



PLANNING COMMISSION AGENDA REPORT

J.T. 4.

MEETING DATE: MAY 24, 2004

ITEM NUMBER:

SUBJECT: PLANNING APPLICATION PA-03-42
2013 THRU 2029 ANAHEIM AVENUE

DATE: MAY 13, 2004

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

DESCRIPTION

The applicant is requesting approval of a design review to construct a 26-unit residential townhouse project with variances from building height (2 stories, 27 feet permitted; 3 stories, 36 feet proposed), chimney height (29 feet allowed; 42 feet proposed), and off-street parking (84 spaces required; 58 spaces proposed), with a minor conditional use permit to allow up to 6 compact parking stalls and a minor modification to reduce the front landscape setback (20 feet allowed; 16 feet proposed).

APPLICANT

The applicant is John Garrison, representing the owner of the property, ABCO Realty Investments, Inc.

RECOMMENDATION

Deny by adoption of Planning Commission resolution.

Handwritten signature of Mel Lee.

MEL LEE
Associate Planner

Handwritten signature of Perry L. Valantine.

PERRY L. VALANTINE
Asst. Development Services Director

PLANNING APPLICATION SUMMARY

Location: 2013 Thru 2029 Anaheim Ave Application: PA-03-42
 Request: 26-unit town home project

SUBJECT PROPERTY:

SURROUNDING PROPERTY:

Zone:	<u>R3</u>	North:	<u>All surrounding properties are zoned</u>
General Plan:	<u>High Density Residential</u>	South:	<u>residential and improved with residences.</u>
Lot Dimensions:	<u>236 FT x 250 FT</u>	East:	<u></u>
Lot Area:	<u>1.4 Acres</u>	West:	<u></u>
Existing Development:	<u>18 unit apartments</u>		

DEVELOPMENT STANDARD COMPARISON

Development Standard	<u>Required/Allowed</u>	<u>Proposed/Provided</u>
Lot Size (Development Lot):		
Lot Width	100 FT	250 FT
Lot Area	12,000 SQ. FT.	61,650 SQ. FT. (1.4 Ac)
Density:		
Zone	1 Unit/2,178 SQ. FT.	1 Unit/2,371 SQ. FT.
General Plan	20 Units/Acre	18 Units/Acre
Building Coverage:		
Buildings	NA	18,254 SF (30%)
Paving	NA	18,736 SF (30%)
Open Space	40% (24,660 SQ. FT.)	24,660 SF (40%)
TOTAL		61,650 SF (100%)
Rear Yard Coverage	1,242 SF (25%)	NA
Landscape Parkways	10 FT combined/3 FT min. one side	10 FT combined/4 FT min. one side
Distance Between Buildings	10 FT	16 FT - 30 FT
Building Height:	2 Stories/22 FT (Flat Roof) ** 2 Stories/27 FT (Sloped Roof)	3 Stories/31 FT (Flat Roof) 3 Stories/36 FT (Sloped Roof) *
Chimney Height	29 FT	42 FT*
Percentage of 2 nd Floor Area**	80% (2 nd Floor to 1 st Floor)	100% (all floors)*
Setbacks		
Front	20 FT	16 FT (Landscaping) ***
Side	5 FT (1 Story)/10 FT Avg. (2 Story) **	30 FT/30 FT
Rear	20 FT (2 Story)	20 FT
Parking (Non-Tandem):		
Covered (Tenant)	26	32
Open (Tenant and Guest Standard Size)	51	19
Open (Tenant and Guest Compact Size)	6****	6
Handicap	1	1
TOTAL	84 Spaces	58 Spaces*
Driveway Width	16 FT	20 FT-25 FT

*Does Not Meet Code Requirement/Design Guideline

** Design Guideline

*** Allowed if approved by Minor Modification

**** Allowed if approved by MCUP

NA = Not applicable or no code requirement

CEQA Status

Exempt, Class 32

Final Action

Planning Commission

BACKGROUND

The site is approximately 1.4 acres in area and contains several residential apartment structures. The 18 existing residences are proposed to be demolished to accommodate the proposed 26-unit town home project.

ANALYSIS

PROJECT DESCRIPTION

The project consists of attached side-by-side town home units clustered in five buildings; two of the buildings front on Anaheim Avenue, the remaining three are oriented towards the center and rear of the site. The units consist of two floor plan types: Plan 1 is a two bedroom unit, 1,712 square feet in area (including the garage); Plan 2 is a three bedroom unit, 2,527 square feet in area (including the garage). The architecture is a Mediterranean design with parapet roof cornice caps and sloped concrete tile roof elements at the ends of the buildings, decorative windows with balcony and shutter treatments, and stucco wall surfaces. A centrally located recreation area with a pool and spa is proposed at the center of the development. The applicant intends for the project to be ownership units, although a subdivision map is not part of this application.

Variance Request

The major design feature of this project is that all of the units are 3-story, with the garages at the ground level, the living room, dining room, and kitchen at the second level, and the bedrooms at the third level. Additionally, the overall height of the buildings ranges from 31 feet to the roof parapet to 36 feet to the peak of the sloped roofs, and chimneys that are 42 feet in height. All of the aforementioned items do not comply with the City's zoning code and the applicant has requested a variance from these provisions.

The development provides 26 open parking spaces and 58 covered garage spaces. The garages for Plan 1 have been designed to accommodate two tandem car spaces (one space behind another space in the garage) and the garages for Plan 2 have been designed to accommodate two cars side-by-side, like a standard garage, and one tandem car space, for 3 car spaces total. The City's zoning code does not allow a tandem configuration for required parking spaces except for an R1 single-family residence or a small lot, common interest development, where open parking may be provided in an individual driveway leading to a garage. As a result, the 58 non-tandem parking spaces (1 space for each of the 20 Plan 1 units, plus 2 spaces for each of the 6 Plan 2 units, plus the 26 open spaces) is less than required by code, for which the applicant has also requested a variance.

Minor Conditional Use Permit Request

The applicant is also proposing to provide 6 compact spaces. Code allows a maximum of 6 compact spaces (10% of the 58 non-tandem parking spaces) through a minor conditional use permit.

Minor Modification Request

The applicant is also requesting a minor modification to allow the exterior decks for the units facing Anaheim Avenue to encroach 4 feet into the required 20-foot front setback. The remaining 16-foot front setback will incorporate a raised landscape planter. The main buildings meet or exceed the 20-foot building setback as measured from property line.

VARIANCE AND MINOR CONDITIONAL USE PERMIT

City code allows granting a variance where special circumstances applicable to the property exist (such as an unusual lot size, lot shape, topography, or similar features) and where strict application of the zoning ordinance would deprive the property owner of privileges enjoyed by owners of other property in the vicinity under an identical zoning classification. Other factors (such as existing site improvements) may also be considered.

Building and Chimney Height

The site exceeds the required lot width and lot area for development in the R3 zone, is rectangular and flat, and all of the existing structures on the site are proposed to be removed to accommodate the proposed development. While there are several two-story structures in the surrounding neighborhood, there are no three-story structures nor structures greater than 30 feet in height. A letter provided by the applicant's engineer, a copy of which is attached to this report, states that it is not feasible to provide a below grade parking structure to lower the overall height of the building (as well as provide additional non-tandem parking spaces) because pumps would be required to provide drainage to the street, which could fail and result in flooding. It is staff's opinion that this issue is not related to the site itself, but to the type of project proposed by the applicant. It is staff's opinion that there are no special circumstances applicable to the property such as an unusual lot size, lot shape, topography, or similar features with regard to the requested variance for building and chimney height.

Staff does note, however, that the building setbacks abutting adjacent residential properties range from 20 feet on the rear to 30 feet or more on the sides, which reduces the massing impact of the proposed buildings to the abutting properties, and, if the Commission approves the variance, a condition of approval has been incorporated (Condition No. 22) requiring non-deciduous canopy trees to be planted throughout the perimeter of the project site in sufficient number as to buffer and

screen the development from the adjacent residential properties. If the Commission were to approve the project, these measures could ensure that the development is reasonably compatible and harmonious with the abutting properties.

Parking

With regard to the variance from parking, the applicant provided a comparison (which is included in the applicant's project justification/description form) between the proposed project and another residential project with tandem garage parking at 1111 South Coast Drive (South Coast). South Coast was approved in 1973 as a 40-unit, two-story, two bedroom condominium project with 90 parking spaces (57 standard garage spaces, plus 21 tandem garage spaces and 12 open guest parking spaces). While staff has supported tandem parking within a garage for projects such as the 69-unit Mesa Verde Collection on Adams Avenue, South Coast appears to be the only residential property where required parking spaces were allowed to be tandem within a garage (the tandem parking provided within the garages for the Mesa Verde Collection development was in addition to the required two-car garage parking).

The primary concern with tandem parking stalls within garages is that if the garages were not utilized for parking of vehicles (i.e., storage of household items), it would create a shortage of available parking spaces on the site, which in turn could create off-site parking problems within the surrounding neighborhood. This could be especially true for the proposed project, where, unlike a single family residence or small lot common interest development, there is not the ability for a resident to park within a driveway leading a garage if the garage is used for storage instead of vehicles. It should also be pointed out that only 31 percent of the parking spaces provided for this project are open spaces, compared to 50 percent that would be provided for a single family residence or small lot common interest development with driveway parking leading to a garage. Finally, staff is concerned with the practical matter of residents having to move tandem vehicles in and out of the garage, which may become such an inconvenience that it discourages the use of the area within the garage for tandem parking.

If the Commission were to approve the variance, a condition of approval has been incorporated (Condition No. 20) requiring garages to be solely utilized for the parking of vehicles and that storage of items within the garages not be permitted. The property manager and/or homeowner's association would be responsible for the enforcement of this condition.

If the variance from parking is not approved, the minor conditional use permit for the requested compact parking spaces, as well as the overall project, would also not be approved.

DESIGN REVIEW

The units exceed the 80 percent second floor to first floor ratio recommended in the City's Residential Design Guidelines (the second and third floor are 100 percent of the first floor, and in fact, the guidelines do not have provisions for three-story residential structures). The buildings do provide some articulation through the staggering of the wall planes for the individual units, as well as the architectural detailing described earlier in the Description Section of the report. However, Section 4.3 of the design guidelines discourages having more than 6 attached side-by-side units to prevent a "long row effect" (buildings 3 and 4 within the proposed project have seven side-by-side units). This impact may be partially offset by the greater setbacks these buildings provide from the side and rear property lines. There is a general concern that the project will create a massive building appearance and could be too large and out of scale with the prevailing character of the surrounding neighborhood, which is predominantly older residences with a combination of single-story and two-story structures. Photos of the subject property and surrounding properties are attached to this report for reference.

MINOR MODIFICATION

If the project were to be approved, it is staff's opinion that there is basis to support the minor modification to allow the reduction in the front landscape setback because the encroachment will be for an open patio and will not be materially detrimental to the health, safety, and general welfare of persons residing within the immediate vicinity of the project or to property and improvements within the neighborhood. As indicated earlier, the remaining 16-foot front setback will incorporate a raised landscape planter and the main buildings meet or exceed the 20-foot building setback as measured from property line.

Other Issues

Code requires residential projects of five or more units to provide a trash enclosure unless the Planning Commission grants an exception. The exception is based on a written determination by the Sanitary District that on-site trash collection service can be provided to each individual dwelling unit. The project has been reviewed by the Sanitary District, which determined that on-site trash collection service could be provided for each unit within the project.

The project was presented at the Westside Revitalization Oversight Committee (WROC) meeting on February 10, 2004 to obtain feedback from the committee members on the concept of the project (WROC does not have the ability to approve or deny the project). While they were generally supportive of the concept as well as the need for ownership housing on the City's Westside, they were concerned with the tandem parking and the overall height compared to the structures on the surrounding properties.

ALTERNATIVES

If the project is not approved, the applicant could not construct the development as proposed. The applicant could not submit substantially the same type of design for six months. If the project is approved, and the appropriate variance findings are made, the applicant would need to apply for a subdivision map to enable the units to be sold as townhomes.

If the type of development proposed by the applicant (i.e., high density ownership housing) is something the Commission believes should be encouraged, the Commission may request that City Council direct staff to revise the sections of the zoning code that the project does not satisfy. The applicant could resubmit the proposed project if the zoning code revisions were approved.

CONCLUSION

Although staff is unable to make the required legal findings to support the requested variances, the proposed project could be the type of development that would provide sufficient economic incentive to stimulate redevelopment of older residential properties – especially on the Westside. The community has expressed a desire to see both revitalization of the Westside and increased production of ownership housing units. However, current density limits and development standards may be such that private redevelopment is not economically feasible in some cases. Planning Commission may wish to ask City Council to consider the broader policy issues raised by this proposal.

- Attachments:
1. Draft Planning Commission Resolution
 2. Exhibit "A" - Draft Findings
 3. Exhibit "B" - Draft Conditions of Approval
 4. Applicant's Project Description and Justification
 6. Location Map
 7. Plans/Photos

File Name: 052405PA0342

Date: 5/12/04

Time: 12:30 p.m.

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

John C. Garrison
 Meeks + Partners
 20401 SW Birch Street, Suite 200
 Newport Beach, CA 92660

Al Mozayeni
ABCO Realty & Investments, Inc.
18552 MacArthur Boulevard, Suite 102
Irvine, CA 92612

RESOLUTION NO. PC-04-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA DENYING PLANNING APPLICATION
PA-03-42**

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

WHEREAS, an application was filed by John Garrison, representing ABCO Realty and Investments, Inc., with respect to the real property located at 2013 through 2029 Anaheim Avenue, requesting approval of a requesting approval of a design review to construct a 26-unit residential townhouse project with variances from building height (2 stories, 27 feet permitted; 3 stories, 36 feet proposed), chimney height (29 feet allowed; 42 feet proposed), and off-street parking (84 spaces required; 58 spaces proposed), with a minor conditional use permit to allow up to 6 compact parking stalls and a minor modification to reduce the front landscape setback (20 feet allowed; 16 feet proposed); and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on May 24, 2004.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", the Planning Commission hereby **DENIES** PA-03-42 with respect to the property described above.

PASSED AND ADOPTED this 24th day of May, 2004.

Chair, Costa Mesa
Planning Commission

EXHIBIT "A"**FINDINGS**

- A. The proposed project does not comply with Costa Mesa Municipal Code Section 13-29(e) because:
1. The proposed development is not compatible or harmonious with uses within the general neighborhood with regard to the City's Residential Design Guidelines. Specifically, the units exceed the 80 percent second floor to first floor ratio recommended in the City's Residential Design Guidelines (the second and third floor are 100 percent of the first floor, and in fact, the guidelines do not have provisions for three-story residential structures). Section 4.3 of the design guidelines discourages having more than 6 attached side-by-side units to prevent a "long row effect" (buildings 3 and 4 within the proposed project have seven side-by-side units). The project will create a massive building appearance and is too large and out of scale with the prevailing character of the surrounding neighborhood, which is predominantly older residences with a combination of single story and two-story.
 2. Safety and compatibility of the design of the buildings, parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.
- B. The information presented does not comply with Costa Mesa Municipal Code Section 13-29(g)(1) with regard to the variances because there are no special circumstances applicable to the property such as an unusual lot size, lot shape, or topography that would justify approval of the variances from building height and parking. Specifically, the site is flat, rectangularly-shaped, and exceeds the minimum lot area for R3. Additionally, since all of the existing structures on the site are proposed to be removed to accommodate the proposed development, there would be no existing site improvements that would justify approval of the variances. While there are several two-story structures in the surrounding neighborhood, there are no three-story structures nor structures greater than 30 feet in height. If the garages were not utilized for parking of vehicles (i.e., storage of household items), it would create a shortage of available parking spaces on the site, which in turn could create off-site parking problems within the surrounding neighborhood. Only 31 percent of the parking spaces provided for this project are open spaces, compared to 50 percent that would be provided for a single-family residence or small lot common interest development with driveway parking leading to a garage.
- C. The information presented does not comply with Costa Mesa Municipal Code

Section 13-29(g)(14) with regard to the design review in that the project does not comply with the City of Costa Mesa Zoning Code for the reasons stated above and does not meet the purpose and intent of the Residential Design Guidelines. Specifically, the units exceed the 80 percent second floor to first floor ratio recommended in the City's Residential Design Guidelines (the second and third floor are 100 percent of the first floor, and in fact, the guidelines do not have provisions for three-story residential structures). Section 4.3 of the design guidelines discourages having more than 6 attached side-by-side units to prevent a "long row effect" (buildings 3 and 4 within the proposed project have seven side-by-side units). The project will create a massive building appearance and is too large and out of scale with the prevailing character of the surrounding neighborhood, which is predominantly older residences with a combination of single story and two-story structures.

- D. The information presented does not comply with Costa Mesa Municipal Code Section 13-29(g)(2) with regard to the minor conditional use permit because granting the minor conditional use permit will be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity. Specifically, Code allows compact spaces through a minor conditional use permit, however, because there is no basis for the approval of the parking variance, the minor conditional use permit cannot be approved.
- E. The information presented does comply with Costa Mesa Municipal Code Section 13-29(g)(6) with regard to the minor modification because the encroachment will be for an open patio and will not be materially detrimental to the health, safety, and general welfare of persons residing within the immediate vicinity of the project or to property and improvements within the neighborhood. The improvement enhances the architecture and design of the existing and anticipated development in the vicinity. Specifically, the remaining 16-foot front setback will incorporate a raised landscape planter and the main buildings meet or exceed the 20-foot building setback as measured from property line.
- F. Based on a written determination by the Sanitary District, on-site trash collection service can be provided for each individual dwelling unit and an exception from the requirement to provide a residential trash enclosure may be granted in accordance with Costa Mesa Municipal Code Section 13-73(a)(1).
- 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, 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.

- I. Fire hydrant availability is inadequate, spacing between hydrants being one percent deficient from standards appropriate for the development. Hydrant inadequacy is an existing deficiency, and although this development will add to the problem, it will not worsen it, because an on-site fire hydrant will be provided for this project.

EXHIBIT "B"**CONDITIONS OF APPROVAL (If Project is Approved)**

- 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 U.S. Postal Service with regard to location and design of mail delivery facilities. Such facilities shall be shown on the site plan, landscape plan, and/or floor plan.
3. Street addresses shall be displayed on the front of each unit and on a complex identification sign visible from the 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.
4. The subject property's ultimate finished grade level may not be filled/raised unless necessary to provide proper drainage, and in no case shall it be raised in excess of 30 inches above the finished grade of any abutting property. If additional fill dirt is needed to provide acceptable on-site stormwater flow to Anaheim Avenue, 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.
5. To avoid an alley-like appearance, the driveway 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 will be 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, ordinance and code provisions of PA-03-42 shall be blueprinted on the face of the site plan.
9. The applicant shall contact the Planning Division to arrange Planning inspection of the site prior to the release of occupancy/utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.

10. Block walls shall be provided on the perimeter of the site. New block walls shall be decorative block, subject to approval by the Planning Division. The wall(s) shall have a finished quality on both sides. Where walls on adjacent properties already exist, the applicant shall work with the adjacent property owner(s) to prevent side-by-side walls with gaps in between them. Block walls visible from the street shall be decorative block, subject to approval by the Planning Division.
11. Building elevations visible from Anaheim Avenue shall have enhanced architectural details and window treatments under the direction of Planning staff.
12. No exterior roof access ladders, roof drain scuppers, or roof drain downspouts shall be permitted.
13. Cornices and other architectural elements shall be wrapped around to the side and rear of building facades.
14. If an outdoor play area is provided within the common area, the design and type of equipment shall comply with the applicable City standards for outdoor play areas for private residential properties, and shall also be subject to approval by the Planning Division.
15. Demolition permits for existing structures shall be obtained and all work and inspections completed prior to final building inspections. Applicant is notified that written notice to the Air Quality Management District may be required ten (10) days prior to demolition.
16. If any archaeological objects are encountered during construction, the contractor shall stop work immediately and notify the City.
17. Existing mature vegetation shall be retained wherever possible. Should it be necessary to remove existing vegetation, 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 shall be replaced on a 1-to-1 basis. This condition shall be completed under the direction of the Planning Division.
18. Show method of screening for all ground-mounted equipment (backflow prevention devices, Fire Department connections, electrical transformers, etc.). Ground-mounted equipment shall not be located in any landscaped setback visible from the street, except when required by applicable uniform codes, and shall be screened from view, under the direction of Planning Staff.
19. Construction, grading, materials delivery, equipment operation or other noise-generating activity shall be limited to between the hours of 7 a.m. and 8 p.m., Monday through Friday, and between the hours of 8 a.m. and 6 p.m. on Saturday. Construction is prohibited on Sundays and Federal holidays. Exceptions may be made for activities that will not generate noise audible from off-site, such as painting and other quiet interior work.

20. Garages shall be solely utilized for the parking of vehicles. Storage of items within the garages shall not be permitted. The property manager and/or homeowner's association shall be responsible for the enforcement of the above requirements.
21. All garages shall be equipped with automatic garage door openers.
22. Non-deciduous canopy trees shall be planted throughout the perimeter of the project site in sufficient number as to buffer and screen the development from the adjacent residential properties. Tree species and number shall be reviewed by the Planning Division and indicated on the landscape plans submitted to the Planning Division for plan check.
23. Final tract map shall be approved and recorded prior to issuance of building permits.
- Trans. 24. Vehicle entry gates shall be set back a minimum of 20 feet from property line. Swinging gates shall fully open inward and accommodate two-way traffic flow. Pavement markings shall be provided behind swinging gates showing a clear area required for gate to safely open without interference from vehicular traffic.
- Eng. 25. Maintain the public right-of-way in a "wet-down" condition to prevent excessive dust and promptly remove any spillage from the public right-of-way by sweeping or sprinkling.
- Police 26. A list of security recommendations has been provided by the Police Department for the applicant's consideration.

DESCRIPTION/JUSTIFICATION

Application #: PA-03-42

Environmental Determination: EXEMPT

Address: 2013-2029 Anaheim Avenue

1. Fully describe your request:

(see attachment)

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.

(see attachment)

3. This project is: (check where appropriate)

In a flood zone.

In the Redevelopment Area.

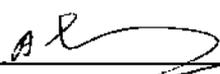
Subject to future street widening.

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:

Is not included in the publication indicated above.

Is included in the publication indicated above.



Signature

9/14/03

Date

5/10/04

Planning Division – City of Costa Mesa

Description/Justification

1. Fully describe your request:

Demolition of thirteen single-story wood-frame structures that are over 80 years old comprising 18 existing dwelling units, and construction of a pedestrian-oriented 26-unit gated community of two- and three-bedroom luxury townhomes featuring enclosed two- and three-car garages, a handicapped accessible pool & spa court, and which also incorporates into its site design progressive environmental remedial surface drainage techniques.

Architectural theming interprets contemporary styles found in Downtown Costa Mesa. Elements of style are reminiscent of classical Italy including double-arched openings and shaped plastered cornices, wrought iron railings, tile roofs and painted shutters. The community also features elevated private patios throughout and occasional second story balconies. Drought tolerant landscaping is also emphasized throughout the 1.4 acre site.

The property is situated along the southeast edge of the Talbert-Lower Santa Ana River Watershed approximately 1-1/2 blocks north of 19th Street in Downtown Costa Mesa Redevelopment Zone boundary in an area zoned “R3” Multiple Family Residential – High Density (20 d.u./ac. maximum density). One block further south on Anaheim Avenue is Lions’ Park, Costa Mesa Community Center, Public Library and Aquatic Center.

2. 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.

After reviewing several site plan alternatives with the Planning Department and Fire Department staffs, the solutions which minimized expensive excavation and heavy construction costs -- while also maintaining a pedestrian-friendly streetscape orientation -- were townhome alternatives designed in a “tuck-under” configuration. Currently, similar townhomes that have two stories over a “tuck-under” garage exist on Anaheim Avenue very close to this site. However, the proposed project provides superior architecture and construction quality.

The purpose of this development project is to improve existing housing quality standards on the site. An alternative site plan was provided to the city showing a yield of 14 comparable townhome units without the two variances requested. Because there are currently 18 units on the site which are providing the investors a positive cash flow, a complete demolition of these units would not make economic sense for a yield of 14 units.

Various construction techniques for increasing building density on the site and in the surrounding area were examined. Some strategies that included on-site excavation and construction of subterranean parking provided an acceptable density yield but were found to be cost prohibitive for a project this size.

Because these units are over 80 years old, they are unsafe and hazardous. For instance they contain asbestos and they do not meet the current codes in a variety of ways. If the existing units are sold individually via a condo conversion, it is highly unlikely for any of the future owners to rebuild their units because it would not make economic sense to do so. Moreover, they would not be able to make changes without the approval of their association and the attached neighboring units.

Although a rental apartment complex with small units and detached remote parking could be an alternative, this project is surrounded by single family residential and ownership townhomes, thus making a rental complex undesirable to the neighboring residents. On the other hand, a luxurious ownership complex would be highly desirable to such residents and increase the property values in the area. There is currently a very high demand for ownership units and an extreme lack of residential inventory which is why real estate prices have dramatically appreciated, particularly in this part of Southern California. Thus, there is currently a greater need for ownership units than small rental units.

There are two variances that are requested and necessary for this development project to occur. The first variance is for enclosed tandem parking spaces to count towards the required parking. The second variance is for the height of the project due to number of stories. The project has been considerably setback from all sides to mitigate the height variance. Currently, townhomes with two stories over a "tuck under" garage exist on Anaheim Avenue very close to this site. Additionally, we are advised by our civil engineer not to excavate the site to accommodate increased building height due to the probability of pump mechanical failure during flood events.

As the table below shows, the provided parking is equivalent to the required parking spaces. The parking variance is not for a reduction of parking, but rather to replace some open spaces for tandem spaces, which we feel could be more desirable for a variety of reasons. Firstly, tandem parking provides for a closer proximity to the unit than remote open parking spaces. Moreover, the provision of fewer open/surface parking stalls is more conducive to the aesthetics of a vibrant "downtown," pedestrian-oriented community. Additionally, the tandem parking configuration

yields a total yield of one garaged stall per bedroom and allows for an increased number protected parking stalls per dwelling unit as shown in the following table:

Parking

<u>Required</u>		<u>Provided</u>	
Garage	26	Garage (including 26 Tandem)	58
Open (including Guest)	58	Open (including Guest)	26
Total	84	Total	84

A possible objection to counting enclosed tandem parking stems from the idea that a resident may be more inclined to use the tandem stall for personal storage. Besides being prejudicial to the fact that the same objection may be equally applied to City-sanctioned side-by-side garage parking configurations, this concern has been traditionally remedied elsewhere through CC&R prohibitions of the practice as well as through the provision of personal storage lockers. Also, garage doors could be have some glass paneling to ensure that the residents using open spaces are not using their garage for storage. The proposed project will feature all three remedies.

Open stalls will be marked “Guest” or “Resident.” All cars that are parked in resident spaces must have permits. This way, management knows how many cars each household has, and if they are using more open resident parking spaces than they are allotted. The guest stalls do not require permits. However, if a car has been in a guest parking stall for over 24 hours, management will place a notice on the car. If the car remains there for more than 48 hours after the notice has been placed, the car will be towed. If a resident has a guest that will be staying for an extended period of time, that resident may get a temporary resident permit for their guest from management. This will allow the guest to temporarily park in resident parking. This parking arrangement is very common in townhome communities and functions extremely effectively.

Parking Comparison between Beachside Properties & 1111 South Coast Drive

The condominium project at 1111 South Coast Dr., Costa Mesa consists of 40 two bedroom units. This project, referred to as South Coast, uses tandem parking as part of the required parking. A comparison of this project and the proposed Beachside Properties project follows. Note that the proposed has more parking in all aspects.

Overall Parking per Unit:

Beachside: 3.23 (84 parking spaces / 26 units)
 South Coast: 2.25 (90 parking spaces / 40 units)

Overall Parking per Bedroom:

Beachside: 1.45 (84 parking spaces / 58 bedrooms)
 South Coast: 1.12 (90 parking spaces / 80 bedrooms)

Non-Tandem Spaces per Unit:

Beachside: 2.23 (58 non-tandem spaces / 26 units)

South Coast: 1.73 (69 non-tandem spaces / 40 units)

Non-Tandem Spaces per Bedroom:

Beachside: 1.00 (58 non-tandem spaces / 58 bedrooms)

South Coast: 0.86 (69 non-tandem spaces / 80 bedrooms)

Overall, the Beachside Properties project presents a tremendous redevelopment opportunity for the city of Costa Mesa. The zoning for the site allows for a 28 units. Thus, the presented project is a less dense product type than the zoning allows for. A 28 unit project of a less desirable product type may be achievable, but an ownership product type is far more advantageous for the city and the surrounding neighbors. Decreasing the unit count any further would cut into the feasibility of the project.

Gbolahan O. Ogunbiyi Assoc, Inc. ENGINEERS

1740 E. GARRY AVE.
STE. 224
SANTA ANA. CA 92705

(714) 833-3740
FAX (714) 833-3583

March 16, 2004.

Mr. Michael Odegaard,
Senior Planner,
MEEKS + PARTNERS,
20401 SW Birch Street,
Suite 200,
Newport Beach, Ca. 92660.

**Reference: Beachside Townhomes.
2013-2029 Anaheim Avenue.
Costa Mesa, CA. 92627.**

Michael:

I was at the City of Costa Mesa yesterday morning March 15, to retrieve the information concerning the existing storm drain along Anaheim Avenue. I had a discussion, with Mr Michael Guevara, Engineering Technician III, Engineering Division of the City of Costa Mesa.

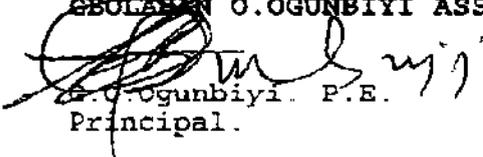
Upon reviewing the existing drainage plan, the following were discovered:
a). There is no storm drain along Anaheim Avenue and Yorkshire.
b). The closest storm drain to the proposed project is about 150 feet.
c). There are two catch basins North and South of the proposed project along Anaheim Avenue.
d). The existing flow pattern along Anaheim Avenue about the proposed project flows to the North and South of the proposed project.
Mr. Guevara strongly recommends that the drainage pattern for the new construction complies with the existing flow pattern to avoid overflowing the existing storm drain.

During my discussion with Mr. Guevara this morning regarding the subterranean construction, he expressed that the drainage can be pumped, but must follow the existing flow pattern along Anaheim Avenue. This means that two pumps will be required. He does not see a need for construction a new storm drain along Anaheim Avenue.

However, the pumps required for subterranean construction could experience mechanical failures, which would leave the subterranean area flooded. It is my opinion and recommendation, that the project be built at grade.

Please give me a call, if you have any questions.

Sincerely:
GBOLAHAN O. OGUNBIYI ASSOCIATES, INC.

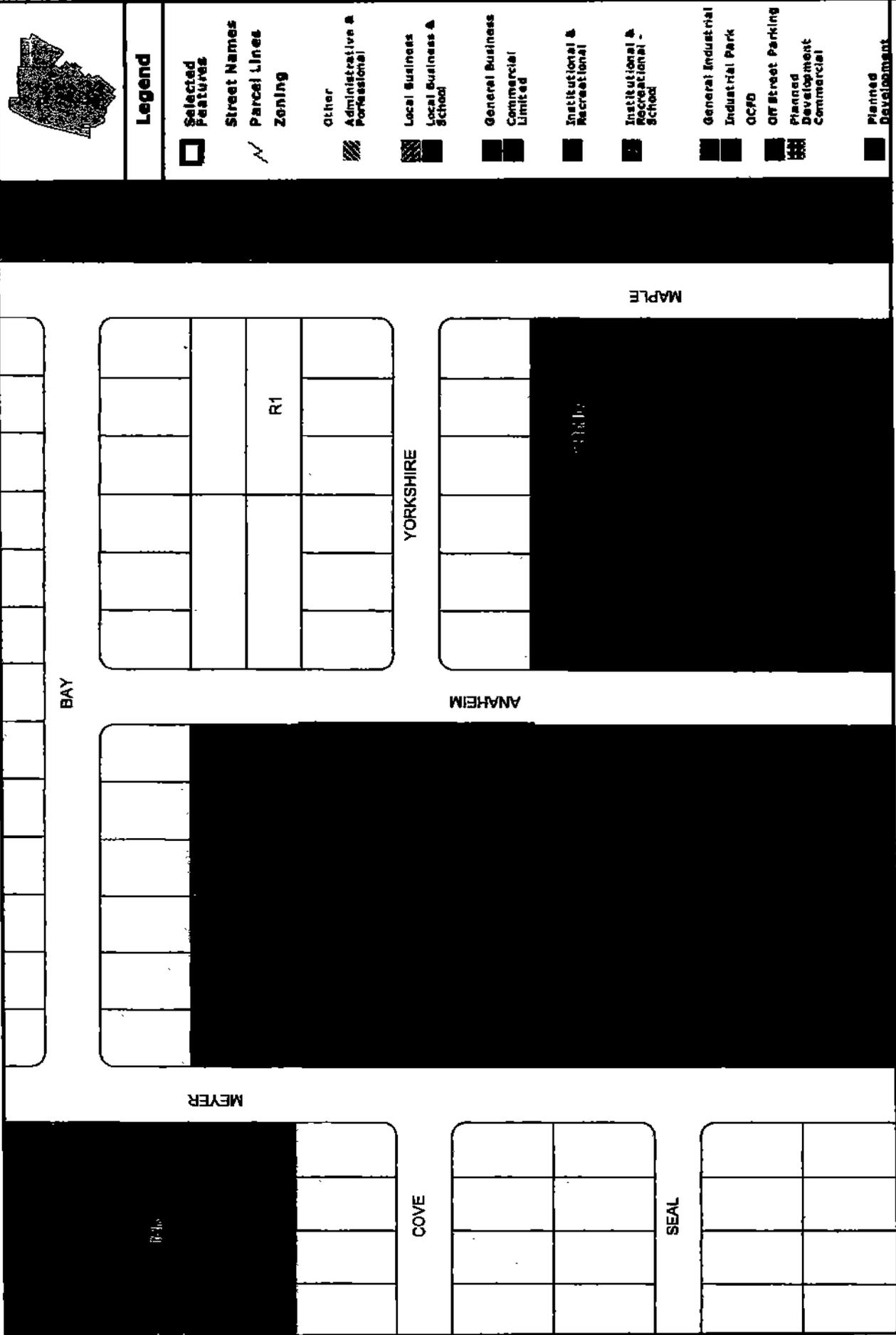


G. O. Ogunbiyi, P.E.
Principal.

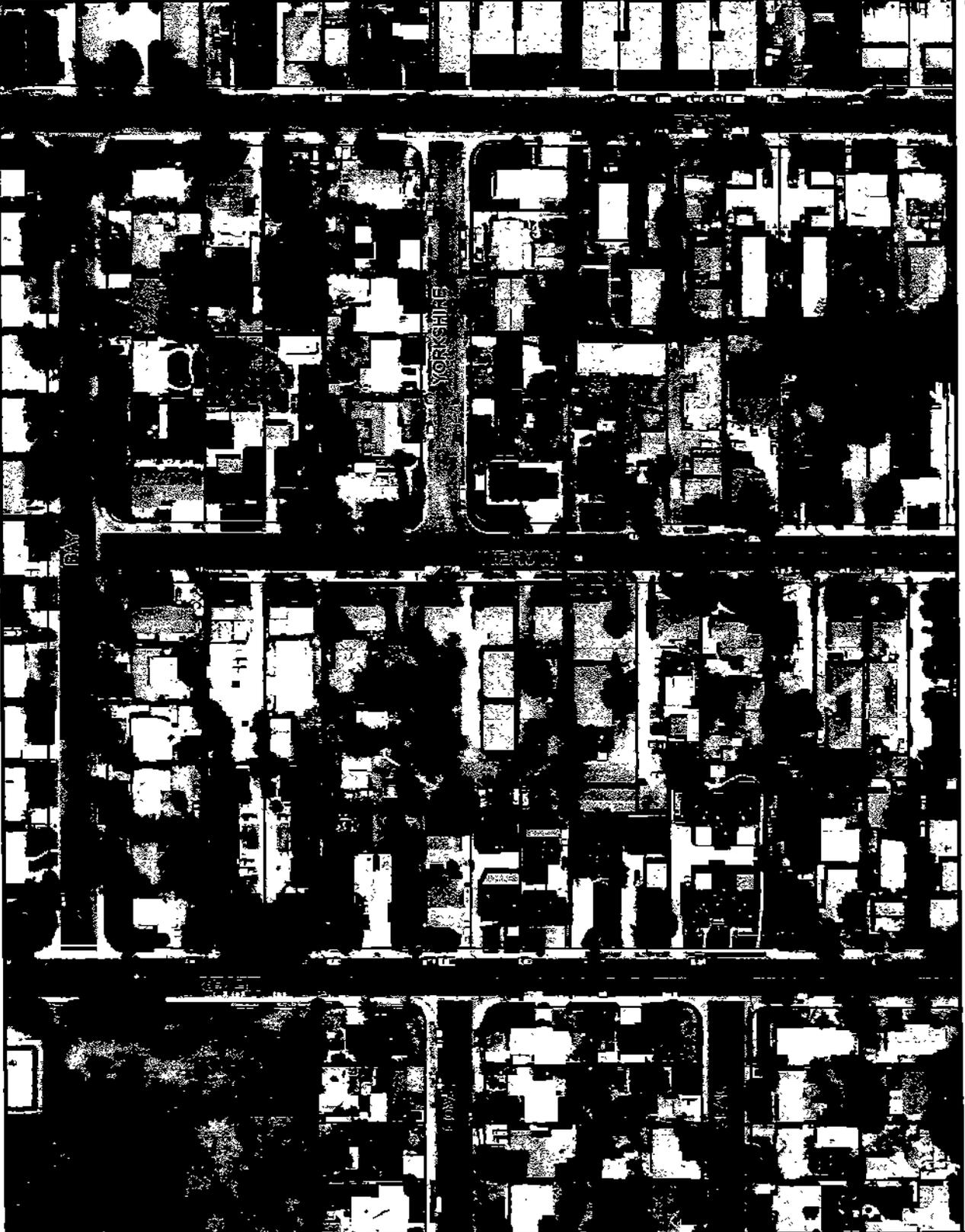
Post-it® Fax Note	7671	Date	3-24-04	# of pages	1
To	M. Lee	From	M. Odegaard		
Co./Dept.	Planning	Phone #	949-754-0818 x120		
Phone #		Fax #	MTP		
Fax #	714-754-4856	Fax #			

ZONING/LOCATION MAP

PA-03-42



2013-2029 ANAHEIM AVE.



Legend

- Street Names
- Parcel Lines
- Ortho Photography

**PHOTOS OF SUBJECT PROPERTY
2013 THRU 2019 ANAHEIM AVENUE
PLANNING APPLICATION PA-03-42**

