



# PLANNING COMMISSION AGENDA REPORT

MEETING DATE: APRIL 12, 2004

*U.4*  
ITEM NUMBER:

SUBJECT: PLANNING APPLICATION PA-03-47/VESTING TENTATIVE TRACT MAP VT-16600  
170 – 190 23<sup>RD</sup> STREET AND 2337 ORANGE AVENUE

DATE: APRIL 1, 2004

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

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## DESCRIPTION

The applicant proposes to demolish the existing church facilities and to construct a common interest development containing twenty-six, 2-story, detached single family residences. A design review, a variance from rear yard setback requirements, a minor modification from front setback requirements, and a vesting tentative tract map are included as a part of this application.

## APPLICANT

Eric Everhart of the Olson Company, is representing the property owner, Calvary Church Newport Mesa.

## RECOMMENDATION

Deny by adoption of Planning Commission resolution.

*W Bouwens - Killeen*

WILLA BOUWENS-KILLEEN  
Senior Planner

*P. Valantine*

PERRY L. VALANTINE  
Asst. Development Services Director



**BACKGROUND**

The applicant proposes a 26-unit, small-lot subdivision on the Calvary Church Newport Mesa site. The existing church buildings will be demolished to accommodate the project. Planning Commission review is required for the design review, variance, and vesting tentative tract map. The minor modification can be processed by staff but has been included as part of this application to allow all elements of the project to be considered at the same time.

**ANALYSIS**

The project contains several requests, which are described and analyzed below:

**Design Review**

Design reviews are required for projects containing 3 or more, 2-story residences. This allows review of the structures' scale, location of windows, site planning, landscaping, and appearance, with the goal of promoting design excellence while giving consideration to the project's compatibility and consistency with the established residential community.

Elevations are to consist of wood siding or shingles with wood shake or shingle roofing. Accents will be provided by round windows, shutters, a variety of porch posts, wooden garage doors, and differing roof lines. Building heights are shown at 24 feet; 27 feet is permitted. Each lot exceeds the minimum private open space required by Code.

To minimize second story mass, the City's residential design guidelines recommend that the second floor not exceed 80% of the first floor and the second story be set back an average of 10 feet from the development lot side property lines. Proposed is an 84% to 85% ratio of second floor to first floor. A minimum 10-foot setback will be provided from the development lot side property lines (Orange Avenue and the west property line). The applicant proposes to provide articulation through a series of pop-outs, the use of wood siding or shingles for exterior wall materials, shutters, porches, and the shapes of the buildings. Because this is a self-contained project, the impact of any building mass will be primarily limited to the residents of the project. The second stories of the majority of the units will be set back approximately 20 feet from adjoining properties. However, some units will be closer than 20 feet. These units and the separations they will provide are as follows:

<b>Lot Number</b>	<b>Proposed Set Back to Property Line Common With Adjoining Property</b>	<b>Provided Separation (To Existing Residences)</b>
12	5 ft. to 15 ft. from east property line	15 ft. min.; 25 ft. for majority of unit
13	5 ft. from north property line	25 ft.
25	5 ft. from north property line	40 ft.
26	5 ft. from south property line	10 ft.

The separations between the existing and proposed buildings should reduce the new units' potential visual impacts on the adjoining, existing residents. Additionally, the surrounding neighborhood contains other, similar, two-story development (apartments and other common interest developments). Therefore, the buildings are consistent and compatible with the prevailing two-story design within the same area.

A 28-foot wide private driveway is proposed for the project. This width is sufficient to provide emergency vehicle access and adequate back-out area for vehicles parked in the driveways of the units, as well as to provide some additional parking on the private street. This width is narrower than the 36-foot width provided for the small lot single-family portion of the most recent Standard Pacific (Home Ranch) development. The 36-foot width allows for parking on both sides of the private street as well as providing greater separation between the houses.

A tot lot is proposed between lots 12 and 26. The tot lot will be subject to the guidelines adopted by the City for outdoor play areas in private developments. The standard conditions of approval adopted by Planning Commission and City Council for outdoor play yards are incorporated into the proposed conditions under Exhibit "A". However, staff is concerned that the tot lot's location, around the private street corner from the majority of the project, causes the facility to be isolated and remote, which may discourage its use.

The private open space area shown for lot 26 encroaches into the area required as driveway landscaped parkway area for the private street. Adequate room exists to place the private open space to the west (rear) of the unit without reducing the size of the tot lot. (This can be accomplished by shifting both east and west tot lot property lines 5 feet to the west, into lot 12. Lot 12 will still be of an adequate size – 5,114 sq. ft. – to satisfy the City's minimum lot size requirements.) A condition of approval is included requiring the applicant to provide the 15 foot by 15 foot private open space outside of the required driveway landscaped parkway area, without reducing the size of the tot lot.

Multiple-family residential projects containing five or more dwelling units are required to provide trash enclosures. However, Code allows the final review authority to grant an exception to this requirement if the applicant submits a written determination from the Sanitary District and/or any contract trash collection service that on-site trash collection service can be provided to each individual dwelling unit; if the applicant signs and records a land use restriction prohibiting trash collection in the public right-of-way; if adequate, screened on-site storage for trash containers is provided; and with a limitation of no more than two trash containers per dwelling unit. The applicant feels that individual trash collection is consistent with the proposed project and intends to comply with these requirements, with the exception of pick-up locations for lots 21 through 25. These lots face public streets and it would be difficult for the residents to place their trash cans on the private street. Staff feels that with the limitation of 2 trash cans per resident, in conjunction with a limitation as to how long the trash cans can remain at the curb, would not adversely impact the surrounding neighborhood. Proof of compliance will be required prior to issuance of

building permits so trash enclosures can be incorporated into the project if the requirements cannot be satisfied. Adequate room exists on the remaining lots to allow storage of the trash containers behind the private, interior fences between the units. The Sanitary District has approved individual pick-up from the private street.

#### **Variance – Rear Yard Setback Requirements**

The units on lots 13 and 25 are set back 5 feet from what is considered a development lot rear property line; Code requires a 20-foot setback because these are two-story residences. However, these property lines are side property lines for the adjoining residences. In staff's opinion, maintaining a 5-foot setback is consistent with the setbacks allowed on the adjoining properties and with the orientation of the existing units, as well as with the proposed project. The lot's unusual shape, occasioned by the adjoining parcels projecting in the side of the development lot, causes the need for the proposed variance. Concerns regarding building mass impacts – because of the proposed 5-foot setback - have already been discussed under the Design Review portion of this report.

#### **Minor Modification – Front Setback Requirements**

The porches proposed at the front of the units on lots 21 and 22 encroach a maximum of 4 feet into the required 20-foot deep landscaped setback along Orange Avenue. Additionally, 2, 3-foot wide, second floor window pop-outs on lot 21 encroach 2 feet into the required setback. Code permits a 20% reduction of the front setback – or 4 feet – through a minor modification. With the exception of the 2 pop-out windows, the enclosed portion of the units maintain a 20-foot front setback from the property line. Code permits a 15-foot front setback for eave overhangs; if posts were not proposed, the porch covers would comply with Code.

The porches and window pop-outs provides a softening of the fronts of the residences and will not adversely impact the streetscape because only the posts of the porches encroach into the required setback and the window pop-outs are on the second floor and do not have significant mass because they are only a total of 6 feet wide. Staff feels the porches and pop-outs provide additional architectural interest to the front elevation of the units.

The applicant originally proposed orienting the 2 lots towards Orange Avenue; the units complied with the applicable setback requirements when facing Orange Avenue. However, the lots were re-oriented to avoid conflict with an existing bus stop when it was confirmed by the City's Transportation Services Division that the bus stop could not be relocated elsewhere.

#### **Vesting Tract Map**

Proposed is a 26-lot vesting tentative tract map to facilitate the project. Six common lots are also shown. Lot A will contain the private street; lots B, C, D,

and E, will contain the 10-foot deep commonly maintained landscaped area along 23<sup>rd</sup> Street and Orange Avenue, and lot F will contain the tot lot.

For small lot subdivisions, Code requires a minimum lot size of 3,000 sq. ft., with an average lot size of 3,500 sq. ft. Lots will range in size from 3,109 sq. ft. to 5,320 sq. ft., with an average size of 3,872 sq. ft. The tot lot is proposed at 1,419 sq. ft.

The property lines between Plans 1 and 2 are offset to allow greater project design flexibility. The required 10-foot separation will still be provided between the units but reciprocal side yard easements will allow use of the yard area by the adjoining residents.

Approval of the vesting map allows the project to continue to be subject to the development standards and City fees in place at the time the map was deemed complete, even if standards later become more restrictive or City fees are increased. The necessary information required as a part of the vesting map submittal, related to grading, hydrology, and school impact analysis, have been submitted. The school district has confirmed that adequate capacity is available at all grade levels to serve this development and the developer is working with the City's Public Services Department to provide an on-site storm water retention system.

The preliminary grading plan shows a 4.5-foot high retaining wall in the northwest corner of the project site. In response to Planning staff's concerns regarding the ultimate height of the combined retaining and privacy wall and its potential impacts on the adjoining resident to the north, the developer's engineer has stated that the retaining wall can be reduced to a 2.5 foot height. This is consistent with approvals elsewhere in the City, and will accommodate the storm water retention system.

### **Additional Discussion**

The R2-MD zone of the property would allow a maximum of 34 dwelling units. However, in opting to construct a small lot, common interest development on an unusually shaped lot, the applicant has proposed a 26-unit project satisfying the majority of the City's development standards. Staff is concerned that even with this smaller number of units, this project may not be compatible with the existing and anticipated development on the east side of Costa Mesa.

In the past, it seemed that the Planning Commission and City Council felt that larger lots and units would be more compatible in this area. The proposal for the offset property line and easement configuration between approximately half the lots causes the units to appear to be crowded or attached (even though they maintain the required 10-foot separation), compounding the feeling of increased density on this site.

Staff is also concerned that lots 21 through 26 are isolated from the remainder of the project. Lots 1 through 20, with their location off the private street (lot 12's front door faces the private street), can function as a cohesive neighborhood, but the orientation of the 6 lots – especially lot 26 -- towards 23<sup>rd</sup> Street and Orange Avenue could limit interaction of the residents with the remainder of the project's residents.

If Planning Commission wishes to approve this project, staff recommends that the first two houses on both sides of the 23<sup>rd</sup> Street entry to the project be set back further from the private drive, that a decorative block wall be provided along 23<sup>rd</sup> Street, and that canopy trees be planted along the private street. These will help soften and enhance the project from 23<sup>rd</sup> Street and Orange Avenue, providing a greater asset to the surrounding neighborhood.

### **ENVIRONMENTAL DETERMINATION**

An Initial Study/Negative Declaration was prepared in accordance with the California Environmental Quality Act (CEQA) and made available for public review from March 24, 2004 to April 12, 2004. The Initial Study/Negative Declaration concluded that any potential impacts could be reduced to levels of insignificance with implementation of standard State and City of Costa Mesa Code requirements and conditions of approval. A summary of potential environmental impacts and associated requirements and/or conditions of approval are as follows:

#### **Air Quality**

Anticipated impacts on air quality are limited to short-term impacts associated with project construction. Compliance with South Coast Air Quality Management District (SCAQMD) Rule 403 requirements will alleviate short-term air quality impacts.

#### **Biological Resources**

The mature trees existing on the property will be removed to accommodate the project. City codes already require replacement of mature trees on a one-to-one basis by other, specimen-sized trees. This will address the loss of the biological resource.

#### **Hydrology and Water Quality**

Water runoff is anticipated to remain substantially unchanged because the proposed project will contain less impervious area than the existing development. The City's Public Services Department is requiring construction of an on-site storm water retention system to reduce short-term impacts on the existing storm drain during a storm.

The applicant submitted a Water Quality Management Plan (WQMP) as required. The Public Services Department is reviewing the document and the developer will be required to comply with the structural and non-structural Best Management Practices

(BMPs) called out by the document, which will alleviate potential water quality impacts.

### **Geology and Soils**

The property is located in an area that can experience earthquakes and is located on expansive soil. The project will be required to comply with State of California and City of Costa Mesa Building Code requirements, which will address these issues.

### **Noise**

The developer will be required to comply with the City's standard Noise Ordinance requirements for construction hours to alleviate possible noise impacts on surrounding residents.

### **ALTERNATIVES**

Planning Commission has the following alternatives:

1. Deny the project as recommended by Planning staff; or
2. Approve the entire project; or
3. Approve the design review and deny either or both the variance and the minor modification. Denial of either request would require the applicant to redesign the project.

### **CONCLUSION**

The project satisfies most of the City's development standards and the architectural design of the two-story units can be found compatible with the surrounding neighborhood. The variance from rear yard setback requirements is justified due to the unusual configuration of the development lot, and the encroaching porches will add an additional architectural element to these two units. However, larger lots and more traditional single-family development would seem to be more in keeping with the City's Eastside.

Attachments:      Draft Planning Commission Resolution  
                          Exhibit "A" - Draft Findings  
                          Exhibit "B" - Draft Conditions of Approval  
                          Applicant's Project Description and Justification  
                          Air Photo  
                          Location Map  
                          Plans  
                          Initial Study/Draft Negative Declaration

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

Eric Everhart  
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3020 Old Ranch Parkway  
Suite 400  
Seal Beach, CA 90740-2751

Tim Celek  
Calvary Church Newport Mesa  
190 23<sup>rd</sup> Street  
Costa Mesa, CA 92627

**RESOLUTION NO. PC-04-**

**A RESOLUTION OF THE PLANNING COMMISSION OF  
THE CITY OF COSTA MESA DENYING PLANNING  
APPLICATION PA-03-47/VESTING TENTATIVE TRACT  
MAP VT-16600**

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

WHEREAS, an application was filed by The Olson Company, authorized agent for Calvary Church Newport Mesa, with respect to the real property located at 170 through 190 23<sup>rd</sup> Street and 2337 Orange Avenue, requesting approval of a design review for a 26-unit, common interest development with a variance from rear yard setback requirements, a minor modification from front setback requirements, and a vesting tentative tract map to facilitate the project, in the R2-MD zone; and

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

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", the Planning Commission hereby **DENIES** Planning Application PA-03-47 and Vesting Tentative Tract Map VT-16600 with respect to the property described above.

**PASSED AND ADOPTED this 12<sup>th</sup> day of April, 2004.**

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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, with the exception of the variances and minor modification discussed below, the project complies with the City of Costa Mesa Zoning Code but 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. 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. Specifically, the proposed site design is too crowded and leaves some of the residences isolated or detached from the "community" created for the majority of the lots. Additionally, the design isolates the tot lot in an inconvenient location and subject to security concerns.
- B. The information presented substantially complies with section 13-29(g)(1) of the Costa Mesa Municipal Code in that special circumstances applicable to the property exist to justify granting of the variance from rear yard setback requirements. Strict application of the zoning ordinance would deprive the property owner of privileges enjoyed by owners of other property in the vicinity under identical zoning classification. Specifically, the lot's unusual shape, occasioned by the adjoining parcels projecting into the side of the development lot, causes the need for the proposed variance. Granting the variance will not allow a use, density, or intensity that is not in accordance with the general plan designation for the property.
- C. The information presented substantially complies with Costa Mesa Municipal Code section 13-29(g)(6) in that the minor modification for the proposed encroachment into the required front setback for the two units along Orange Avenue will not be materially detrimental to the health, safety and general welfare of the persons residing or working within the immediate vicinity of the project or to property and improvements within the neighborhood. Furthermore, the porches and second floor window pop-outs that will encroach into the required front setback are compatible and enhance the architecture and design of the proposed units. This includes the appearance and scale of the structures relative to a compatible and attractive development.
- D. The creation of the subdivision and related improvements is consistent with the General Plan and Zoning Code.
- E. The proposed use of the subdivision is compatible with the General Plan.
- F. The subject property is physically suitable to accommodate Vesting Tentative

Tract Map VT-16600 in terms of type, design and density of development, and will not result in substantial environmental damage nor public health problems, based on compliance with the City's Zoning Code and General Plan.

- G. 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.
- H. 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.
- 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).
- J. An initial study was prepared, pursuant to the California Environmental Quality Act. According to the Initial Study and Negative Declaration, which reflect the independent judgment of the City of Costa Mesa, the proposed project could not have a significant effect on the environment.
- K. The project, as conditioned, is consistent with Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code in that the development project's traffic impacts will be mitigated by the payment of traffic impact fees.

**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. 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.
3. The final map shall show easements or other provisions for the placement of centralized mail delivery units, if applicable. Specific locations for such units shall be to the satisfaction of the Planning Division, Engineering Division, and the US Postal Service.
4. The subject property's ultimate finished grade level may not be filled/raised in excess of 30" above the finished grade of any abutting property. If additional fill dirt is needed to provide acceptable onsite 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. The retaining wall height in the northwest corner of the site, and the resulting grade, shall be reduced to a maximum 30" height.
5. To avoid an alley-like appearance, if the driveway is paved with asphalt, it shall be developed without a center concrete swale. Design shall be approved by the Planning Division.
6. The site plan submitted with initial working drawings shall contain a notation specifying whether the project is a one-lot condominium or whether each unit is situated on a separate parcel.
7. The applicant shall contact Comcast (cable television) at 200 Paularino, Costa Mesa, (888.255.5789) prior to issuance of building permits to arrange for pre-wiring for future cable communication service.
8. The conditions of approval and ordinance or code provisions and special district requirements of Planning Application PA-03-47/Vesting Tentative Tract Map VT-16600 shall be blueprinted on the face of the site plan.
9. The applicant shall contact the Planning Division to arrange for an inspection of the site prior to the final inspections. This inspection is

- to confirm that the conditions of approval and code requirements have been satisfied.
10. Provide a decorative block wall along 23<sup>rd</sup> Street under the direction of Planning staff.
  11. The first two residences along both sides of the private street next to 23<sup>rd</sup> Street shall be set back further from the private street under the direction of Planning staff, to enhance the project entrance.
  12. Relocate the private open space for lot 26 to the west side of the residence by shifting both the east and west property lines of the tot lot 5 feet to the west, or the minimum distance necessary to provide the required private open space.
  13. Stationary play equipment shall be located on turf, sand, or other treated surface to the satisfaction of the Development Services Director. Common outdoor play areas shall include a combination of both soft and hard surfaces.
  14. Prior to building permit issuance, the applicant shall submit a final playground plan for review and approval, which includes detailed playground specifications of manufactured play equipment. The playground plan shall depict safety fall zones, safety surfacing materials and construction specifications, manufacturer and model numbers of equipment and equipment deck heights. On a project-specific basis, the Development Services Director shall require that the playground plan adequately serve the anticipated number of users and their activities.
  15. Prior to occupancy, the applicant shall submit a letter stating that the play equipment installation has been inspected by a person authorized by the manufacturer, that the equipment has been installed per manufacturer's specifications, and that it complies with the minimum playground safety regulations adopted by the State of California (California Code of Regulations, Title 22, Division 4, Chapter 22).
  16. There shall be no nighttime lighting, except for security purposes, of the tot lot. Any lighting under the control of the applicant shall be directed in such a manner so as to not unreasonably interfere with the quiet enjoyment of nearby residences.
  17. A street barrier (i.e., steel reinforced bollards, reinforced block walls, etc.), minimum 42 inches in height, shall be provided between the tot lot and the private drive.
  18. At least one of each type of ground level play equipment in the tot lot shall be handicapped accessible.
  19. Buffering shall be provided between the tot lot and the residential property to the south.
  20. A minimum of one shaded seating area shall be provided in the tot lot to encourage adult supervision of children.
  - Eng. 21. Comply with the requirements contained within the letter prepared by the City Engineer dated March 12, 2004. (Copy attached.)



# CITY OF COSTA MESA

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

FROM THE DEPARTMENT OF PUBLIC SERVICES/ENGINEERING DIVISION

March 12, 2004

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

**SUBJECT:** Vesting Tentative Tract No. 16600  
**LOCATION:** 190 E. 23<sup>rd</sup> Street

Dear Commissioners:

Vesting Tentative Tract Map No. 16600 as furnished by the Planning Division for review by the Public Services Department, consists of a subdivision of three (3) lots into twenty-six (26) lots for single residential use and six (6) lots for common use. Vesting Tentative Tract Map No. 16600 meets with the approval of the Public Services Department, subject to the following conditions:

1. The Tract shall be developed in full compliance with the State Map Act and the City of Costa Mesa Municipal Code (C.C.M.M.C.), except as authorized by the Costa Mesa City Council and/or Planning Commission. The attention of the Subdivider and his engineer is directed to Section 13-208 through 13-261 inclusive, of the Municipal Code.
2. Two copies of the Final Tract Map shall be submitted to the Engineering Division for checking. Map check fee shall be paid per C.C.M.M.C. Section 13-231.
3. The Final Tract Map and all off-site improvements required to be made, or installed by the Subdivider, shall meet the approval of the City Engineer. Prior to any on-site/off-site construction, permits shall be obtained from the City of Costa Mesa Engineering Division.
4. The Subdivider shall submit an off-site plan to the Engineering Division and a precise grading plan to the Building Division at the time of submittal of the Final Tract Map. Off-site plan check fee shall be paid per C.C.M.M.C. Section 13-231.
5. In accordance with C.C.M.M.C. Section 13-230, the Subdivider shall submit street improvement plans at the time of first submittal of the Final Tract Map and pay plan check fee per C.C.M.M.C. Section 13-231.
6. The Subdivider shall conduct soil investigations and provide the results to the City of Costa Mesa Engineering and Building Divisions pursuant to Ordinance 66-26.

16

7. A current copy of the title search shall be submitted to the Engineering Division with the first submittal of the Final Tract Map.
8. Dedicate an ingress/egress easement to the City over Lot "A" (common area) for emergency and public security vehicles purposes only. Maintenance of Lot "A" shall be the sole responsibility of a Homeowners Association formed to conform to Section 13-41 (e) of the C.C.M.M.C.
9. All public streets shall be fully improved per the C.C.M.M.C., City of Costa Mesa Standard Drawings, and all requirements of the City Engineer.
10. All public streets construction performed as a part of this development shall present a new and uniform appearance prior to the acceptance of the improvements by the City.
11. The elevations shown on all plans shall be on Orange County benchmark datum.
12. The Subdivider shall submit a cash deposit of \$1,000 for street sweeping at time of issuance of a Construction Access permit. Full amount of deposit shall be maintained on a monthly basis prior to and during construction until completion of project.
13. There shall be four feet of clear sidewalk behind all immovable objects, i.e., light standards, mail boxes, telephone poles, fire hydrants, etc.
14. Off-site driveway approaches shall be installed and shall be constructed of P.C.C. per City of Costa Mesa, ADA, and Title 24 Standards. All off-site driveway locations and driveway design shall meet the approval of the City Engineer.
15. Any existing drives or curb depressions that will not be used shall be removed and replaced with full height curb and sidewalk.
16. Ownership and maintenance of the private on-site drainage facilities and parkway culverts and other common areas shall be transferred by the owner to the Homeowner Association to be formed pursuant to C.C.M.M.C. Section 13-41 (e) and said association shall indemnify and hold harmless the City for any liability arising out of or in any way connected with the connection of the private drainage system with the City's drainage system and shall execute and deliver to the City the standard indemnity agreement required for such conditions prior to issuance of permits.
17. Construct 48" RCP storm drain from 23<sup>rd</sup> Street to Orange Avenue through common lot "A." Connect the new storm drain to the existing public storm drains located within 23<sup>rd</sup> Street and Orange Avenue. Construct manholes at the points of connection with the existing public storm drains. All storm drain work and materials shall conform to the City of Costa Mesa, Public Services Department, Engineering Division's Storm Drain Design Guidelines (latest revision), and the City of Costa Mesa Standard Plans and meet the approval of the City Engineer. Dedicate a public storm drain easement to the City of Costa Mesa to accommodate the new public storm drain. The width of the storm drain easement shall be per County of Orange Local Drainage Manual design criteria. Maintenance of the easement shall be the responsibility of the Homeowners Association and shall be constructed with a surface material approved by the City Engineer that will prevent surface erosion.

18. The Subdivider's engineers shall furnish the Engineering Division a storm runoff study showing existing and proposed facilities and the method of draining this area and tributary areas without exceeding the capacity of any street or drainage facility on-site or off-site. This study to be furnished with the first submittal of the Final Tract Map. Drain all residential lots to common lots; otherwise, cross lot drainage shall not occur.
19. Emergency outlets shall be provided at all sump locations along the storm system. Emergency outlets shall be designed to convey the 100-year storm flow.
20. Vehicular and pedestrian access rights to 23<sup>rd</sup> Street and Orange Avenue shall be released and relinquished to the City of Costa Mesa except at approved access locations.
21. A Subdivision Agreement and deposit shall be submitted to the City Engineer to guarantee construction of off-site improvements. The cash deposit or surety bond amount shall be determined by the City Engineer.
22. Fulfill the drainage fee ordinance requirements prior to the approval of the Tract Map.
23. Street lighting shall be provided as required by the Public Services Department, Transportation Services Division.
24. Sewer improvements shall meet the approval of the Costa Mesa Sanitary District; call (949) 631-1731 for information.
25. Water system improvements shall meet the approval of the Irvine Ranch Water District and/or Mesa Consolidated Water District; call (949) 453-5300 and/or (949) 631-1200 for information.
26. Dedicate easements as needed for public utilities.
27. Prior to occupancy on the Tract, the surveyor/engineer shall submit to the City Engineer a Digital Graphic File, reproducible mylar of the recorded Tract Map, and approved off-site plan and nine copies of the recorded Tract Map.
28. Submit Traffic Mitigation fee as determined by the Transportation Services Manager.
29. Prior to recordation of a Final Tract Map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Subarticle 12, Section 7-9-337 of the Orange County Subdivision Code.
30. Prior to recordation of a Final Tract Map, the surveyor/engineer preparing the map shall submit to the County Surveyor a digital-graphics file of said map in a manner described in Subarticle 12, Section 7-9-337 of the Orange County Subdivision Code.
31. Survey monuments shall be preserved and referenced before construction and replaced after construction, pursuant to Section 8771 of the Business and Profession Code.

PLANNING DIVISION - CITY OF COSON MESA

DESCRIPTION/JUSTIFICATION

Application #: RA-03-47/VT-16600  
Address: 170, 172, 190 E. 23rd ST  
2337 ORANGE AV

Environmental Determination: *Negative Declaration*

1. Fully describe your request:

Approval to build 27 new single family detached homes at Orange Avenue & 23rd Street. (190 E. 23rd Street).

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.

N/A

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.

N/A

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 Eric Everhart, Dir. of Development  
The Olson Company

10/27/03  
Date

Planning Commission  
March 12, 2004

32. Prior to recordation of a Final Tract Map, submit required cash deposit or surety bond to guarantee monumentation. Deposit amount to be determined by the City Engineer.

Sincerely,



Ernesto Muñoz, P. E.  
Assistant City Engineer

/ch (Engr. 2004/Planning Commission Tract 16600)

October 27, 2003

Eric Everhart  
The Olson Company  
3020 Old Ranch Parkway, Suite 400  
Seal Beach, CA 90740-2751

RE: Orange Ave. & 23<sup>rd</sup> Street, Costa Mesa

Dear Mr. Everhart:

In response to your request of October 24, 2003, regarding the above property, the following are the schools that will be impacted by these developments:

Woodland Elementary (K-2)	
2025 Garden Lane	
Costa Mesa, CA 92627	
(949) 515-6945	
Capacity:	756
Enrollment 10/04/03:	517

Kaiser Elementary School (3-6)	
2130 Santa Ana Avenue	
Costa Mesa, CA 92627	
(949) 515-6950	
Capacity:	1,092
Enrollment 10/04/03:	758

Ensign Intermediate School (7-8)	
2000 Cliff Drive	
Newport Beach, CA 92660	
(949) 515-6910	
Capacity:	1,216
Enrollment 10/04/03:	1,202

Newport Harbor High School (9-12)	
600 Irvine Avenue	
Newport Beach, CA 92660	
(949) 515-6300	
Capacity:	2,436
Enrollment 10/04/03:	2,368

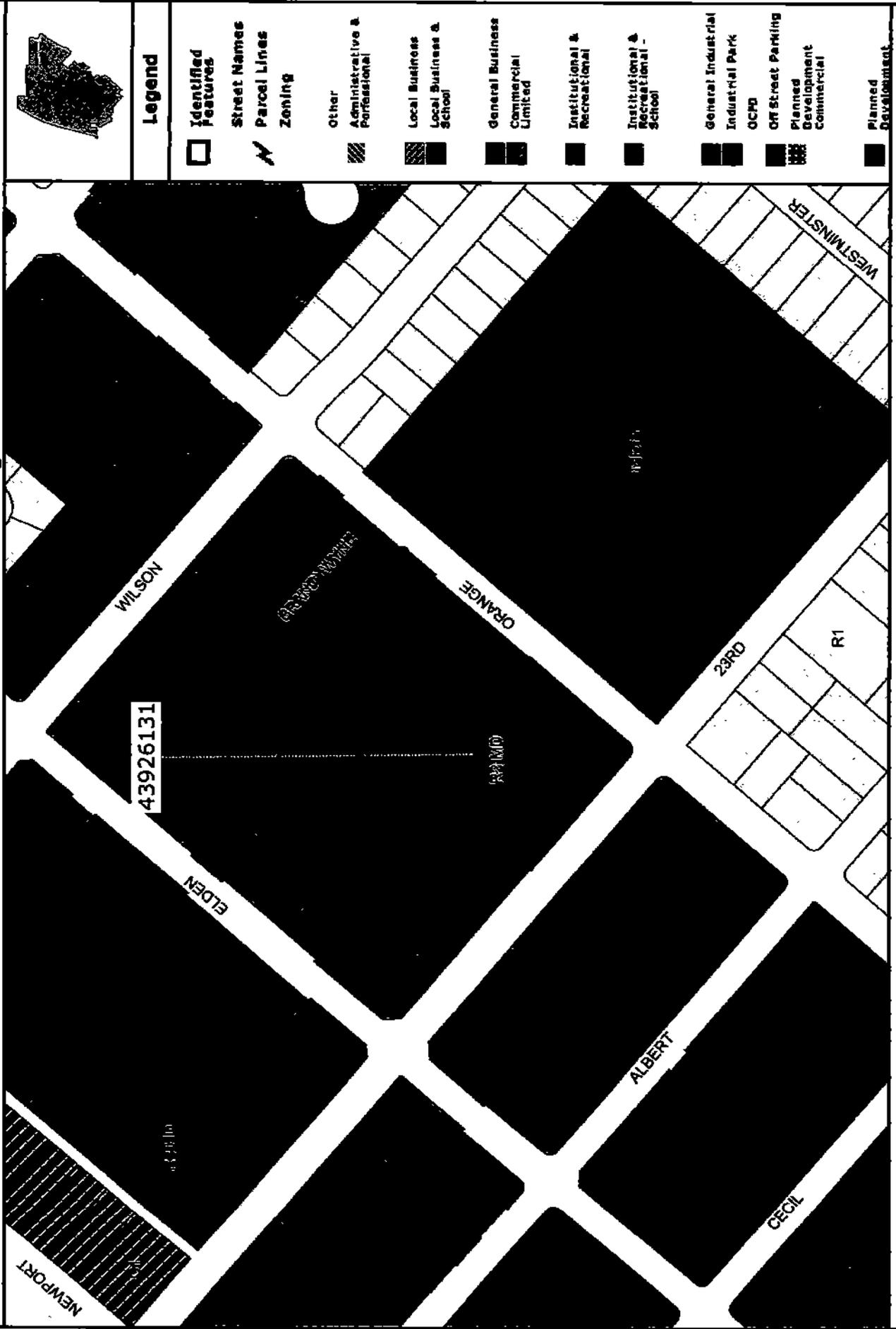
The District anticipates that given today's programmatic utilization of school facilities and current attendance boundaries, that the above schools could accommodate the proposed development. Current District and state policies will require the payment of a school facilities fee at the time building permits are issued. If we can be of further assistance, please contact us at (714) 424-5020.

Sincerely,

JoAnn Hurtt  
Administrative Staff Assistant  
Business Services

# Zoning/Location Map

170 - 190 23rd Street and 2337 Orange Avenue



## Legend

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

# Air Photo

170 - 190 23rd Street and 2337 Orange Avenue

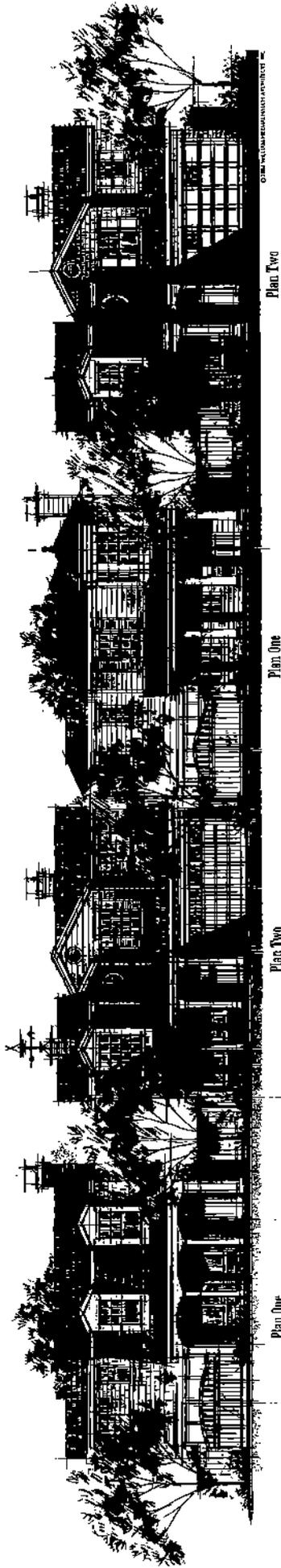


43926431

## Legend

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





PLAN TWO

PLAN ONE

PLAN TWO

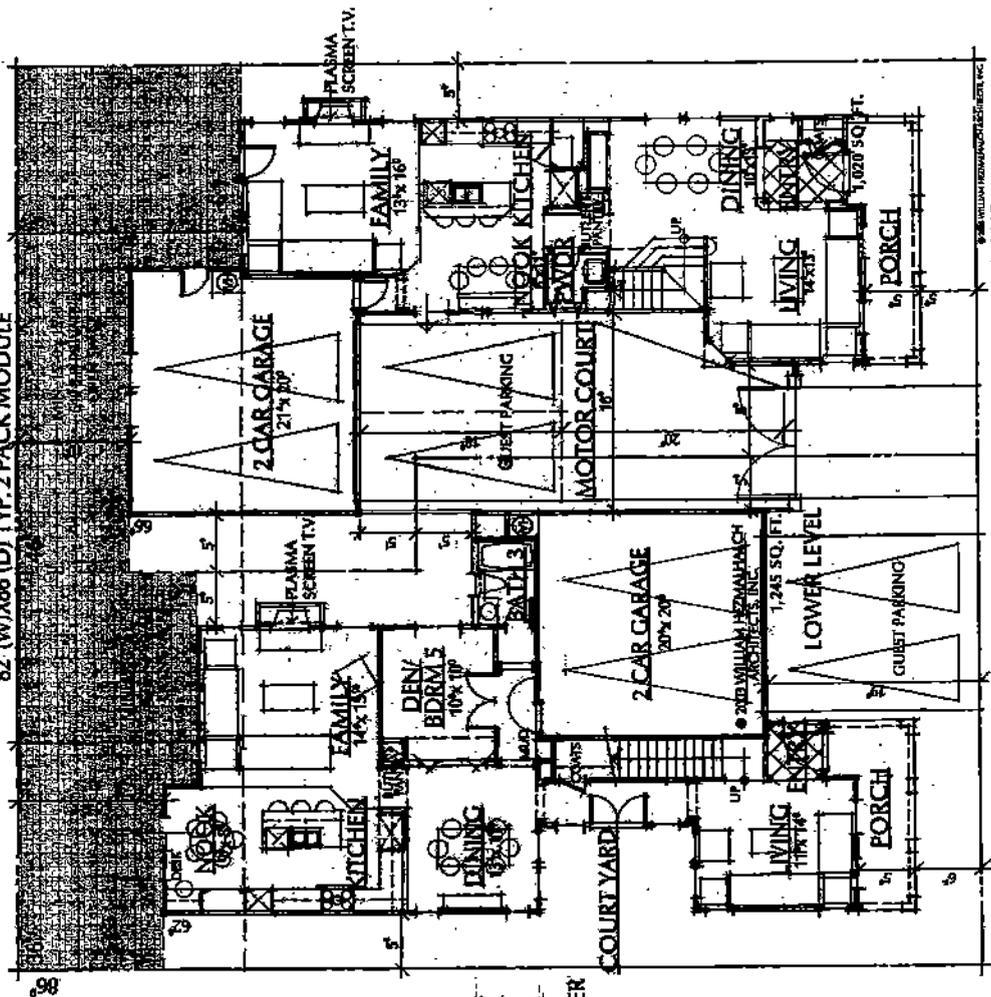
PLAN ONE

Conceptual Street Scene

23 RD & ORANGE AVE  
 Costa Mesa, California  
 The Olson Company



82' (W) X 86' (D) TYP. 2 PACK MODULE



**PLAN ONE**

LOT AREA	2,232 SQ. FT.
TOTAL COVERED AREA	1,020 SQ. FT.
PERMITTED COVERED AREA	1,020 SQ. FT.
PERMITTED UNCOVERED AREA	1,212 SQ. FT.
PERMITTED TOTAL COVERED AREA	2,232 SQ. FT.
PERMITTED TOTAL UNCOVERED AREA	1,212 SQ. FT.
PERMITTED TOTAL AREA	3,444 SQ. FT.

**PLAN TWO**

LOT AREA	2,598 SQ. FT.
TOTAL COVERED AREA	1,745 SQ. FT.
PERMITTED COVERED AREA	1,745 SQ. FT.
PERMITTED UNCOVERED AREA	853 SQ. FT.
PERMITTED TOTAL COVERED AREA	1,745 SQ. FT.
PERMITTED TOTAL UNCOVERED AREA	853 SQ. FT.
PERMITTED TOTAL AREA	2,598 SQ. FT.

**PLAN ONE**  
2,232 SQ. FT.  
4 BDRM/ 3.5 BATH  
2 CAR GARAGE

**PLAN TWO**  
2,598 SQ. FT.  
5 BDRM/ 3 BATH  
2 CAR GARAGE

FLOOR PLANS - LOWER LEVEL



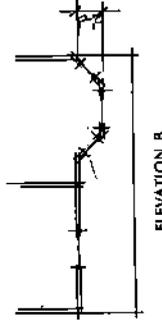
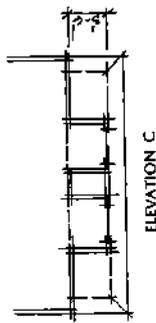
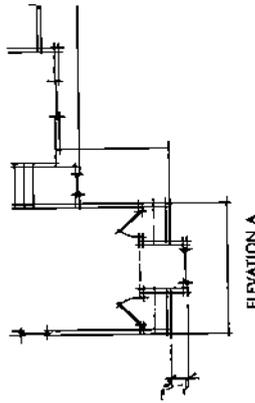
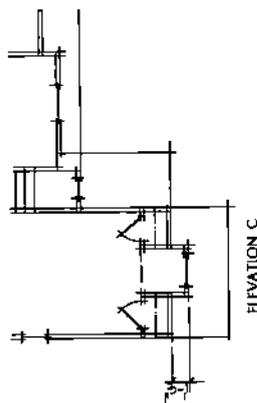
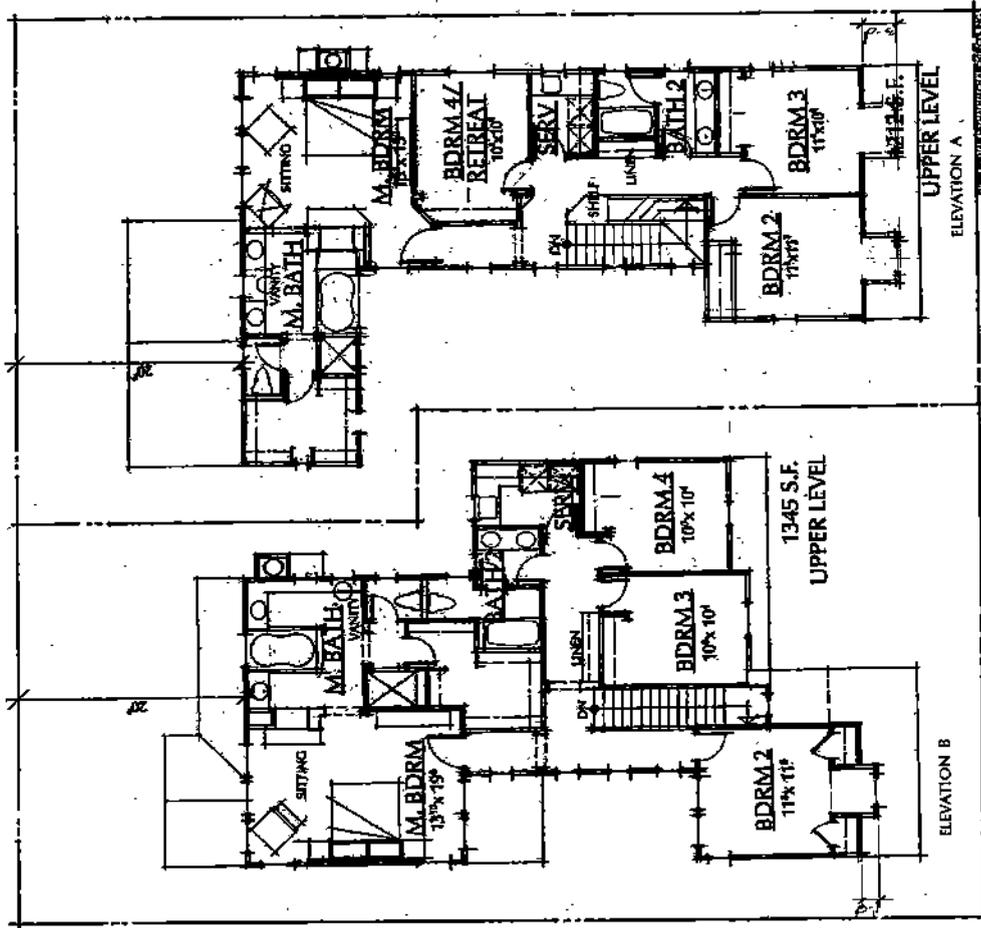
**WILLIAM HERZOG-HALCH ARCHITECTS, INC.**  
1000 W. UNIVERSITY AVENUE, SUITE 100  
COSTA MESA, CALIFORNIA 92626  
TEL: 714/440-1100 FAX: 714/440-1101

**23RD & ORANGE**  
COSTA MESA, CALIFORNIA  
THE OLSON COMPANY



20

DATE	FEBRUARY 24, 2004
PROJECT	23RD & ORANGE



PLAN ONE

FLOOR PLANS - UPPER LEVEL

PLAN TWO



# 23RD & ORANGE

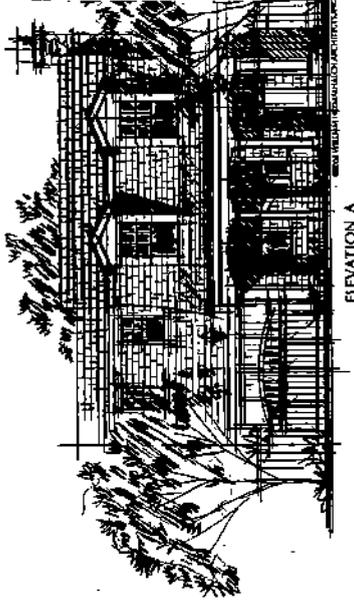
COSTA MESA, CALIFORNIA  
THE OLSON COMPANY



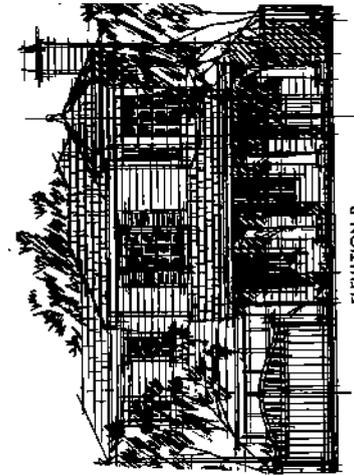
WILLIAM MEZMALALCH  
ARCHITECTS, INC.

27

REVISION 2A, 2004	2004
2004	

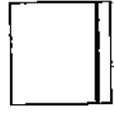


ELEVATION A



ELEVATION B

PLAN ONE  
FRONT ELEVATIONS



WILLIAM HERZOG-HALCH  
ARCHITECTS INC.  
1000 AVENUE OF THE STARS  
SUITE 1000  
COSTA MESA, CALIFORNIA 92626  
TEL: 714/440-1100  
FAX: 714/440-1101

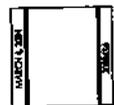
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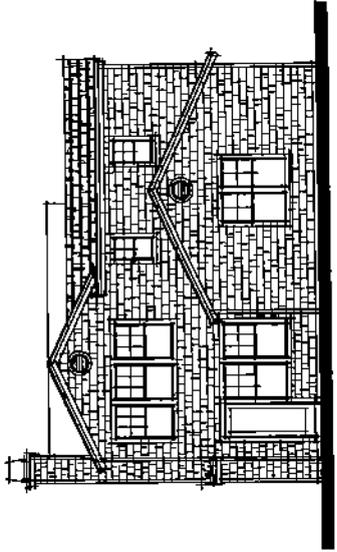
COSTA MESA, CALIFORNIA  
THE OLSON COMPANY



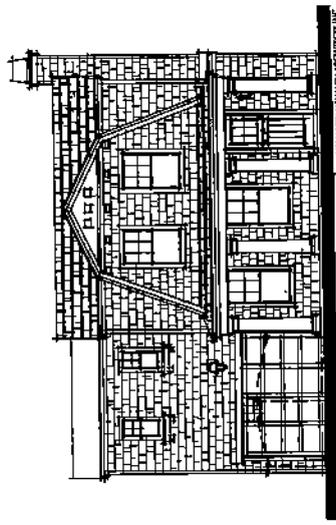
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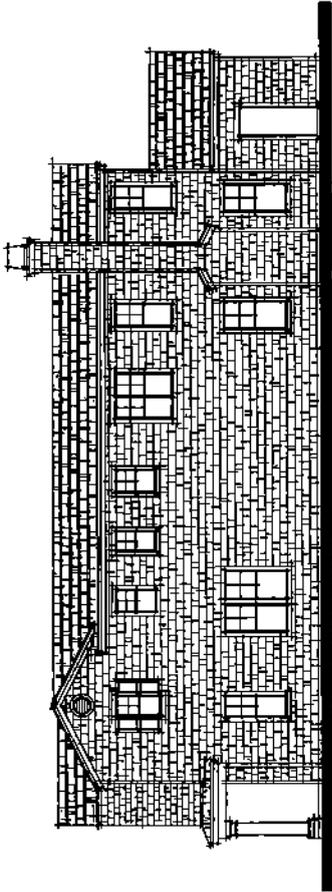




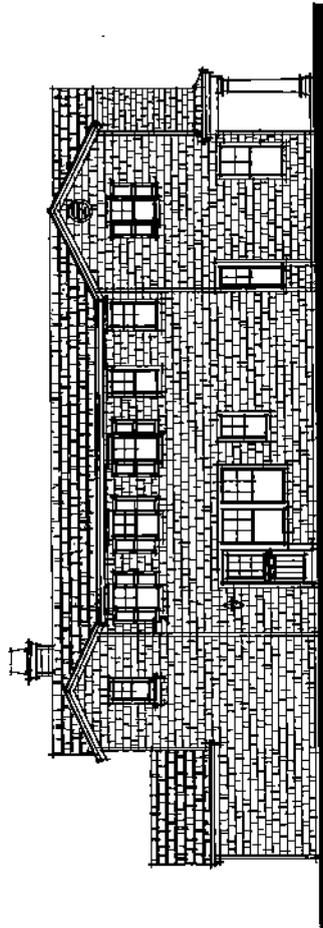
REAR



FRONT



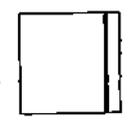
RIGHT



LEFT

ELEVATION C

PLAN ONE  
EXTERIOR ELEVATIONS



**WILLIAM HEZMALHALCH  
ARCHITECTS, INC.**  
1000 AVENUE OF THE SCIENCES  
SUITE 1000  
SAN FRANCISCO, CALIFORNIA 94115  
415.778.1100

**23RD & ORANGE**

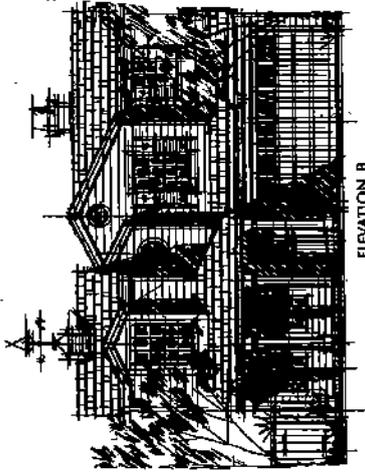
COSTA MESA, CALIFORNIA  
THE OLSON COMPANY



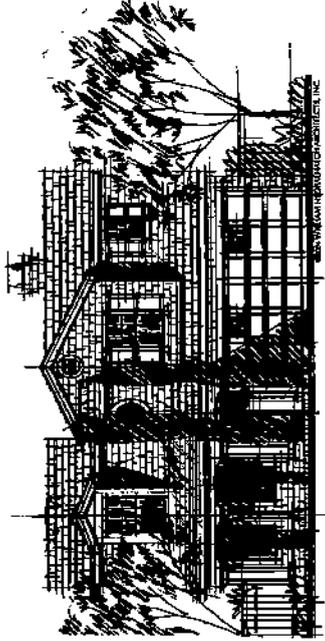
WILLIAM HEZMALHALCH  
ARCHITECTS, INC.

239

DATE	SCALE

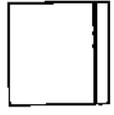


ELEVATION B



ELEVATION A

PLAN TWO  
FRONT ELEVATIONS



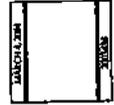
WILLIAM HERTZMAULACH  
ARCHITECTS INC.  
1000 AVENUE OF THE STARS  
SUITE 1000  
COSTA MESA, CALIFORNIA 92626  
TEL: 714/440-1100  
WWW.WHARCHITECTS.COM

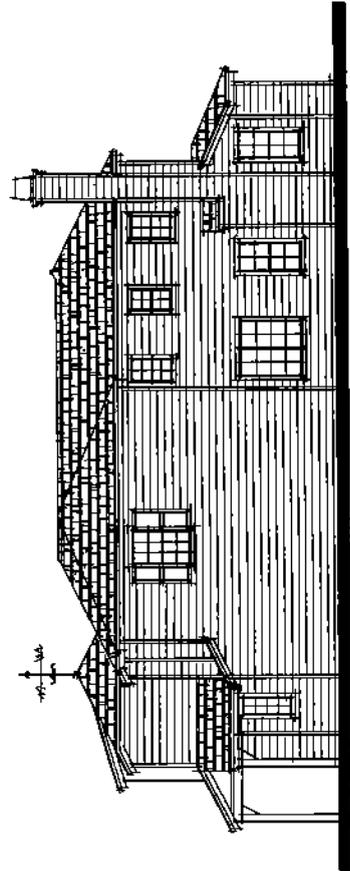
**23RD & ORANGE**

COSTA MESA, CALIFORNIA  
THE OLSON COMPANY

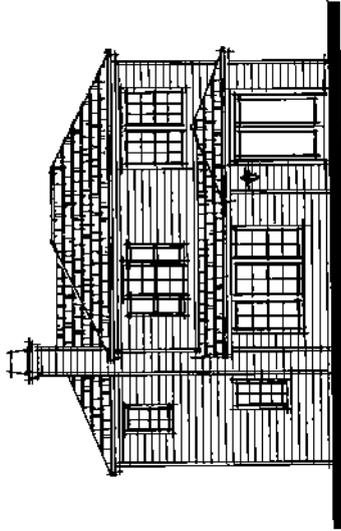


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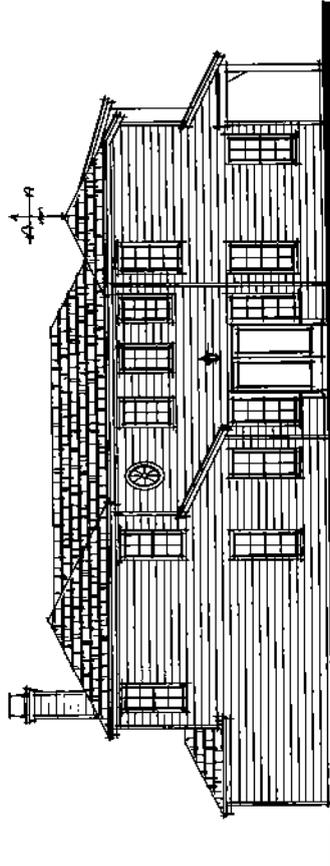




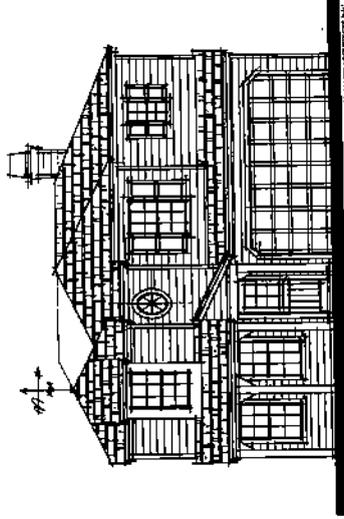
RIGHT



REAR



LEFT



FRONT

ELEVATION C

PLAN TWO  
EXTERIOR ELEVATIONS

ARCH 1, 2001  
2001 AM

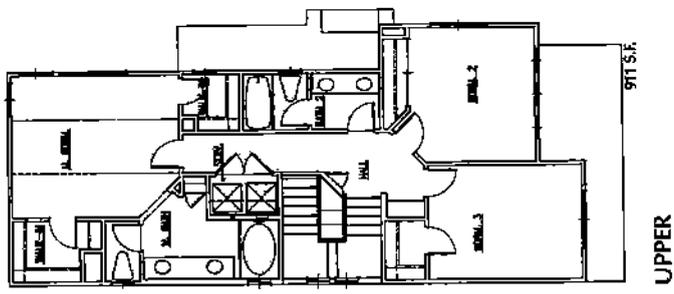
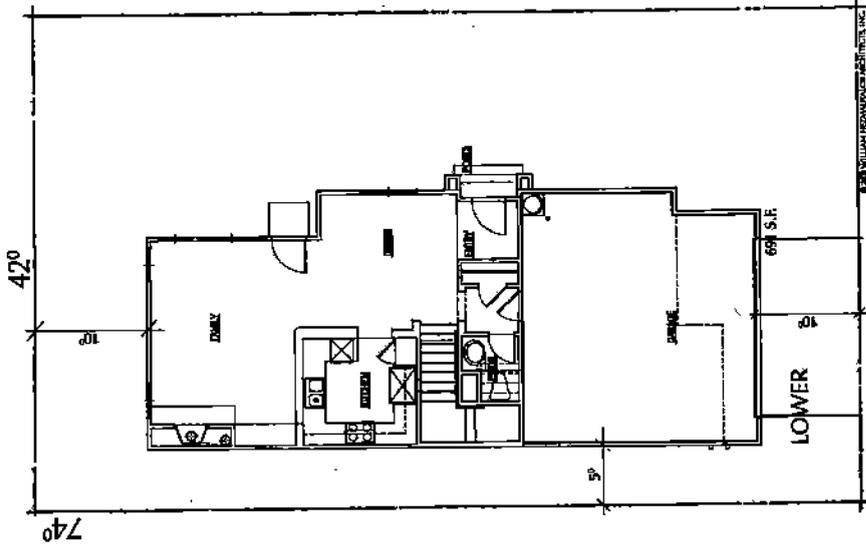


31

**23RD & ORANGE**  
COSTA MESA, CALIFORNIA  
THE OLSON COMPANY



WILLIAM HERZMALCH  
ARCHITECTS INC.  
1000 WEST 10TH AVENUE  
SUITE 100  
DENVER, CO 80202  
303.733.1111



GENERAL FINISHES	
CEILING	9" x 12" Acoustic Tile
FLOOR	1" x 6" Hardwood
WALLS	1/2" Gypsum Board
DOORS	1 1/2" x 6" Solid Core
WINDOWS	1 1/2" x 6" Double Hung
STAIRS	1" x 6" Treads, 1" x 4" Risers
BASE	1" x 4" Solid Core
TRIM	1" x 4" Solid Core
ROOFING	Asph/Flt Shingles
MECHANICAL	1" x 6" Ductwork
PLUMBING	1/2" x 1/2" Copper
ELECTRICAL	12 AWG NM-B
PAINT	1" x 4" Solid Core
EXTERIOR	1" x 6" Hardwood
LANDSCAPE	1" x 6" Hardwood

**PLAN THREE**  
1602 SQ. FT.  
3 Bedrms / 2.5 Bath  
2 Car Garage

FLOOR PLAN

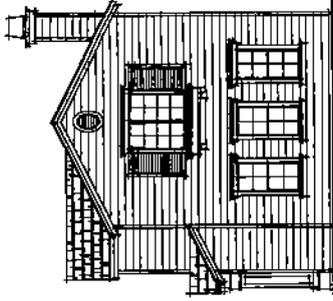


WILLIAM F. DEWAHLACH  
ARCHITECT  
COSTA MESA, CALIFORNIA

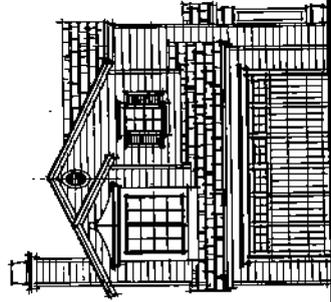
33

**WILLIAM F. DEWAHLACH**  
ARCHITECT  
COSTA MESA, CALIFORNIA  
1000 S. GARDEN ST., SUITE 100  
COSTA MESA, CALIFORNIA 92626  
TEL: 714/440-1111 FAX: 714/440-1112

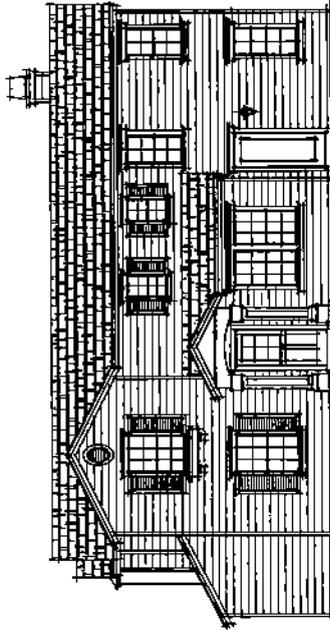
**23RD & ORANGE**  
COSTA MESA, CALIFORNIA  
THE OLSON COMPANY



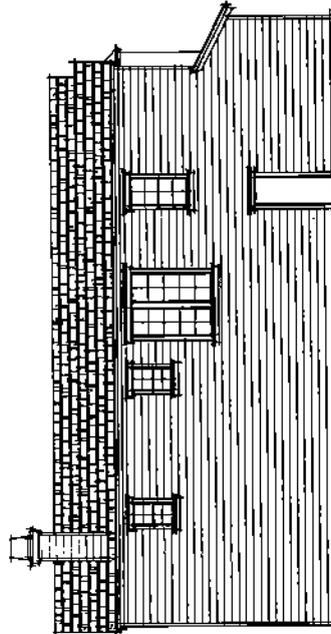
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FRONT

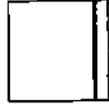


RIGHT



LEFT

PLAN THREE  
EXTERIOR ELEVATIONS



**W**  
**WILLIAM HEZBAHALCH**  
**ARCHITECTS INC.**  
 1000 W. GARDEN AVENUE, SUITE 100, COSTA MESA, CALIFORNIA 92626  
 TEL: (714) 440-1111 FAX: (714) 440-1112

**23RD & ORANGE**

COSTA MESA, CALIFORNIA  
 THE OLSON COMPANY



23

DATE	
SCALE	

