



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: JULY 25, 2005

III. 3
ITEM NUMBER:

SUBJECT: PLANNING APPLICATION PA-05-08
695 CENTER STREET

DATE: JULY 14, 2005

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

DESCRIPTION

The applicant is proposing to construct two detached, two-story apartment units with a variance from driveway parkway landscaping requirement and minor modifications to allow a 10-foot wide driveway and to encroach into the required front setback for proposed porch posts.

APPLICANT

Naldo Cabanillas is representing the property owner, Esam Rostom.

RECOMMENDATION

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



WENDY SHIH
Associate Planner



R. MICHAEL ROBINSON, AICP
Asst. Development Services Director

BACKGROUND/PROJECT DESCRIPTION

The subject site contains a single-story, single-family residence and a detached garage. The applicant proposes to demolish the garage, remodel the residence and add a second unit at the rear for two detached, two-story apartment units. Each unit will contain two bedrooms and two and a half bathrooms with a single-car garage.

The applicant requests a variance from driveway parkway landscaping requirement (10 feet combined width required; 2 feet combined width proposed) and minor modifications to allow a 10-foot wide driveway (16 feet required for common driveways serving 2 or more units) and a 3-foot encroachment into the required 20-foot front setback for a porch, to accommodate the proposed project.

ANALYSIS**MINOR DESIGN REVIEW**

With the exception of the existing, nonconforming lot width and lot area, the proposed development meets all residential development standards and the intent of the design guidelines. The second floors are more than 80% of the first floor area, as recommended in the City's design guidelines (85% proposed for building A and 97% proposed for building B). However, the buildings incorporate variation in depth of floor plans, rooflines, multiple building planes, and offsets to provide architectural interest. The buildings also provide minimum 10-foot average second floor side setbacks on the left (east) side, as recommended by the design guidelines, to provide visual relief from the adjacent property. Although the second floor setbacks on the right (west) side are 8-foot average, both buildings provide a break in the second floor wall plane and first floor roofline to provide interest to the elevations. The structures on the adjacent property to the right (west) are also set back approximately 15 feet from the shared property line.

Privacy impacts on adjoining residences are minimized because more than 20 feet separation is provided between the second floor areas and existing buildings/windows on the adjacent properties to the left (east) and right (west). All second-floor windows on the side elevations are "non-viewing" windows (clerestory, bathroom, or staircase windows).

Since parking is provided based on two, two bedroom apartment units, a condition has been included to require the second floor study in unit B be separated from the staircase by a low wall or railing so that it cannot be enclosed for a third bedroom.

VARIANCE – DRIVEWAY PARKWAY LANDSCAPING

The Zoning Code requires landscape parkways with a combined width of 10 feet to be provided along the sides of common driveways. The applicant is requesting a minor modification to allow a 10-foot wide driveway (see discussion below) to serve two units and a variance to allow 2 feet of landscaping to be provided on a portion of the driveway. Since the lot is only 45 feet wide, a Code-compliant 16-foot driveway width

and parkway landscaping would leave only 14 feet available for structures, after taking into account the minimum 5-foot side setback that is also required.

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 foot deep lots). The shorter depth of this lot (135 feet), and the resultant shorter length of the driveway (82 feet), reduces the visual impact the driveway will have. Also, in addition to the front setback landscaping, approximately 2 to 4 feet of landscaping is proposed at the front of the driveway entry area to provide visual relief as viewed from the street.

Based on the lot's narrow width and its shorter depth, it is staff's opinion that the special circumstances of the lot dimensions justify approval of the variance from parkway landscaping. Approval of the deviation would not constitute a grant of special privileges inconsistent with the limitation on other properties in the vicinity.

MINOR MODIFICATIONS – DRIVEWAY WIDTH AND FRONT SETBACK

Per Costa Mesa Municipal Code (CMMC) Section 13-93 (1), driveways providing access to 2 or more dwelling units must be at least 16 feet wide. The Code allows a minor modification for a decrease in minimum driveway width to not less than 10 feet (Section 13-28(j)(1)) if the improvement will not be materially detrimental to the health, safety and general welfare of persons residing on or near the property and if the improvement enhances the overall design of the project. The applicant proposes a 10-foot wide driveway. Staff has no objections to a minor modification to allow a reduction of the driveway width because it is serving only two units and the reduced driveway width will still provide adequate on-site circulation for all both units. The Transportation Services Division has also reviewed the proposal and has no objections to the reduced driveway width. As mentioned above, due to the nonconforming lot width of 45 feet, there is inadequate room to provide a full-width driveway, parkway landscaping, and a structure. The strict application of the development standards would deprive the property of privileges enjoyed by others in the vicinity.

A minor modification is also requested for two support posts for a front porch. The Zoning Code allows a maximum 5-foot encroachment into the 20-foot front setback for a roof overhang. However, the support posts require a minor modification to encroach 3 feet into the front setback. The front porch will not be materially detrimental to the health, safety and general welfare of persons residing on or near the property since it will be open and it provides architectural interest on the front elevation that enhances the design of the project. The porch posts will not provide substantially greater visibility impacts than the Code-permitted 15-foot setback for a roof overhang.

ALTERNATIVES

1. If the planning application is approved, it would allow the construction of the project as proposed.

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2. If the application is not approved, the property could not be built as proposed. The applicant could not submit substantially the same type of design for six months.

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 modifications) and the intent of the 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 and minor modification to allow 2-foot driveway landscaping and 10-foot driveway width would not result in a negative visual impact since the driveway length is only 82 feet and serves two units. The minor modification for the front porch encroachment provides visual interest on the front elevation as viewed from the street and will not provide substantially greater visibility impacts than the Code-permitted 15-foot setback for a roof overhang.

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
 Sr. Deputy City Attorney
 Public Services Director
 City Engineer
 Fire Protection Analyst
 Staff (4)
 File (2)

Esam Rostom
 335 S. Earlham St.
 Orange, CA 92869

Naldo Cabanillas
 2756 Tern Circle
 Costa Mesa, CA 92626

RESOLUTION NO. PC-05-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA APPROVING PLANNING
APPLICATION PA-05-08**

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

WHEREAS, an application was filed by Naldo Cabanillas, representing property owner Esam Rostom, with respect to the real property located at 695 Center Street, requesting approval of a minor design review to construct two detached, two-story apartment units with a variance from driveway parkway landscaping requirement (10 feet combined width required; 2 feet combined width proposed) and minor modifications to allow a 10-foot wide driveway (16 feet required) and a 3-foot encroachment into the required 20-foot front setback for porch posts in the R2-HD zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on July 25, 2005.

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-05-08 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-05-08 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 25th day of July, 2005.

Chair, Costa Mesa Planning Commission

EXHIBIT "A"**FINDINGS**

- A. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(14)(a) in that the proposed development is substantially compatible and harmonious with existing and/or anticipated development on surrounding properties. This includes site planning, landscaping, appearances, scale of structures, location of windows, and any other applicable features relative to a compatible and attractive development. Specifically, the project is consistent with the City's General Plan, CCMC Section 13-32 (Residential Development Standards - R2-HD zone) and the City's Residential Design Guidelines. The buildings incorporate variation in depth of floor plans, multiple building planes and offsets, and elevations with stepping forms both horizontally and vertically to provide architectural interest. The second story windows are also designed so that privacy impacts on adjoining properties are minimized.
- 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 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, nonconforming lot width (45 feet) and side setback requirements for structures (5 feet) preclude providing both the required minimum driveway width and driveway parkway landscaping. 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.
- C. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(6) in that approval of minor modifications for a 17 foot front setback for a front porch and a 10 foot wide driveway 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 property and improvements within the neighborhood. The improvement is compatible and enhances the architecture and design of the existing and anticipated development in the vicinity. This includes the site planning, land coverage, landscaping, appearance, scale of structures, open space and any other applicable features relative to a compatible and attractive development. Specifically, the front porch provides architectural articulation on the front elevation for visual interest as viewed from the street and will not provide greater visual impacts than the Code permitted 15 foot setback for a roof overhang. The reduced driveway width is serving only two units and will provide adequate on-site circulation for the project.
- D. The proposed project complies with Costa Mesa Municipal Code Section 13-29 (e) because:

- a. The proposed development and use is compatible and harmonious with uses both on site as well as those on surrounding properties.
 - b. 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.
 - c. The project is consistent with the General Plan.
 - d. The planning application is for a project-specific case and does not establish a precedent for future development.
- 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. The property address and address of individual units (A and B) shall be blueprinted on the site plan and on all floor plans in the working drawings.
2. The second floor study in unit B shall be separated from the staircase by a low wall or railing so that it is not enclosed. This condition shall be completed under the direction of the Planning staff.
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 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.
4. To avoid an alley-like appearance, the driveway shall be developed without a center concrete swale. Design shall be approved by the Planning Division.
5. 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.
6. 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.
7. The conditions of approval, code requirements and special district requirements of PA-05-08 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
8. 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.
9. Show method of screening for all ground-mounted equipment. 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.
10. 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 11. 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-05-08

Environmental Determination:

Address: 695 CENTER ST., COSTA MESA

1. Fully describe your request: TO BUILD 2 APARTMENT UNITS, 2 BEDROOMS EACH. THE EXISTING UNIT IN THE FRONT WILL BE REMODELED AND EXISTING GARAGE REMOVED, AN IDENTICAL NEW UNIT WILL BE CONSTRUCTED AT REAR OF PROPERTY.

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.

PROPOSED DRIVEWAY IS AT AN EXISTING DEVELOPED LOT. DUE TO WIDTH OF EXISTING STRUCTURE AND WIDTH REQUIRED FOR DRIVEWAY WE ARE UNABLE TO PROVIDE REQUIRED LANDSCAPING ADJACENT TO NEW DRIVEWAY.

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.



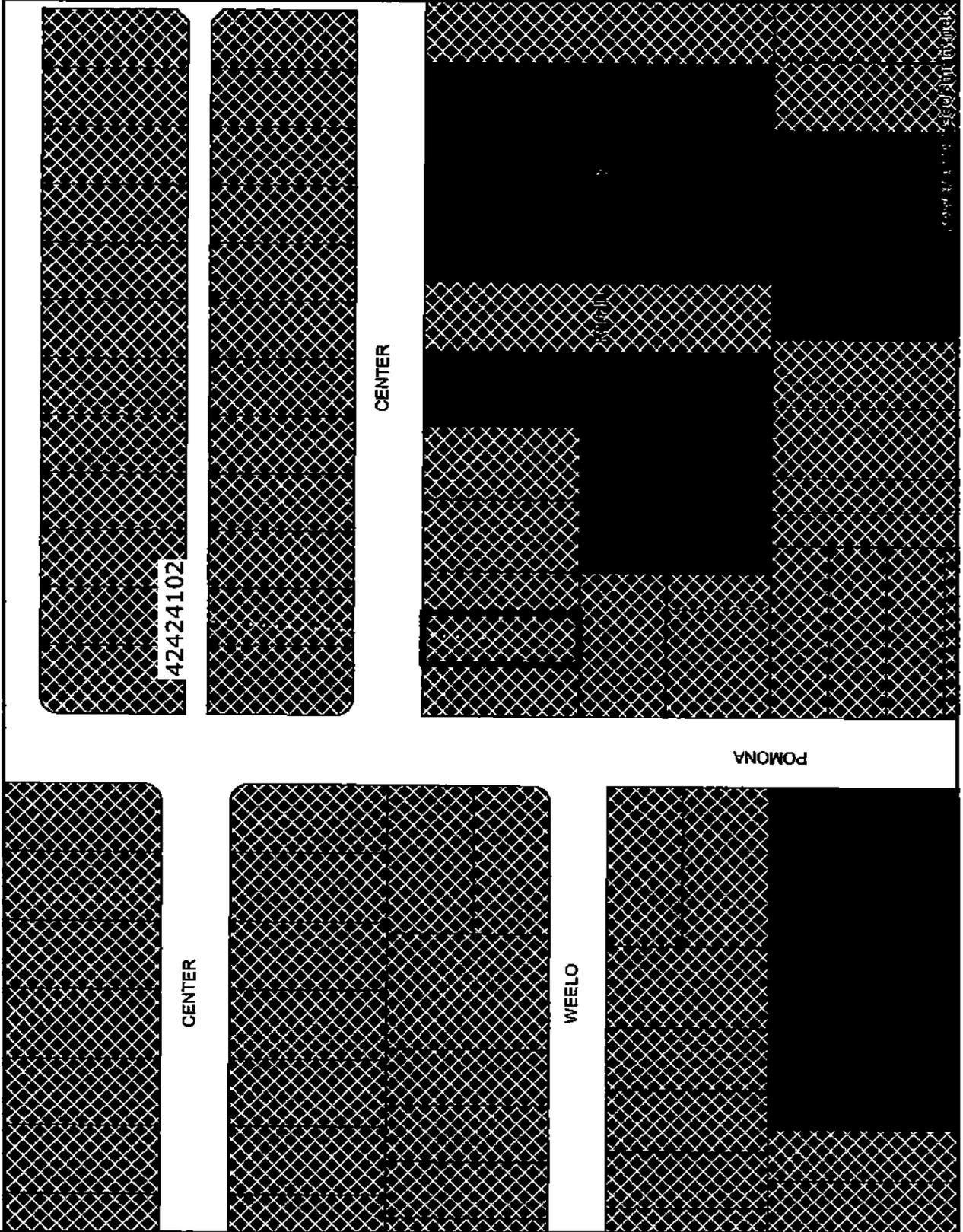
Signature

3/30/05

Date

ZONING/LOCATION MAP

695 Center Street



Legend

Selected Features



Street Names



Parcel Lines



City Boundary



Zoning

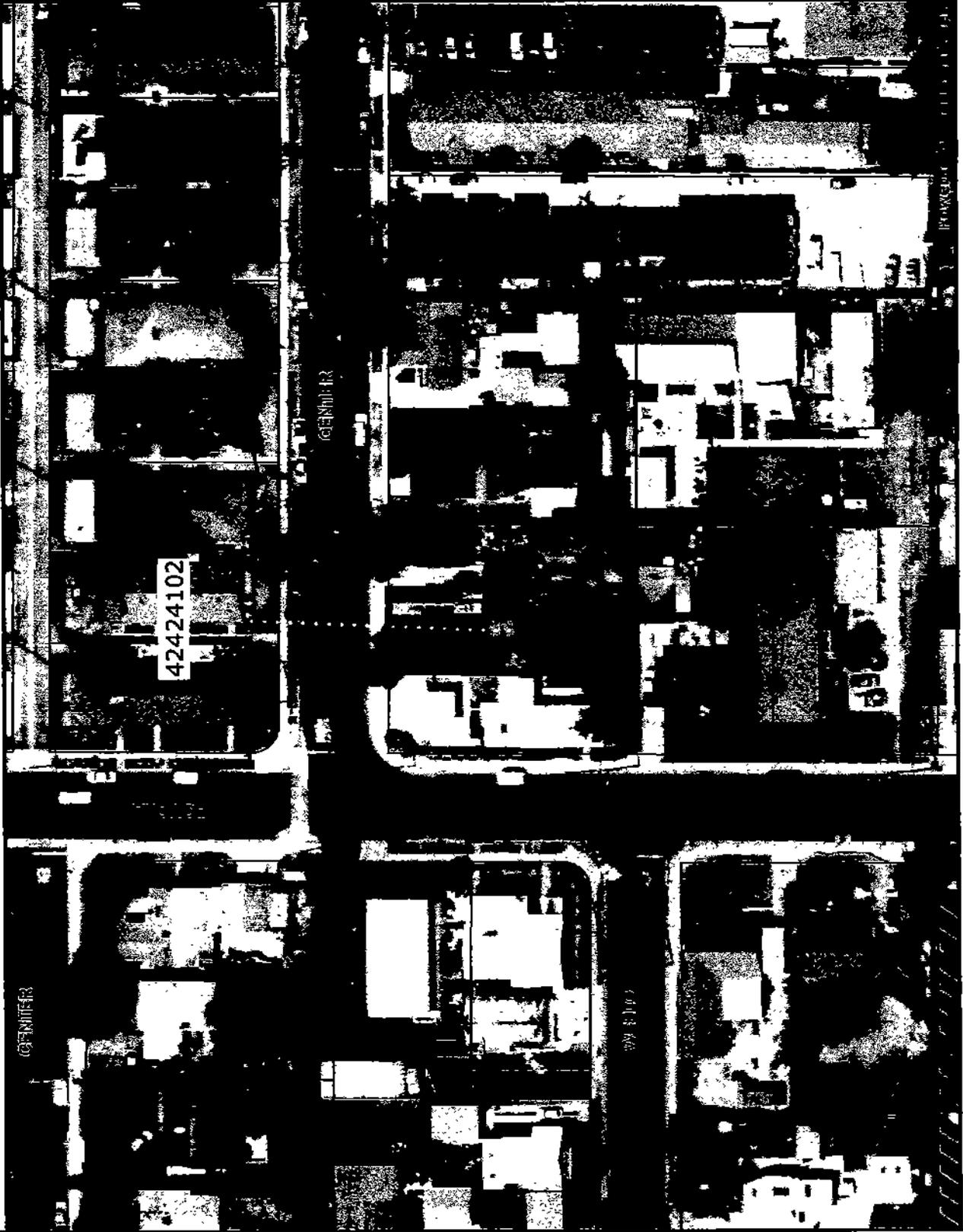


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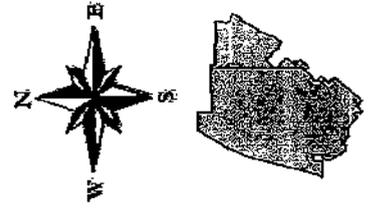
AERIAL PHOTOGRAPH

695 Center Street



Legend

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



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