



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: APRIL 26, 2004

ITEM NUMBER

SUBJECT: TENTATIVE TRACT MAP T-16560
168, 172 AND 176 MERRILL PLACE

DATE: APRIL 15, 2004

FOR FURTHER INFORMATION CONTACT: WENDY SHIH, ASSOCIATE PLANNER (714) 754-5136

PROJECT DESCRIPTION

The applicant proposes a parcel map to subdivide three (3) parcels into five (5) residential lots and one (1) common lot to facilitate a small lot residential development previously approved under PA-03-33.

APPLICANT

Tim Roberts is representing the property owner, Lissoy Family Trust.

RECOMMENDATION

Approve by adoption of Planning Commission resolution.

WENDY SHIH
Associate Planner

PERRY VALANTINE
Asst. Development Services Director

PLANNING APPLICATION SUMMARY

Location: 168, 172 and 176 Merrill Place Application: T-16560

Request: Tentative tract map to subdivide three (3) parcels into five (5) residential lots and one (1) common lot to facilitate a small lot residential development previously approved under PA-03-33.

SUBJECT PROPERTY:

SURROUNDING PROPERTY:

Zone: <u>R2-MD</u>	North: <u>Surrounding properties</u>
General Plan: <u>Medium Density Residential</u>	South: <u>are zoned Residential</u>
Lot Dimensions: <u>144 ft. x 140.06 ft.</u>	East: <u>and developed with</u>
Lot Area: <u>20,171 sq.ft.</u>	West: <u>residential uses.</u>
Existing Development: <u>3 residential units on 3 separate lots.</u>	

DEVELOPMENT STANDARD COMPARISON

<u>Development Standard</u>	<u>Required/Allowed</u>	<u>Proposed/Provided</u>
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Lot Size:		
Lot Width (Development Lot)	100 ft.	144 ft.
Lot Area (Development Lot)	12,000 sq.ft.	20,171 sq.ft.
Lot Area (Indiv. Lot Minus Common Area)	3,000 sq.ft. min./ 3,500 sq.ft. avg.	3,010 sq.ft. min./ 3,245 sq.ft. avg. *
Density:		
Zone/General Plan	1 du/3,630 sq.ft.	1 du/4,034 sq.ft.

CEQA Status: Exempt, Class 15

Final Action: Planning Commission

* Variance from average lot size requirement approved under PA-03-33.

BACKGROUND/DISCUSSION

A 5-unit, two-story, small lot, common interest development was approved by the Planning Commission under Planning Application PA-03-33 on December 8, 2003, including a design review for the two-story units and a variance from average lot size requirement (3,500 sq.ft. average required; 3,245 sq.ft. average proposed). The applicant now proposes a tract map for five (5) single-family residential lots and one (1) common lot (Lot "A") so that the individual residential lots may be sold separately.

The five residential lots range from 3,010 sq. ft. to 3,950 sq. ft in area. Lot "A" includes the common driveway and common landscaping. The tract map is consistent with the approved development and with Code requirements.

ENVIRONMENTAL

This request is exempt from the provisions of the California Environmental Quality Act, under Class 15, Minor Land Divisions.

ALTERNATIVES

Denial of the tentative tract map would prohibit the individual sale of the units, but they could be rented.

CONCLUSION

The proposed tract map is consistent with the General Plan, requirements of the Subdivision Map Act, R2-MD zone, and the Planning Commission approval of PA-03-33. Approval of the map will provide additional home ownership opportunities within the City. Therefore, with incorporation of the attached conditions of approval, staff recommends approval of the applicant's request.

Attachments: Draft Planning Commission Resolution
 Exhibit "A" - Draft Findings
 Exhibit "B" – Conditions of Approval
 Applicant's Project Description and Justification
 Plans

File Name: 042604T16560

Date: 4/14/04

Time: 8 am

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

Tim Roberts
 Patriot Development Company
 2518 N. Santiago Boulevard
 Orange, CA 92861

Lisoy Family Trust
 17800 Mitchell Street
 Irvine, CA 92614

RESOLUTION NO. PC-04-

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF COSTA MESA APPROVING TENTATIVE
TRACT MAP T-16560**

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

WHEREAS, an application was filed by Tim Roberts, representing Lissoy Family Trust, with respect to the real property located at 168, 172 and 176 Merrill Place, requesting approval of a tentative tract map to subdivide three (3) parcels into five (5) residential lots and one (1) common lot to facilitate a small lot residential development previously approved under PA-03-33, in the R2-MD zone; and

WHEREAS, Planning Commission held a duly noticed public hearing on April 26, 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** Tentative Tract Map T-16560 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 Tentative Tract Map T-16560 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 26th day of April, 2004.

Chair, Costa Mesa
Planning Commission

EXHIBIT "A"

FINDINGS

- A. The creation of five residential lots and one common lot as well as related improvements, as conditioned, is consistent with the City's General Plan and Zoning Ordinances.
- B. The proposed use of the lots is for five, small lot, single-family residences, which is compatible with the objectives, policies, general land use, and programs specified in the General Plan.
- C. The subject property is physically suitable to accommodate Tentative Tract Map T-16560 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.
- D. 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.
- E. The subdivision and development of the property, as conditioned, 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.
- F. 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).
- G. 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.
- H. 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

- PIng. 1. Upon development, comply with all conditions and code requirements of PA-03-33.
- Eng. 2. Comply with all requirements contained within the letter prepared by the City Engineer dated April 1, 2004.



CITY OF COSTA MESA

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

FROM THE DEPARTMENT OF PUBLIC SERVICES/ENGINEERING DIVISION

April 1, 2004

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

SUBJECT: Vesting Tentative Tract No. 16560
LOCATION: 168, 172, and 176 Merrill Place

Dear Commissioners:

Vesting Tentative Tract Map No. 16560 as furnished by the Planning Division for review by the Public Services Department, consists of a subdivision of three (3) lots into five (5) lots for single-family residential use and one (1) lot for common use. Vesting Tentative Tract Map No. 16560 meets with the approval of the Public Services Department, subject to the following conditions:

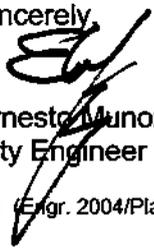
1. The Tract shall be developed in full compliance with the State Map Act and the City of Costa Mesa Municipal Code (C.C.M.M.C.), except as authorized by the Costa Mesa City Council and/or Planning Commission. The attention of the Subdivider and his engineer is directed to Section 13-208 through 13-261 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.
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. Sidewalks shall be installed under the direction of the City Engineer on Merrill Place per City of Costa Mesa Standards.
10. The elevations shown on all plans shall be on Orange County benchmark datum.
11. The Subdivider shall submit a cash deposit of \$500 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.
12. There shall be four feet of clear sidewalk behind all immovable objects, i.e., light standards, mail boxes, telephone poles, fire hydrants, etc.
13. 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.
14. Any existing drives or curb depressions that will not be used shall be removed and replaced with full height curb and sidewalk.
15. 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.
16. 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.
17. Vehicular and pedestrian access rights to Merrill Place shall be released and relinquished to the City of Costa Mesa except at approved access locations.
18. 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.
19. Fulfill the drainage fee ordinance requirements prior to the approval of the Tract Map.
20. Street lighting shall be provided as required by the Public Services Department, Transportation Services Division.

Planning Commission
April 1, 2004

21. Sewer improvements shall meet the approval of the Costa Mesa Sanitary District; call (949) 631-1731 for information.
22. 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.
23. Dedicate easements as needed for public utilities.
24. 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.
25. Submit Traffic Mitigation fee as determined by the Transportation Services Manager.
26. 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.
27. 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.
28. Survey monuments shall be preserved and referenced before construction and replaced after construction, pursuant to Section 8771 of the Business and Profession Code.
29. 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.
30. Comply with all requirements contained within Planning Action, PA-03-33.

Sincerely,


Ernesto Munoz, P. E.
City Engineer

/ch (Engr. 2004/Planning Commission Tract 16560)

PLANNING DIVISION - CITY OF COSTA MESA

DESCRIPTION/JUSTIFICATION

Application #: TT-16560

Environmental Determination:

Address: 168, 172, 176 MERRILL PL

1. Fully describe your request: Approval for a 5 lot SFD subdivision ~~site~~ for Tule Lake Tract Map # 16560

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. ___ In the Redevelopment Area.
___ Subject to future street widening. ___ 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:

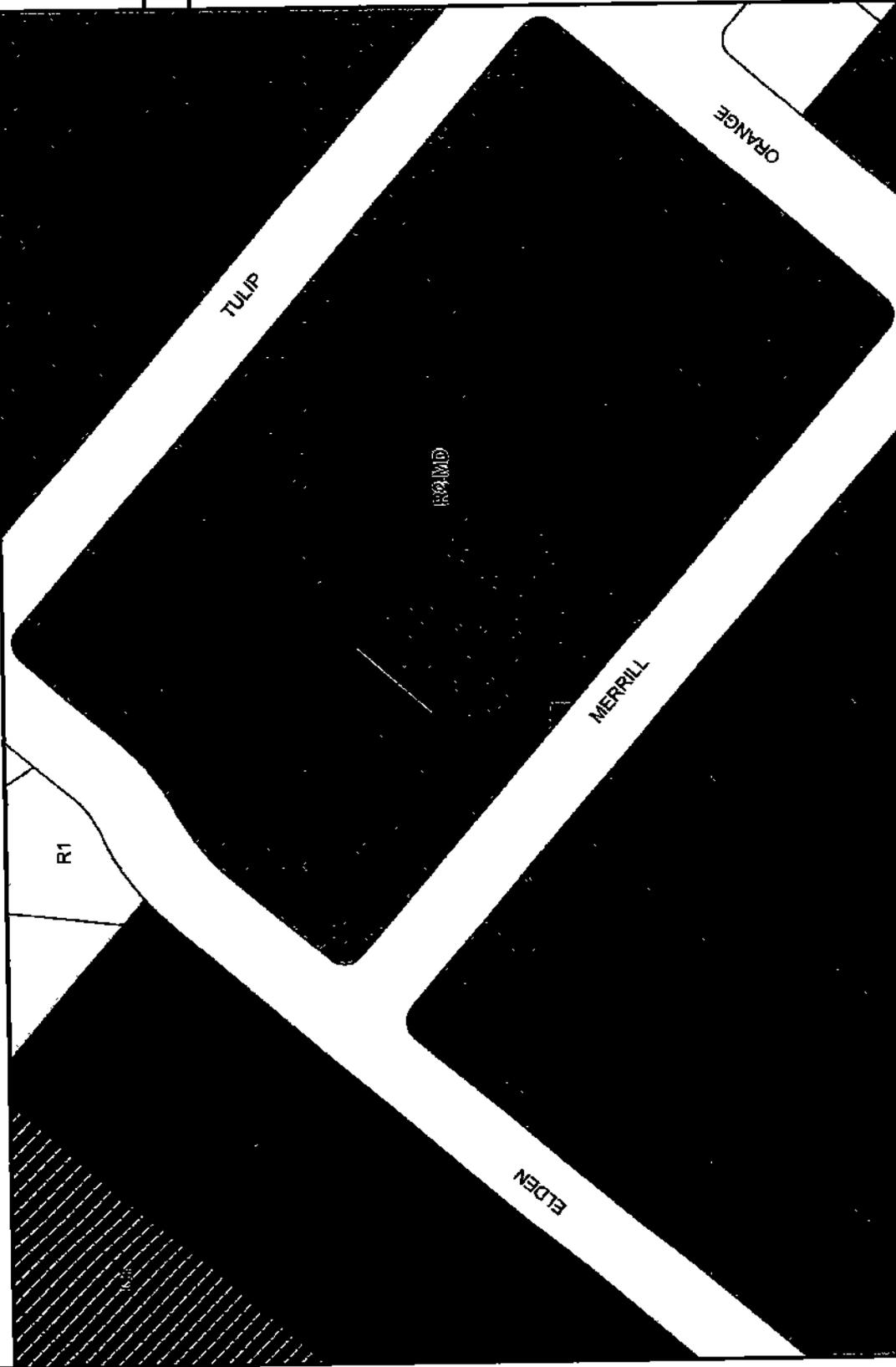
- [checked] Is not included in the publication indicated above.
___ Is included in the publication indicated above.

Signature [Handwritten Signature]

Date 12/23/03

ZONING/LOCATION MAP

T-16560

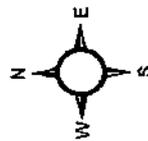


Legend

- Selected Features
- Street Names
- Parcel Lines
- City Boundary
- Zoning
- Other
- Administrative & Professional
- Local Business
- Local Business & School
- General Business Commercial Limited
- Institutional & Recreational
- Institutional & Recreational - School
- General Industrial
- Industrial Park

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



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TENTATIVE TRACT MAP 16560

IN THE CITY OF COSTA MESA, COUNTY OF ORANGE STATE OF CALIFORNIA

SHEET
1
OF
1

SYMBOLS

LEGEND

- (6" W/P) (L) WATER LINE
- (4" W) (L) WATER LINE
- (E) GAS LINE
- (P) PROPOSED GAS LINE
- (E) SOUTHERN CALIFORNIA Edison
- (P/L) (C) PROPERTY LINE
- P/L (C) PROPOSED PROPERTY LINE
- (E) CENTER LINE
- (C) 6 FT. WOOD FENCE
- (C) RETAINING WALL
- (S) PROPOSED SEWER LINE
- (W) PROPOSED WATER LINE
- (W/M) (E) WATER METER
- (000.00) (E) ELEVATION
- (C) CONCRETE PAVEMENT
- () PROPOSED STRUCTURES
- (E) EXISTING
- FF FINISH FLOOR
- FG FINISH GRADE
- FL FLOW LINE
- FS FINISH SURFACE
- TC TOP OF CURB
- TW TOP OF WALL
- TC SOUTHERN CALIFORNIA Edison
- TC SIDE
- G GAS

PARCEL 1
THE NORTHWESTERLY 49.00 FEET OF THE SOUTHEASTERLY 329.30 FEET OF THE NORTHEASTERLY HALF OF LOT 262 OF "NEWPORT HEIGHTS", IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA AS SHOWN ON A MAP RECORDED IN BOOK 4, PAGE 83 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

PARCEL 2
THE NORTHWESTERLY 49.00 FEET OF THE SOUTHEASTERLY 378.30 FEET OF THE NORTHEASTERLY ONE-HALF OF LOT 262 OF "NEWPORT HEIGHTS", AS SHOWN ON A MAP RECORDED IN BOOK 4, PAGE 83 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

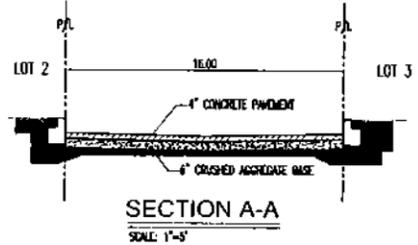
PARCEL 3
THE NORTHWESTERLY 46 FEET OF THE SOUTHEASTERLY 424.30 FEET OF THE NORTHEASTERLY ONE-HALF OF LOT 262 OF "NEWPORT HEIGHTS", AS SHOWN ON A MAP RECORDED IN BOOK 4, PAGE 83 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

GEORGE BACH R.C.E. 11092

DATE OF SURVEY: JULY 2003

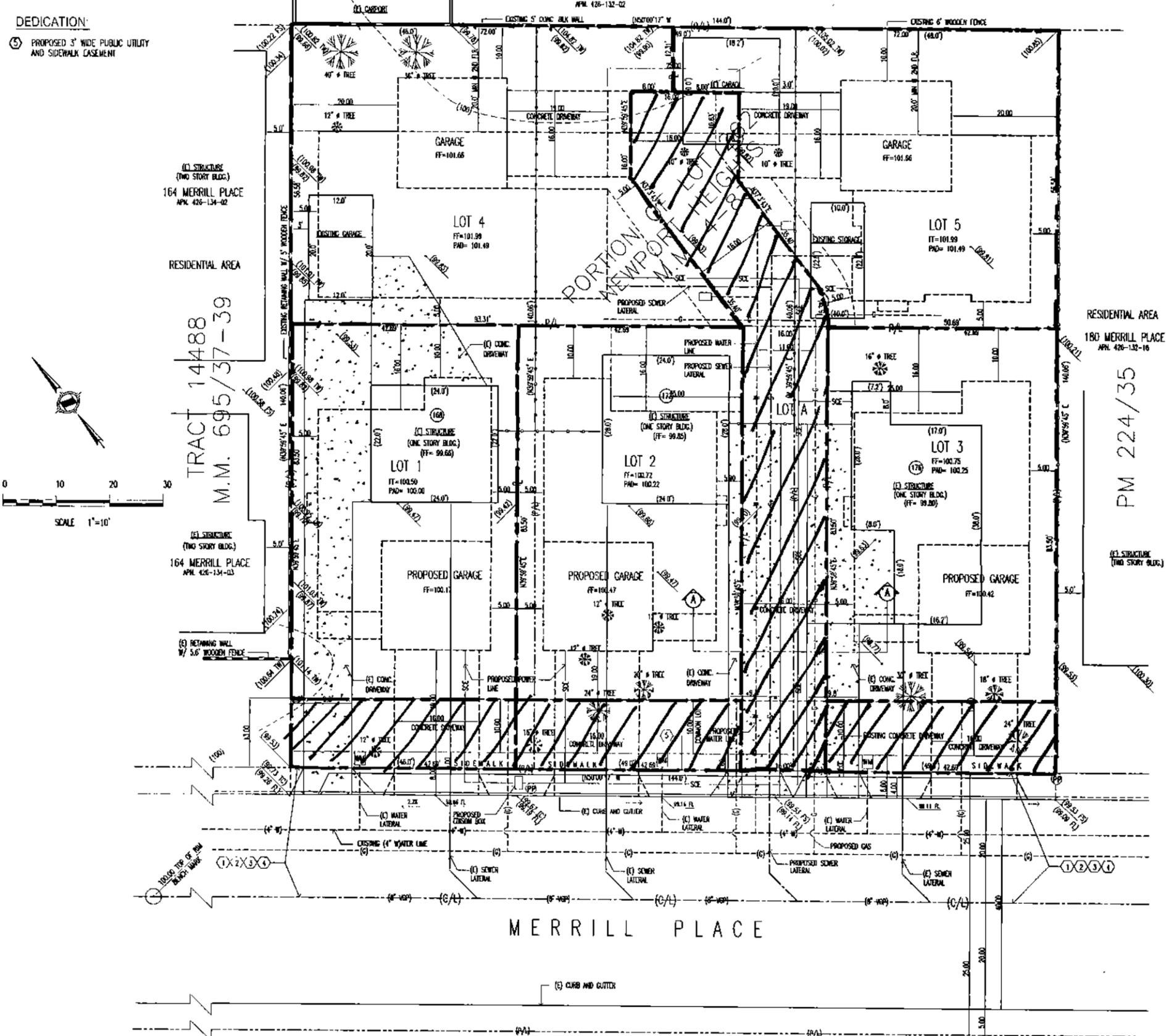
PM 53/35

RESIDENTIAL AREA
2151 ORANGE AVENUE
APR. 426-132-02



DEDICATION:

- 5 PROPOSED 3' WIDE PUBLIC UTILITY AND SIDEWALK CASEMENT



EASEMENTS:

- 1 THE RIGHT TO EXCAVATE FOR, INSTALL, MAINTAIN, REMOVE AND/OR REPLACE ON THE NORTHEASTERLY 25 FEET OF SAID LAND, GAS PIPES AND MAINS FOR THE PURPOSE OF CONVEYING GAS FOR HEAT, LIGHT AND POWER OR OTHER PURPOSES, AND TO USE THE SAME FOR SUCH PURPOSES, AND WITH FREE ACCESS AT ALL TIMES TO SAID PIPES AND MAINS FOR THE PURPOSE OF MAINTAINING, REPAIRING, OPERATING, REMOVING AND/OR REPLACING SAME, AS CONVEYED TO SOUTHERN CALIFORNIA GAS COMPANY OF CALIFORNIA BY DEED RECORDED OCTOBER 8, 1948 IN BOOK 1712, PAGE 524 OF OFFICIAL RECORDS.
- 2 AN EASEMENT FOR THE PURPOSE SHOWN AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT:

TO/ GRANTEE PURPOSE	SOUTHERN CALIFORNIA Edison COMPANY POLE LINES
RECORDED	OCTOBER 18, 1948 AS BOOK 1716, PAGE 276, OFFICIAL RECORDS
AFFECTS	THE SOUTHWESTERLY 10 FT. OF THE NORTHEASTERLY 190.075 FEET OF SAID LOT 262
- 3 AN EASEMENT FOR STREET AND PUBLIC UTILITIES AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED NOVEMBER 13, 1948 AS BOOK 1728, PAGE 403 OF OFFICIAL RECORDS.
- 4 THE RIGHT OF WAY OVER THE NORTHEASTERLY 25 FEET OF THE LAND FOR HIGHWAY KNOWN AS MERRILL PLACE, AS CONVEYED TO CITY OF COSTA MESA BY DEED RECORDED JANUARY 10, 1957 IN BOOK 376, PAGE 129 OF OFFICIAL RECORDS, AS INSTRUMENT NO. 4095.

UTILITY PROVIDERS:

- CONTACT THE FOLLOWING, AS REQUIRED, 48 HOURS PRIOR TO EXCAVATION:
- A. USA DIG ALERT
(800) 227-2600 OR
(800) 422-4133
 - B. SOUTHERN CALIFORNIA Edison CO.
(714) 895-0363
(714) 895-0188 FAX
ATTN: DAVID LEE
 - C. SOUTHERN CALIFORNIA GAS CO.
(714) 843-3041
(714) 937-7700 FAX
ATTN: JIM BEVANS
 - D. COMCAST
(909) 549-3977
(909) 549 3982 FAX
ATTN: BRIAN CATON
 - E. SEC GLOBAL
(714) 237 6156
(714) 866 8006 FAX
ATTN: DOUGLAS GALVERLY
 - F. COSTA MESA SANITARY DISTRICT
(949) 631 1731
(949) 548 6516 FAX
ATTN: BOB HAWERS
 - G. COSTA MESA WATER DISTRICT
(949) 631 1291
(949) 574 1036 FAX
ATTN: MARK TELKA

APPROXIMATE SQ.FT. PROPOSED LOTS/HEIGHT

LOT - 1	3,010.0 SQ.FT.	MAX. HEIGHT = 27 FT.
LOT - 2	3,010.0 SQ.FT.	MAX. HEIGHT = 27 FT.
LOT - 3	3,010.0 SQ.FT.	MAX. HEIGHT = 27 FT.
LOT - 4	3,950.0 SQ.FT.	MAX. HEIGHT = 27 FT.
LOT - 5	3,245.0 SQ.FT.	MAX. HEIGHT = 27 FT.
LOT - A	2,285.0 SQ.FT.	

PROPOSED ZONE:

R2-MEDIUM DENSITY

ASSESSORS PARCEL NO.

426-132-017
426-132-018
426-132-019

APPROXIMATE ACREAGE:

0.463 ACRES (GROSS)
0.372 ACRES (NET)
NUMBERED LOTS: 5
LETTERED LOTS: 1
(ALL OF TENTATIVE TRACT NO. 16560)

GRADING QUANTITIES:

CUT = 0 CU.YD.
FILL = 1,147 CU. YD.
IMPORT = 1,147 CU. YD.

JOB ADDRESS:

166, 172, 176 MERRILL PLACE
COSTA MESA, CALIFORNIA 92627

DATE OF PREPARATION

DECEMBER 16, 2003

OWNER/SUBDIVIDER:

PATRIOT DEVELOPMENT COMPANY
2518 SANTIAGO BLVD.
ORANGE, CALIFORNIA 92661
CONTACT PERSON: TIMOTHY ROBERTS
TELEPHONE NO.: (714) 719 2545

PREPARED BY:

ABSTRACT CONSULTING GROUP
5845 E. SAN JUAN DRIVE
ORANGE, CALIFORNIA 92669
TELEPHONE NO.: (714) 639 7440
FAX NO.: (714) 639 7442

ENGINEER:

George Bach 4/19/04
GEORGE BACH DATE

