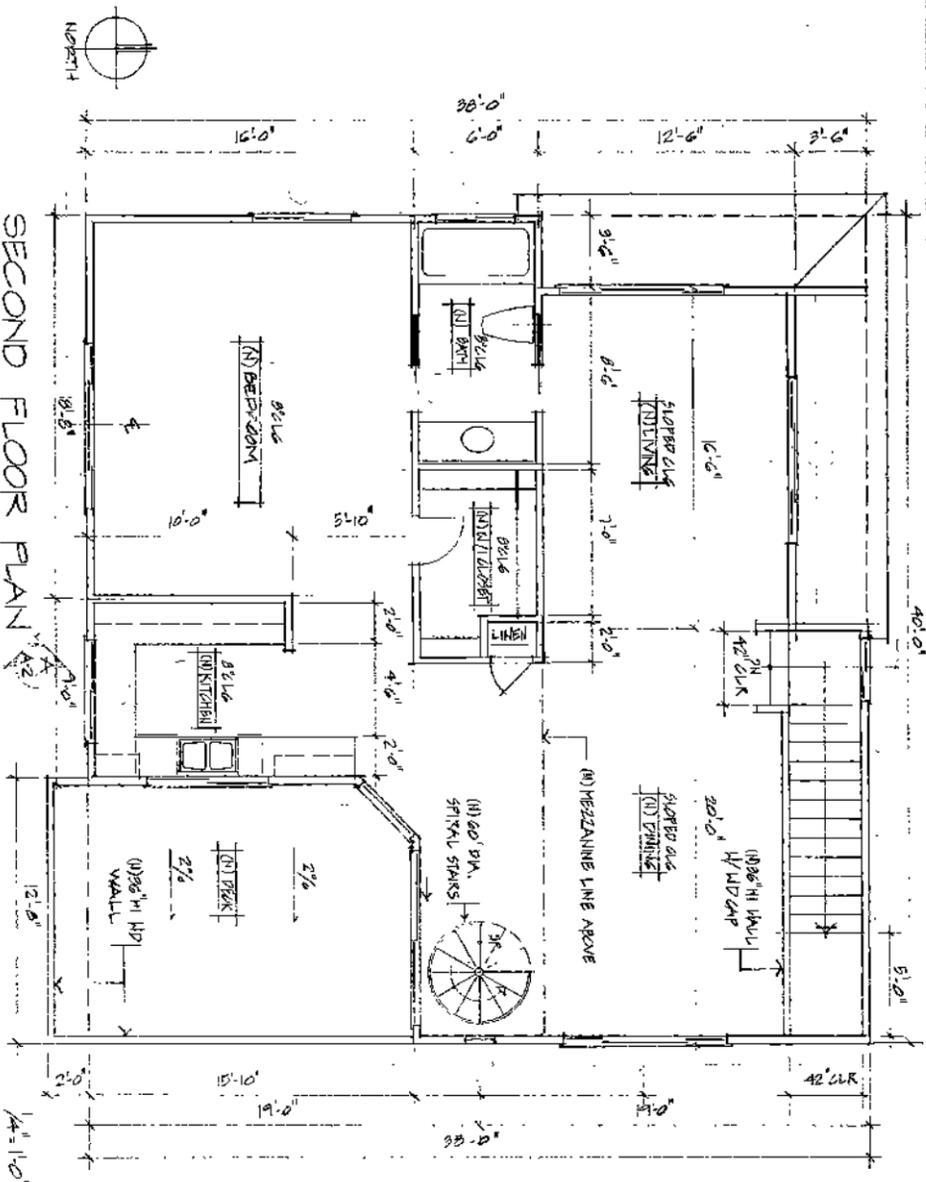
19

1/4" = 1'-0"



FIRST FLOOR PLAN

1/4" = 1'-0"



SECOND FLOOR PLAN

1/4" = 1'-0"

REVISIONS	BY

SUBMITTALS	DATE
CLIENT REVIEW	11/04
DRAWINGS	11/03
LESS PERMIT	10/09
"	11/24/08
"	"
"	"
"	"

Richard K. Natland
rkn
 ARCHITECT
 2242 KINGS ST.
 COSTA MESA
 CA 92626

ADDITION & RENOVATE
 PHILIP LARSON
 2242 KINGS ST.
 COSTA MESA
 CA 92626

DRAWN BY: PHILIP LARSON
 CHECKED BY: PHILIP LARSON
 DATE: 8/17/08
 SHEET: 19 OF 19
AQB
 ARCHITECTS

