



# **PLANNING COMMISSION AGENDA REPORT**

*VIII.6*

MEETING DATE: SEPTEMBER 13, 2004

ITEM NUMBER:

**SUBJECT: PLANNING APPLICATION PA-04-28  
134 EAST WILSON STREET**

**DATE: SEPTEMBER 2, 2004**

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

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## **DESCRIPTION**

The applicant is requesting approval of a variance from driveway landscaping requirement (10 ft. required; 0 ft. proposed) with a minor design review to construct a new, two-story residence behind an existing one-story residence, and a minor modification for driveway width (16 ft. required; 10 ft. proposed).

## **APPLICANT**

Ali Sedghi is the applicant and property owner.

## **RECOMMENDATION**

Approve by adoption of Planning Commission resolution, subject to conditions.

  
\_\_\_\_\_  
WENDY SHIH  
Associate Planner

  
\_\_\_\_\_  
PERRY L. VALANTINE  
Asst. Development Services Director

## PLANNING APPLICATION SUMMARY

Location: 134 East Wilson Street Application: PA-04-28

Request: Variance from driveway landscaping requirement (10 ft. required; 0 ft. proposed) with a minor design review to construct a new, two-story residence behind an existing one-story residence, and a minor modification for driveway width (16 ft. required; 10 ft. proposed).

### SUBJECT PROPERTY:

Zone: R2-MD  
 General Plan: Medium Density Residential  
 Lot Dimensions: 50 ft. x 132 ft.  
 Lot Area: 6,600 sq. ft.  
 Existing Development: Single-family residence with a detached 3-car garage at the rear.

### SURROUNDING PROPERTY:

North: All surrounding properties  
 South: are residentially zoned  
 East: and developed with  
 West: zoning designation of R2-MD

### DEVELOPMENT STANDARD COMPARISON

<u>Development Standard</u>	<u>Required/Allowed</u>	<u>Proposed/Provided</u>
<b>Lot Size:</b>		
Lot Width	100 ft.	50 ft.*
Lot Area	12,000 sq. ft.	6,600 sq. ft.*
<b>Density:</b>		
Zone	1 du/3,000 sq. ft. (existing lot between 6,000 sq. ft. and 7,260 sq. ft. as of 3/16/92)	1 du/3,300 sq. ft.
General Plan	Same as above	Same as above
<b>Building Coverage:</b>		
Buildings	N/A	33% (2,156 sq. ft.)
Paving	N/A	27% (1,790 sq. ft.)
Open Space	40% (2,640 sq. ft.)	40% (2,654 sq. ft.)
TOTAL	100%	100% (6,600 sq. ft.)
Rear Yard Coverage:	25 % (250 sq. ft.)	17% (170 sq. ft.)
Building Height:	2 stories/27 ft.	2 stories/ 21 ft.
Ratio of 2 <sup>nd</sup> floor to 1 <sup>st</sup> floor**:	80% recommended	67% (626 sq. ft./931 sq. ft.)
<b>Setbacks (new structure):</b>		
Front (distance to ex. bldg.)	10 ft.	10 ft.
Side (left/right)	5 ft./5 ft.	5 ft./19 ft.
2 <sup>nd</sup> Floor Side (left/right)**	10 ft. average recommended	6.7 ft. avg./21.7 ft. avg.
Rear (1 <sup>st</sup> floor/2 <sup>nd</sup> floor)	10 ft./20 ft.	12.5 ft./20 ft.
<b>Parking:</b>		
Covered	2	3
Open	3	2
Guest	1	1
TOTAL	6 Spaces	6 Spaces
Driveway Width:	16 ft.	10 ft.****
Parkway Landscaping:	10 ft. wide/ 3 ft. min. dimension	0 ft.***

CEQA Status Exempt, Class 3  
 Final Action Planning Commission

\*Existing nonconforming.

\*\*Design Guidelines

\*\*\*Variance requested

\*\*\*\*Minor Modification requested

**BACKGROUND/PROJECT DESCRIPTION**

The subject site is developed with a single-family residence and a detached 3-car garage at the rear. A single-car garage attached to the residence was converted to living area and a room was added to the house without permits. The applicant is proposing to: legalize the room addition; restore the single-car garage; demolish the detached garage at the rear; and construct a 2-story residence with a 2-car garage in its place. The new unit at the rear will consist of a 2-car garage, living room, kitchen and bathroom on the first floor, and 2 bedrooms and 2 bathrooms upstairs.

**ANALYSIS***VARIANCE (LANDSCAPE PARKWAY)/MINOR MODIFICATION (DRIVEWAY WIDTH)*

The existing residence has a 6 ft. left (west) and a 10 ft. right (east) side setback. It is situated on a lot with nonconforming lot width and area (100 ft. wide and 12,000 sq. ft. required; 50 ft. wide and 6,600 sq. ft. existing). There is an existing 10 ft. wide driveway along the right (east) side leading to the back of the lot. Since the applicant proposes a second unit on the property, the driveway will become a common driveway serving two units, triggering a landscaped parkway and new driveway width requirements.

The zoning code requires a 16 ft. width for driveways serving two or more units and requires landscape parkways with a combined width of 10 ft. to be provided along the sides of common driveways. The applicant is requesting a minor modification to allow a 10 ft. wide driveway to serve two units, and a variance to deviate from landscaping on either side of the driveway. Since the lot is only 50 ft. wide and the existing structure is set back 10 ft. from the right (east) side property line, the required 16 ft. wide driveway and 10 ft. of parkway landscaping cannot be provided without demolishing a portion of the residence.

The original intent of the driveway landscaping was to provide visual relief for driveways serving multiple-family or common interest developments where driveways are often longer (e.g. 300 ft. deep lots). The shorter depth of this lot (132 ft.), and the resultant shorter length of the driveway (78 ft.), reduces the visual impact the driveway will have. It is an existing driveway and the view of the driveway at the front of the lot will not change as a result of the new unit at the rear. The existing 10 ft. wide driveway will still provide adequate on-site circulation for 2 units.

*MINOR DESIGN REVIEW*

Any two-story construction on a lot that results in 2 or fewer dwelling units requires approval of a minor design review. This allows review of the structure's scale, site planning, landscaping, appearance, and any other applicable features relative to a compatible and attractive development. Normally the Zoning Administrator reviews a minor design review, but due to the request for a variance, it is referred to the Planning Commission.

The proposed construction meets or exceeds all residential development standards and intent of the design guidelines. The rear, 2-story residence has a second-to-first floor ratio of 67% (626 sq. ft./931 sq. ft.) and incorporates variable rooflines and multiple building planes for an interesting building mass. Although the second floor only has a 6.7 ft. average (10 ft. average recommended) left (west) side setback, it meets the intent of the design guidelines in that it provides breaks in the roof and wall planes for visual relief.

Staff has conducted a field inspection and is of the opinion that the proposed development would not negatively impact the surrounding properties or aesthetics of the neighborhood. There are many 2-story residences in the area, including the adjoining lots on all three sides, so it would not appear out of place or obtrusive. Privacy impacts are not anticipated because there are non-viewing windows on the left (west) and rear (north) elevations, while the front (south) elevation overlooks the existing front unit and the right (east) is set back 19 ft. to 24 ft. from the property line.

### **ALTERNATIVES**

1. If the application is approved, it would allow construction of the 2-story unit at the rear of the property.
2. Denial of the variance or minor modification would prevent construction of a new unit behind the existing one.
3. Approval of the variance and minor modification and denial of the minor design review would require architectural design changes in the new building.

### **ENVIRONMENTAL DETERMINATION**

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

### **CONCLUSION**

The proposed 2-story structure satisfies all applicable code requirements (with exception of variance and minor modification) and residential design guidelines. Architectural articulation is provided through a variety of roof and wall planes. The original intent of the landscaped parkway was to provide visual relief for driveways serving multiple-family or common interest developments where driveways are typically longer. Approval of the variance to eliminate driveway landscaping would not result in a negative visual impact since no change to the front half of the lot is proposed.

Attachments: Draft Planning Commission Resolution

Exhibit "A" - Draft Findings

Exhibit "B" - Draft Conditions of Approval

Applicant's Project Description and Justification

Zoning/Location Map

Plans

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

Ali Sedghi  
134 East Wilson Street  
Costa Mesa, CA 92627

**RESOLUTION NO. PC-04-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF COSTA MESA APPROVING PLANNING  
APPLICATION PA-04-28**

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

WHEREAS, an application was filed by Ali Sedghi, the property owner, with respect to the real property located at 134 East Wilson Street, requesting approval of a variance from driveway landscaping requirement (10 ft. required; 0 ft. proposed) with a minor design review to construct a new, two-story residence behind an existing one-story residence, and a minor modification for driveway width (16 ft. required; 10 ft. proposed), in the R2-MD zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on September 13, 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** Planning Application PA-04-28 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 Planning Application PA-04-28 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 13<sup>th</sup> day of September 2004.**

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Chair, Costa Mesa Planning Commission

STATE OF CALIFORNIA )  
 )ss  
COUNTY OF ORANGE )

I, Kimberly Brandt, acting secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on September 13, 2004, by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

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Acting Secretary, Costa Mesa  
Planning Commission

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

- A. 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 parkway landscaping 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 existing house precludes providing both the required minimum driveway width and driveway parkway landscaping. The original intent of the driveway landscaping was to provide visual relief for driveways serving multiple-family or common interest developments where driveways are often longer. The shorter depth of this lot, and the existing driveway location/width will still provide adequate on-site circulation for two units and will not create a negative visual impact. The deviation granted is the minimum necessary to accommodate the proposed development and does not constitute a grant of special privileges inconsistent with the limitation upon other properties in the vicinity and zone in which the property is located.
- B. The information presented substantially complies with section 13-29(g)(6) of the Costa Mesa Municipal Code in that the improvement will not be materially detrimental to the health, safety and general welfare of persons residing or working within the immediate vicinity of the project or to the property and improvements within the neighborhood. Specifically, the minor modification for a 10 ft. wide driveway will not negatively impact on- or off-site circulation/access. The 10 ft. width will still provide adequate circulation and access for two units.
- C. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(14) in that the project complies with the City of Costa mesa Zoning Code and meets the purpose and intent of the Residential Design Guidelines, which are intended to promote design excellence in new residential construction, with consideration being given to compatibility with the established residential community. This minor design review includes site planning, preservation of overall open space, landscaping, appearance, mass and scale of structures, location of windows, varied roof forms and roof plane breaks, and any other applicable design features.
- D. The proposed project complies with Costa Mesa Municipal Code Section 13-29 (e) because:
- The proposed development and use is compatible and harmonious with uses both on site as well as those on surrounding properties.
  - 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.
  - The project is consistent with the General Plan.
  - The planning application is for a project-specific case and does not

establish a precedent for future development.

- e. The cumulative effects of all planning applications have been considered.
- E. 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.
- F. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

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

- Plng.
1. Address assignment shall be requested from the Planning Division prior to submittal of working drawings for plan check. The approved address of individual units, suites, buildings, etc., shall be blueprinted on the site plan and on all floor plans in the working drawings.
  2. 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 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 storm water 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 storm water 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.
  4. 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.
  5. The applicant shall contact AT&T/Broadband Cable Television of Costa Mesa at 200 Paularino, Costa Mesa, (888.255.5789) prior to issuance of building permits to arrange for pre-wiring for future cable communication service.
  6. The conditions of approval and ordinance or code provisions and special district requirements of Design Review PA-04-28 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
  7. The applicant shall contact the Planning Division to arrange for an inspection of the site prior to the release of utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
  8. 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.
  9. Grading, materials delivery, equipment operation, and other construction-related activity shall be limited to between the hours of 7 a.m. and 8 p.m., Monday through Friday, and 8 a.m. to 6 p.m.

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.

- Eng 10. At the time of development, maintain the public right-of-way in a "wet-down" condition to prevent excessive dust and remove any spillage from the public right-of-way by sweeping or sprinkling.

PLANNING DIVISION - CITY OF COSTA MESA

DESCRIPTION/JUSTIFICATION

Application #: PA-04-28

Environmental Determination:

Address: 134 East Wilson St. Costa Mesa, CA 92627

- 1. Fully describe your request: We are requesting planning approval for legalizing existing unpermitted room addition by bringing it up to code, and also construction of a new 2 Bedroom 2 story residential unit in the rear of the lot.
- 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.

-The subject property is Zoned R-2 and 2 residential unit is allowed. Neighbouring properties all have 2 or more residential units on the lot.

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.

There is an existing 3 car garage @ rear of the lot which will be removed to construct new unit w/ 2 car garage. Existing driveway leading to the rear of the property is only 10' wide and there is no possibility of widening that after the demolition part of exist 2 Bedroom unit.

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.

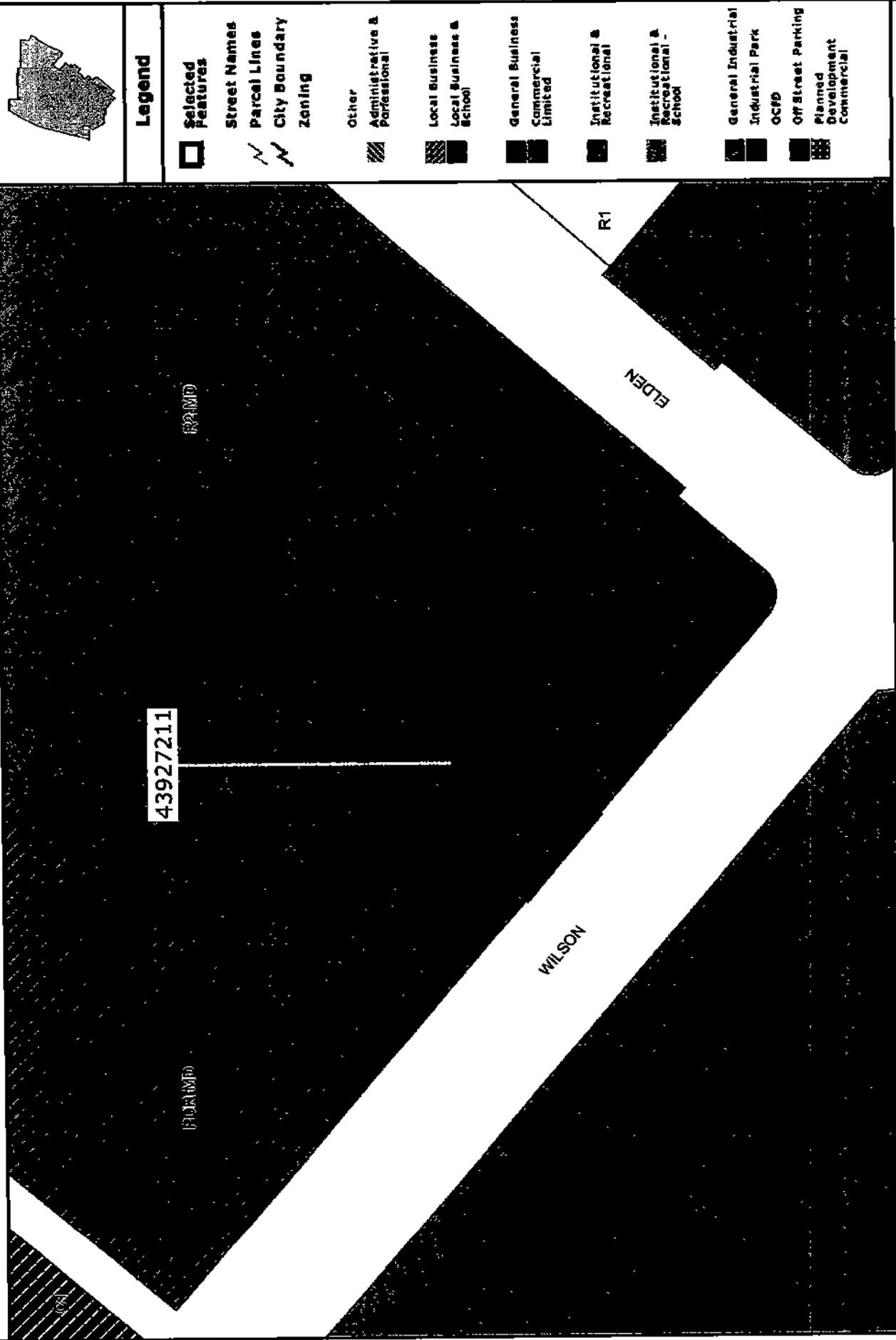
Is included in the publication indicated above.

Mr. Sedgwick  
Signature

6/29/04  
Date

# 134 East Wilson Street

Zoning/Location Map



## 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
- OC/FD
- Off Street Parking
- Planned Development Commercial

# 134 E. Wilson St.

Aerial Photograph



## Legend

- Selected Features
- Street Names
- Parcel Lines
- City Boundary
- Ortho Photography
- Parcels

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REVISIONS

OWNER: <b>ALI SEDGHI</b> 134 E. WILSON ST. COSTA MESA, CA 92627 (714) 631-8445	PREPARED BY: <b>BOB BAHRAMI</b> 4 FALLING LEAF IRVINE, CA 92612 (714) 309-2432	STRUCTURAL ENGINEER	CONTRACTOR
SCALE: <b>AS NOTED</b>			
SITE PLAN ROOF PLAN			
<b>A-1</b>			

**OWNER:**  
**ALI SEDGHI**  
134 E. WILSON ST.  
COSTA MESA, CA 92627  
(714) 631-2666

**PROPERTY ADDRESS:**  
134 E. WILSON AVE.  
COSTA MESA, CA 92628

**LEGAL DESCRIPTION:**  
TRACT 8, 2ND 27 1/2 FT  
ALGUELS  
LOT 8  
20' x 50' x 50'

**ZONING: R-PMU**

**BUILDING INFORMATION:**  
NO. OF DWELLING UNITS: TWO  
BENT, 2 BATHS, 2 KITCHENS, 3 BEDROOMS  
OCCUPANCY: R-2  
CONSTRUCTION TYPE: V-M  
NO. OF STORIES: TWO  
PROPOSED: TWO

**CODE COMPLIANCE:**  
2001 CALIFORNIA BUILDING CODE  
2001 CALIFORNIA MECHANICAL CODE  
2001 CALIFORNIA PLUMBING CODE  
2001 CALIFORNIA ELECTRICAL CODE

**SITE INFORMATION:**  
LOT AREA: 4600.00 SQ FT  
LOT COVERAGE (BUIL.): 100.00%  
PERMITTED: 1031.00 SQ FT  
NON-PERMITTED: 1626.00 SQ FT  
TOTAL: 1225.00 SQ FT

**PROPOSED UNIT 'B':**  
LIVING AREA: 504.00 SQ FT  
GARAGE: 426.00 SQ FT  
TOTAL: 930.00 SQ FT

**TOTAL LOT COVERAGE:**  
BUILDING FOOTPRINT: 289.00 SQ FT  
OPEN AREA: 59.6%

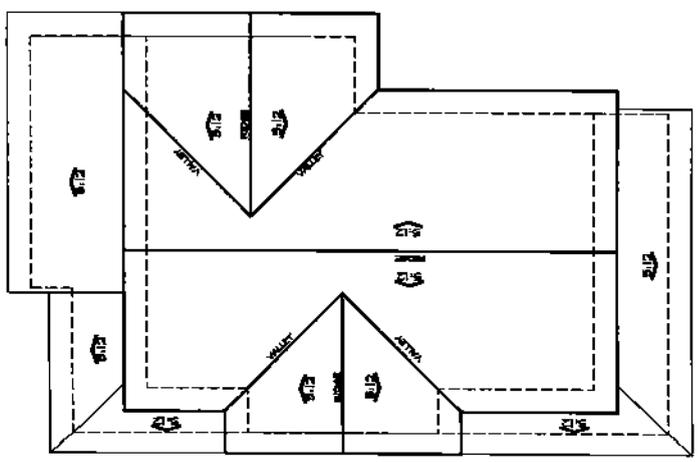
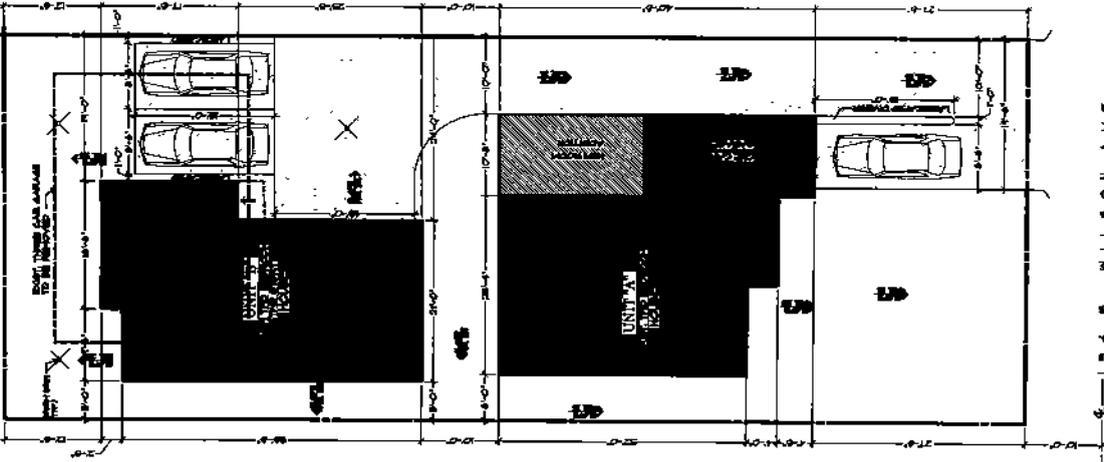
**PAVED AREA:** 1740.00 SQ FT  
**BUILDING FOOTPRINT:** 289.00 SQ FT  
**TOTAL:** 2029.00 SQ FT

**OTHER AREA (6600-5446):** 215.57 SQ FT  
**REQUIRED (40%):** 2860.00 SQ FT

**SQUARE FOOTAGE:**  
**EXISTING (UNIT 'A'):**  
LIVING AREA: 1017.00 SQ FT  
GARAGE: 208.00 SQ FT  
TOTAL: 1225.00 SQ FT

**PROPOSED UNIT 'B':**  
**LIVING AREA:** 504.00 SQ FT  
**1ST FLOOR:** 626.00 SQ FT  
**2ND FLOOR:** 150.00 SQ FT  
**TOTAL:** 776.00 SQ FT  
**GARAGE:** 426.00 SQ FT

**GARAGE AND PARKING STALLS:**  
**EXISTING (UNIT 'A'):**  
ONE CAR GARAGE, TWO OFF STREET STALLS  
**PROPOSED (UNIT 'B'):**  
TWO CAR GARAGE, ONE OFF STREET STALL



**UNIT "B"  
ROOF PLAN**  
SCALE: 1/4"=1'-0"

**SITE PLAN**  
SCALE: 1/8"=1'-0"

REVISIONS

CONTRACTOR

STRUCTURAL ENGINEER

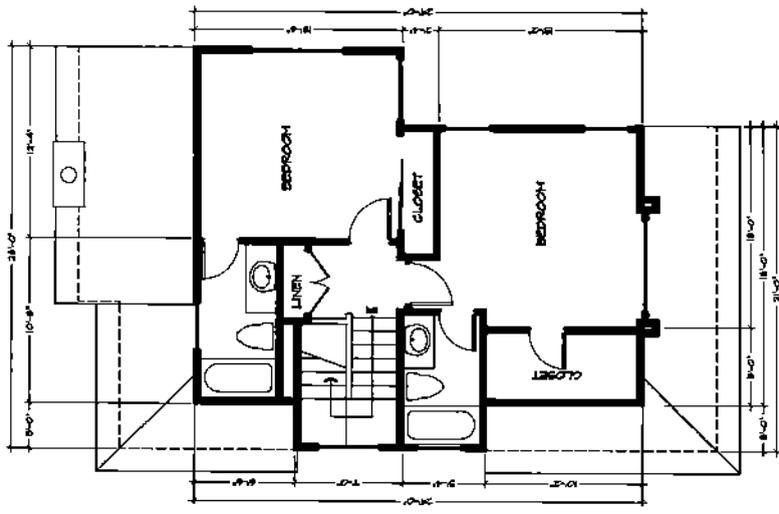
PREPARED BY  
BOB BAHRAMI  
4 FALLING LEAF  
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OWNER  
ALI SEDGHI  
134 E. WILSON ST.  
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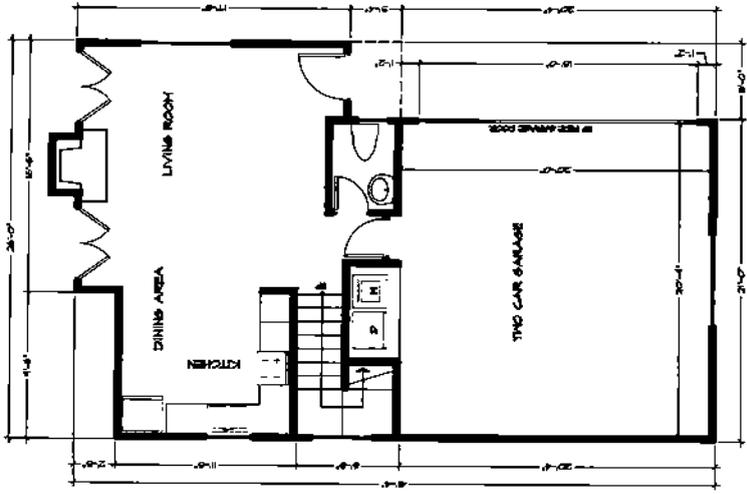
SCALE:  
AS NOTED

FLOOR PLAN

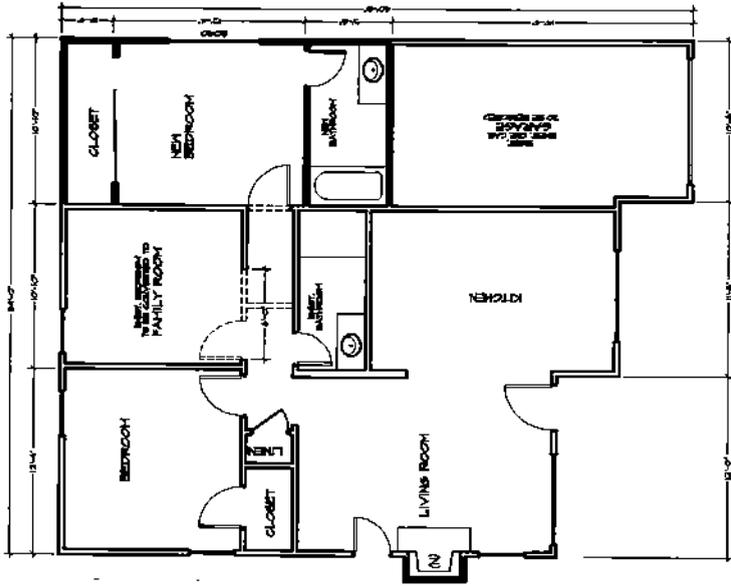
A-2



UNIT "B"  
2ND. FLOOR PLAN  
SCALE: 1/4"=1'-0"



UNIT "B"  
1ST. FLOOR PLAN  
SCALE: 1/4"=1'-0"



UNIT "A"  
FLOOR PLAN  
SCALE: 1/4"=1'-0"

