



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: DECEMBER 12, 2005

III. 1.
ITEM NUMBER:

SUBJECT: PLANNING APPLICATION PA-05-29/VESTING TENTATIVE TRACT MAP VTT-16917
1011 – 1045 EL CAMINO DRIVE

DATE: DECEMBER 1, 2005

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

DESCRIPTION

The applicant is proposing a design review to construct a 24-unit, 2-story, small lot, residential common interest development. Two variances, a minor modification, and a vesting tentative tract map are also needed to accommodate the project.

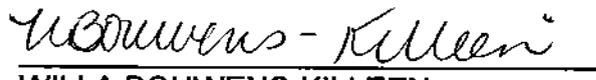
APPLICANT

Oxbow 101 LLC is the property owner and applicant for this project.

RECOMMENDATION

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


WENDY SHIH
Associate Planner


WILLA BOUWENS-KILLEEN
Principal Planner


R. MICHAEL ROBINSON, AICP
Asst. Development Services Director

PLANNING APPLICATION SUMMARY

Location: 1011 – 1045 El Camino Dr. Application: PA-05-29/VT-16917

Request: Design review to construct a 24-unit, 2-story, small lot residential common interest development with variances to consider Coronado Drive as the front of the property and to allow 5 feet of public parkway to be used towards the private setback area and a minor modification for a 2-foot encroachment along Coronado Drive.

SUBJECT PROPERTY:

Zone: R2-MD
 General Plan: Medium Density Residential
 Lot Dimensions: Irregular
 Lot Area: 2.73 acres
 (after street vacation)
 Existing Development: Commercial shopping center (to be demolished).

SURROUNDING PROPERTY:

North: (Across El Camino Drive) R3 – Apartments
 South: (Across Coronado Drive) R1 – Single-family residences
 East: R1 – Single-family residences
 West: (Across Mendoza Drive) C1 - Commercial

DEVELOPMENT STANDARD COMPARISON

<u>Development Standard</u>	<u>Required/Allowed</u>	<u>Proposed/Provided</u>
Lot Size:		
Lot Width (Development Lot)	100 ft.	407 ft.
Lot Area (Development Lot)	12,000 sq. ft.	118,932 sq. ft.
Individual Lot Area	3,000 sq.ft min./ 3,500 sq.ft. avg.	3,120 sq.ft. min/ 3,964 sq.ft. avg.
Density:		
Zone/General Plan	1 du/3,630 sq. ft.	1 du/4,956 sq. ft.
Building Coverage (Development Lot):		
Buildings	N/A	27% (32,500 sq.ft.)
Paving	N/A	14% (16,413 sq.ft.)
Open Space	40% (47,573 sq. ft.)	59% (70,019 sq.ft.)
TOTAL	100%	100%
Private Open Space (Individual Lots):	Min.40% (15 ft. min./400 sq.ft.)	45% (18 ft. min./720 sq.ft.) to 66% (21 ft. min./1,554 sq.ft.)
Tot Lot:	N/A	1,122 sq.ft.
Common Lot:	10 ft. min. street setback landscape	5 ft. along El Camino and Mendoza Drive*
Building Height:	2 stories/27 ft.	2 stories/25 ft.
Ratio of 2 nd floor to first floor**:	80%	Plan A 101%(1,387 sq.ft./1,373 sq.ft.) Plan B 114%(1,510 sq.ft./1,325 sq.ft.) Plan C 94%(1,360 sq.ft./1,440 sq.ft.)
Setbacks (Development Lot):		
Front (Coronado Drive*)	20 ft.	18 ft.*** - 20 ft.
Side (left-Mendoza Drive/ right- adjoining SFR on San Juan Ln.)	10 ft./5 ft.	20 ft./16 ft.
Second Floor Interior Side** (Lots adjoining SFR on San Juan Ln.)	10 ft. average	16 ft. – 36 ft. average
Rear (El Camino Drive)	20 ft.	20 ft.
Separation between units	10 ft.	10 ft.
Parking:		
Covered	48	48
Open	48	48
TOTAL	96 Spaces	96 Spaces
Driveway Width:	16 ft.	25 ft.
Landscape Pkwy's for Private Street	5 ft. min. in front of house; 10 ft. combined	5 ft. min. in front of house; +25 ft. combined

CEQA Status Exempt, Class 32
 Final Action Planning Commission

* Variances to consider Coronado Drive as the front of the property and for reduced common street setback landscaping requested.
 ** Residential Design Guideline.
 *** Minor modification for 2 ft. encroachment for architectural projection requested.

BACKGROUND/PROJECT DESCRIPTION

On April 2, 2001, City Council approved a general plan amendment and rezone of the properties (containing El Camino Shopping Center and a former service station being used for auto repair) to Medium Density Residential and R2-MD (Multiple-Family Residential, Medium Density).

Many of the units in the shopping center are now vacant. The auto repair business moved to another location within the City in July 2005.

The applicant proposes a 24-unit, small lot common interest development on the two lots. All existing commercial buildings will be demolished to accommodate the project. Planning Commission review is required for the design review, variances, and vesting tentative tract map. The minor modification can be processed by Planning staff but has been included as part of this application to allow all elements of the project to be considered at the same time.

The applicant also requests the City vacate 10 feet of excess public right-of-way along El Camino, Mendoza, and Coronado Drives to accommodate the project. The ultimate project lot area would be 2.73 acres with the vacation. Public Services is amenable to the vacation.

ANALYSIS

Design Review

Residential developments of three or more units are subject to a design review, which requires Planning Commission consideration. This allows review of the structures' scale, site planning, landscaping, appearance, and any other applicable features relative to a compatible and attractive development.

The exterior elevations of the proposed homes will consist of wood and shingle siding, asphalt shingle roofing, wood trim, and stone veneer base. Accents will be provided around windows, porches or trellises, and varying rooflines will be provided. The homes will be 25 feet high (27 feet permitted) and each lot exceeds the minimum 40% private open space required by Code.

To minimize second story mass, the City's residential design guidelines recommend that the second floor not exceed 80% of the first floor area and the second story be set back an average of 10 feet from the development lot interior side property line. The proposed second floors range from 94% to 114%. However, variable rooflines, architectural projections, multiple building planes, and other features provide architectural interest and visual relief. Four of the proposed units will abut three of the existing single-family homes along San Juan Lane. Without the proposed variance to consider Coronado Drive as the front of the property (see variance discussion below), the common property line would be considered a rear property line and a 20-foot setback would be required for the second stories. With the applicant's requested

variance to consider Coronado Drive as the front of the property, this becomes a side property line and a 5-foot setback is required for the new homes. The applicant designed the site plan to provide minimum second story setbacks of 16 to 20 feet and has modified the elevations of the four houses to provide a variety of wall planes and architectural interest, as well as orienting windows either away from the existing homes or providing windows that cannot be readily looked out of (bottom sill of the window is a minimum of 5-feet above the floor; windows are opaque and non-openable) to minimize view impacts and to protect the privacy of the adjoining residents.

A 25-foot wide private street is proposed for the project. This width is sufficient to provide emergency vehicle access and adequate back-out area for vehicles parked in the driveways of the individual lots. No parking on the private street will be allowed to ensure adequate access is provided.

A tot lot is proposed adjacent to the emergency egress area in the northeast corner of the development lot. The emergency egress area will be developed with turf block or other landscaped treatments to support emergency vehicles and planted with turf for use of the area as a passive play area. The proposed location of the tot lot, adjacent to the emergency egress area, will allow the provision of a larger play space for residents and use of an area that might otherwise be unused. The tot lot will be subject to the guidelines adopted by the City for outdoor play areas in private developments. The standard conditions of approval adopted by Planning Commission and City Council for outdoor play yards are incorporated into the proposed conditions of approval under Exhibit "A".

Multiple-family residential projects containing five or more dwelling units are required to provide trash enclosures. However, Code allows the final review authority to grant an exception to this requirement if the applicant submits a written determination from the Sanitary District and/or any contract trash collection service that on-site trash collection service can be provided to each individual dwelling unit; if the applicant signs and records a land use restriction prohibiting trash collection in the public right-of-way; if adequate, screened on-site storage for trash containers is provided; and with a limitation of no more than two trash containers per dwelling unit. The applicant feels that individual trash collection is consistent with the proposed project and intends to comply with these requirements, with the exception of pick-up locations for lots 18 through 24, which face public streets and would be difficult for the residents to place their trash cans on the private street. Staff feels that with the limitation of two trash cans per resident, in conjunction with a limitation as to how long the trash cans can remain at the curb, would not adversely impact the surrounding neighborhood. Proof of compliance will be required prior to issuance of building permits so a trash enclosure can be incorporated into the project if the requirements cannot be satisfied. Adequate room exists on the property to allow installation of a trash enclosure.

Variations – Front Property Line and Common Street Setback Landscaping

The Zoning Code defines the front property line as the narrowest property line abutting a public street; consequently, Mendoza Drive would be considered the front. The

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to open towards other single-family homes in the area. The longer length of the Coronado frontage (407 feet versus Mendoza's 80-foot long frontage), in conjunction with the 20-foot deep front setback requirement, provides a greater amount of setback area visible to the adjoining neighborhood. It is also consistent with the development style of the adjacent residential neighborhood.

The applicant also proposes a variance to provide a 5-foot deep landscaped setback behind the El Camino and Mendoza Drive property lines (versus the 10 feet required) and to incorporate 5 feet of public right-of-way behind the sidewalk to provide the minimum 10-foot deep landscaped area. The minimum required sidewalk width will be provided as required. This setback will be compatible with the design and amount of landscaping provided by the apartments to the north across El Camino Drive. The reduced common lot setback landscaping would allow for more usable backyards for the individual lots. Additional landscaping at the corner of El Camino and Mendoza Drives will provide an entry statement for the intersection and project. Landscaping in the parkway will be consistent with landscaping placed in the private setback area and required to be maintained by the Homeowners Association.

It is staff's opinion that the lot's unique shape and three street frontages create the justification for approval of the variances. Granting the variances would not constitute a grant of special privileges inconsistent with other properties in the same zoning district. The proposed site configuration would integrate well with developments in the vicinity.

Minor Modification – Front (Coronado) Setback Requirements

Portions of the second floor bedrooms of lots 18 through 24 are proposed to project 2 feet into the required 20-foot front setback along Coronado Drive. Code permits a maximum 20% reduction of the front setback (4 feet) through a minor modification. With exception of the second story window projections, the enclosed portions of the units maintain a 20-foot setback from property line. Staff feels the minor projections over the garages provide additional architectural interest to the front elevation of the units.

Vesting Tentative Tract Map

The map consists of 24 dwelling unit lots. The lots range from 3,120 square feet to 5,385 square feet with an overall average of 3,964 square feet. The lots meet or exceed the minimum lot area of 3,000 square feet and the average lot area of 3,500 square feet required by Code. A common lot (Lot A) containing the common driveway, tot lot, and landscaping is also proposed. The map is consistent with the R2-MD zone, the General Plan, the common interest development standards, and the State Subdivision Map Act.

The applicant has applied for a "vesting" tentative tract map. If Planning Commission approves the vesting tentative tract map, the Codes applicable at the time of filing, including development standards and fees, remain in effect for this project even if the Codes change. The required submittal documentation for a vesting tentative tract map application includes a school impact analysis for grades K-12. According to a letter

including development standards and fees, remain in effect for this project even if the Codes change. The required submittal documentation for a vesting tentative tract map application includes a school impact analysis for grades K-12. According to a letter from the Newport Mesa Unified School District, dated July 11, 2005, the proposed project will not have an adverse impact on any area schools.

Additional Discussion

Government Code Section 65402 (Restrictions on Acquisition and Disposal of Real Property) requires that public right-of-way or other real property cannot be vacated or abandoned without a finding being made that such vacation or abandonment conforms to the General Plan. The Public Services Department has determined that the affected 10 feet of excess public right-of-way along El Camino, Mendoza, and Coronado are unnecessary for public street or highway purposes. Therefore, the proposed vacation of excess public right-of-way is consistent with the City's 2000 General Plan. The vacation will result in additional parkway area adjacent to two existing single-family lots (2805 and 2829 San Juan Lane). Conditions of approval have been included requiring landscaping installed by the developer and maintained by the Homeowners Association, unless the applicant coordinates with the adjacent property owners to incorporate the areas into their lots. The attached draft resolution includes the General Plan consistency finding required by the Government Code.

ALTERNATIVES

1. If the application is approved, it would allow subdivision of the site and construction of the proposed 24-unit residential development.
2. If the application is denied, the property could not be subdivided or built as proposed. The applicant could not submit substantially the same type of design for six months.
3. If any of the variances and/or minor modification is denied, and the remainder of the project approved, the applicant would have to substantially redesign the project.

ENVIRONMENTAL DETERMINATION

The project is exempt from the provisions of the California Environmental Quality Act as a Class 32 (In-Fill Development) exemption. The former service station at 1045 El Camino Drive had leaking underground fuel tanks. In February 2004, the underground tanks, gasoline pumps and canopies were removed and on August 27, 2004, a closure letter was issued from the County of Orange Health Care Agency stating that site remediation has been completed. Therefore, no further environmental review of this issue is necessary.

CONCLUSION

The R2-MD zone of the property would allow a maximum of 32 dwelling units. However, in proposing to construct a small-lot, common interest development on an unusually shaped lot, the applicant has proposed a 24-unit project that satisfies the majority of the City's development standards. The applicant has worked closely with staff on the project design and through several revisions, including increased perimeter landscaping, incorporation of a tot lot, and additional setback and privacy features for the lots adjoining the existing single-family residences.

Approval of the proposed project will allow the replacement of a nonconforming shopping center and vacant auto repair building with a conforming development that will provide additional home ownership opportunities in the City. With exception of the front property line and common setback landscaping variances, the proposed development meets applicable residential development standards and the intent of the design guidelines. The variances are justified due to the unique shape of the lot and unusual amount of street frontage. It is staff's opinion that the proposed development is compatible with the neighborhood and will provide a substantial improvement to the area.

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
 City Attorney
 Deputy City Attorney
 City Engineer
 Fire Protection Analyst
 Staff (4)
 File (2)

Eric Cernich
 Oxbow 101 LLC
 160 Newport Center Drive, Ste. 240
 Newport Beach, CA 92660

File: 121205PA0529VT16917	Date: 113005	Time: 10:30 a.m.
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RESOLUTION NO. PC-05-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-05-29 AND VESTING TENTATIVE TRACT MAP VTT-16917 AND FINDING THE PROPOSED STREET VACATION CONSISTENT WITH THE GENERAL PLAN

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

WHEREAS, an application was filed by owner of property, Oxbow 101 LLC, with respect to the real property located at 1011 – 1045 El Camino Drive, requesting approval of a design review to construct a 24-unit, 2-story, small lot, residential common interest development with variances to consider Coronado Drive instead of Mendoza Drive as the front of the property and to reduce the common landscaped area along El Camino and Mendoza Drives from 10 feet to 5 feet, with a minor modification to allow a 2-foot encroachment into the required 20-foot front setback, in conjunction with a vesting tentative tract map to accommodate the project in the R2-MD zone; and

WHEREAS, the Costa Mesa City Council adopted the City of Costa Mesa 2000 General Plan on January 22, 2002; and,

WHEREAS, the Government Code of the State of California, Section 65402, provides in part that a local agency shall not acquire or lease real property nor abandon or dispose of any real property, nor construct a public building or structure in any county or city, until the location, purpose, and extent of such activity has been reported upon as to conformity with the adopted General Plan applicable thereto; and,

WHEREAS, the City of Costa Mesa proposes to abandon excess public right-of-way along portions of El Camino Drive, Mendoza Drive, and portions of Coronado Drive; and,

WHEREAS, the Costa Mesa Planning Commission has reviewed the proposed abandonment.

WHEREAS, a duly noticed public hearing was held by the Planning Commission on December 12, 2005.

BE IT RESOLVED that, based on the evidence in the record, the Planning Commission hereby finds that the proposed abandonment of excess public right-of-way is in conformity with the adopted General Plan.

BE IT FURTHER 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-05-29 and Vesting Tentative Tract Map VTT-16917 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-05-29 and Vesting Tentative Tract Map VTT-16917 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 12th day of December, 2005.

Bill Perkins, Chair
Costa Mesa Planning Commission

EXHIBIT "A"**FINDINGS**

- A. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(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 and Zoning Code, and the City's Residential Design Guidelines. The project is of a character and scale compatible with the neighborhood. The buildings incorporate multiple building planes and offsets, and elevations with stepping forms both horizontally and vertically to provide architectural interest. The second story windows are also placed so that privacy impacts on adjoining properties are minimized. Approval of the planning application will provide additional home ownership opportunities in the City.
- B. The proposed vacation of excess public right-of-way along portions of El Camino Drive, Mendoza Drive, and portions of Coronado Drive is consistent with the City's 2000 General Plan.
- C. 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 cumulative effect of all planning applications have been considered.
- D. The proposed project complies with Costa Mesa Municipal Code Section 13-29 (g)(1) special circumstances applicable to the property exist to justify approval of the variances from front property line and common setback landscaping. Specifically, the lot is uniquely shaped and has three street frontages. The strict application of development standards deprives such property of privileges enjoyed by others in the vicinity under identical zoning classifications. The deviation granted do not constitute a grant of special privileges inconsistent with the limitation upon other properties in the vicinity and zone in which the property is situated. Approval of the variances will allow a project that is compatible with the surrounding neighborhood. The granting of the deviation will not allow a use, density, or intensity which is not in accordance with the general plan designation for the property. Approval of the variances will allow a project that is compatible with both the apartments to the north and the single-family residences to the south and east.

- E. The creation of the subdivision and related improvements is consistent with the General Plan and Zoning Code.
- F. The proposed use of the subdivision is compatible with the General Plan.
- G. The subject property is physically suitable to accommodate Vesting Tentative Tract Map VTT-16917 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.
- H. 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.
- I. The subdivision and development of the property will not unreasonably interfere with the free and complete exercise of the public entity and/or public utility rights-of-way and/or easements within the tract.
- J. 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).
- K. 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, under CEQA Guidelines Section 15332 involving in-fill development projects.
- L. 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. Address assignment shall be requested from the Planning Division prior to submittal of working drawings for plan check. The approved address of individual units, suites, buildings, etc., shall be blueprinted on the site plan and on all floor plans in the working drawings.
 2. Prior to issuance of building permits, applicant shall contact the US Postal Service with regard to location and design of mail delivery facilities. Such facilities shall be shown on the site plan, landscape plan, and/or floor plan.
 3. The final map shall show easements or other provisions for the placement of centralized mail delivery units, if applicable. Specific locations for such units shall be to the satisfaction of the Planning Division, Engineering Division, and the US Postal Service.
 4. The subject property's ultimate finished grade level may not be filled/raised in excess of 30" above the finished grade of any abutting property. If additional fill dirt is needed to provide acceptable onsite 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.
 5. To avoid an alley-like appearance, the driveways shall be developed without a center concrete swale. Design shall be approved by the Planning Division.
 6. 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.
 7. The site plan submitted with initial working drawings shall contain a notation specifying the project is a 24-unit, small lot, common interest development.
 8. The applicant shall contact Comcast (cable television) at 200 Poularino, Costa Mesa, (888.255.5789) prior to issuance of building permits to arrange for pre-wiring for future cable communication service.
 9. The conditions of approval and ordinance or code provisions and special district requirements of Planning Application PA-05-29/Vesting Tentative Tract Map VTT-16917 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
 10. Provide decorative block wall along all street frontages, except for Lots 18-24, under the direction of Planning staff.
 11. Stationary play equipment shall be located on turf, sand, or other treated surface to the satisfaction of the Development Services Director. Common outdoor play areas shall include a combination of both soft and hard surfaces.

12. Prior to building permit issuance, the applicant shall submit a final playground plan for review and approval, which includes detailed playground specifications of manufactured play equipment. The playground plan shall depict safety fall zones, safety surfacing materials and construction specifications, manufacturer and model numbers of equipment and equipment deck heights. On a project specific basis, the Development Services Director shall require that the playground plan adequately serve the anticipated number of users and their activities.
13. Prior to occupancy, the applicant shall submit a letter stating that the play equipment installation has been inspected by a person authorized by the manufacturer, that the equipment has been installed per manufacturer's specifications, and that it complies with the minimum playground safety regulations adopted by the State of California (California Code of Regulations, Title 22, Division 4, Chapter 22).
14. There shall be no nighttime lighting, except for security purposes, of the tot lot. Any lighting under the control of the applicant shall be directed in such a manner so as to not unreasonably interfere with the quiet enjoyment of nearby residents.
15. A street barrier (i.e., steel reinforced bollards, reinforced block walls, etc.), minimum 42 inches in height, shall be provided between the tot lot and the private drive.
16. At least one of each type of ground level play equipment in the tot lot shall be handicap accessible.
17. 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.
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. Block walls shall be provided on all interior lot lines. New block walls shall be decorative block and shall be the same or of consistent materials as the project's perimeter block wall, 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 and set back from adjacent sidewalks to provide a landscape planter area, subject to approval by the Planning Division.
20. Decorative paving shall be provided at the driveway entry area. This condition shall be completed under the direction of Planning Division.
21. Prior to issuance of building permits, the applicant shall provide the Conditions, Covenants, and Restrictions (CC&Rs) to the Development Services Director and City Attorney's office for review. The CC&Rs must be in a form and substance acceptable to, and shall be approved by the Development Services Director and City Attorney's office. The CC&Rs shall contain provisions that effectively implement the following

parking-related requirements: (1) require that the homeowner's association (HOA) require homeowners to maintain a 20' x 20' unobstructed area in their enclosed garages to allow parking of two vehicles instead of any other purpose (e.g. storage) and (2) require that the HOA contract with a towing service to enforce the parking regulations. Any subsequent revisions to the CC&Rs related to these parking provisions must be reviewed and approved by the City Attorney's office and the Development Services Director before they become effective to the review/approval of the Planning Division and City Attorney's office.

22. 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.
23. The passive play area/emergency egress next to Lot 12 shall be improved with turf block and turf under the direction of the Fire and Planning staffs.
24. All utility poles on or adjacent to the development lot shall be removed and all utilities undergrounded, unless required approvals cannot be obtained from the applicable parties.
25. Applicant shall provide proof of establishment of a homeowner's association prior to release of any utilities.
26. Street addresses shall be displayed on the front of the house adjacent to the main entrance or front door of each residence in a manner visible to the private 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.
27. The site plan submitted with initial working drawings shall contain a notation specifying the ultimate interior property lines.
28. If the project is constructed in phases, the perimeter wall, landscaping along the frontages, and irrigation shall be installed prior to the release of utilities for the first phase.
29. All transformers and other utility equipment shall be placed behind the 20-foot setback line, and shall be screened from view in a manner approved by the Planning Division.
30. Consistent landscape materials shall be planted in both the public right-of-way and on private property along all three street frontages. The homeowner's association shall maintain all area between the public sidewalk and the development lot's perimeter wall in a consistent manner.
31. Comply with the requirements contained within the letter prepared by the City Engineer dated September 26, 2005. (Copy attached)

Eng



CITY OF COSTA MESA

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

FROM THE DEPARTMENT OF PUBLIC SERVICES/ENGINEERING DIVISION

September 26, 2005

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

SUBJECT: Vesting Tentative Tract No. 16917
LOCATION: 1011-1045 El Camino Drive

Dear Commissioners:

Vesting Tentative Tract Map No. 16917 as furnished by the Planning Division for review by the Public Services Department, consists of subdividing one (1) lot into a 24-unit common interest development. Vesting Tentative Tract Map No. 16917 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. In accordance with C.C.M.M.C. Section 13-230, the Subdivider shall submit street improvement plans and/or off-site plans at the time of first submittal of the Final Tract Map. Plan check fee shall be paid per C.C.M.M.C. Section 13-231.
4. 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.
5. 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.
6. A current copy of the title search shall be submitted to the Engineering Division with the first submittal of the Final Tract Map.
7. 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.

8. All public streets shall be fully improved per the C.C.M.M.C., City of Costa Mesa Standard Drawings, and all requirements of the City Engineer.
9. All public streets construction performed as a part of this development shall present a new and uniform appearance prior to the acceptance of the improvements by the City.
10. The elevations shown on all plans shall be on Orange County benchmark datum.
11. The Subdivider shall submit a cash deposit of \$1000 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. The Subdivider's engineers shall furnish the Engineering Division a storm runoff study which provides on-site detention to the satisfaction of the City Engineer 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. Cross lot drainage shall not occur.
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 associated 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) Hold Harmless Agreement required for such conditions prior to issuance of permits.
16. Fulfill the drainage fee ordinance requirements prior to the approval of the Tract Map.
17. Emergency outlets shall be provided at all sump locations along the storm system. Emergency outlets shall be designed to convey the 100-year storm flow.
18. Vehicular and pedestrian access rights to Coronado Drive, Mendoza Drive and El Camino Drive shall be released and relinquished to the City of Costa Mesa except at approved access locations.
19. 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.
20. Street lighting shall be provided as required by the Public Services Department, Transportation Services Division.
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 Mesa Consolidated Water District; call (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. 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.
26. 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.
27. Survey monuments shall be preserved and referenced before construction and replaced after construction, pursuant to Section 8771 of the Business and Profession Code.
28. 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.
29. Applicant shall notify and coordinate proposed development with adjacent properties.
30. Applicant shall set up and provide a public parkway maintenance agreement and/or an encroachment permit to require the HOA to be responsible for the maintenance of the landscape in the public right of way along Coronado Drive adjacent to 2805 San Juan Lane and along El Camino Drive adjacent to 2829 San Juan Lane as approved by the City.

Alternate option: The applicant shall coordinate with the adjacent properties and process documents, provide engineering, surveying and, any and all services to process the vacation of the (10' wide) right of way along Coronado Drive to the property owner at 2805 San Juan Lane and the (10' wide) right of way along El Camino Drive to the property owner at 2829 San Juan Lane as approved by the City Engineer.

The issue(s) with the public parkway/right-of-way and the improvements along Coronado Drive adjacent to 2805 San Juan Lane and the right of way along El Camino Drive adjacent to 2829 San Juan Lane shall be coordinated with the property owners and as directed by the City.

Sincerely,



Ernesto Munoz, P. E.
City Engineer

PLANNING DIVISION - CITY OF COSTA MESA

DESCRIPTION/JUSTIFICATION

Application #: PA.05.29
Address: 1011-1045 EL Camino Dr.

Environmental Determination: Exempt, Class 32

1. Fully describe your request:

Approval and DESIGN REVIEW OF A 24 Lot
Common INTEREST DEVELOPMENT ON A
2.5 ACRE PARCEL.

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.

WE ARE REQUESTING A VARIANCE AND ADMINISTRATIVE ADJUSTMENT BECAUSE OF THE UNUSUAL SHAPE OF THE PROPERTY AND COMPATIBILITY WITH THE NEIGHBORHOOD. THE VARIANCE WOULD PERMIT THE DEVELOPMENT TO USE CORONADO DRIVE AS THE "FRONT" AND A VARIANCE FROM THE COMMON LOT STANDARDS.

3. This project is: (check where appropriate)

- In a flood zone.
- Subject to future street widening.
- In the Redevelopment Area.
- In a Specific Plan Area.

4. I have reviewed the HAZARDOUS WASTE AND SUBSTANCES SITES LIST published by the office of Planning and Research and reproduced on the rear of this page and have determined that the project:

Is not included in the publication indicated above.

Is included in the publication indicated above.



Signature

7-12-05

Date

PLANNING DIVISION - CITY OF COSTA MESA
DESCRIPTION/JUSTIFICATION

Application #: VTT-16917 Environmental Determination: Exempt, Class 32
Address: 1011 - 1045 EL CAMINO DRIVE, COSTA MESA 91616

1. Fully describe your request:

APPROVAL OF A 24 LOT VESTING TENTATIVE TRACT MAP IN A RMD ZONED 2.5 ACRE PARCEL

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.
- Subject to future street widening.
- In the Redevelopment Area.
- In a Specific Plan Area.

4. I have reviewed the HAZARDOUS WASTE AND SUBSTANCES SITES LIST published by the office of Planning and Research and reproduced on the rear of this page and have determined that the project:

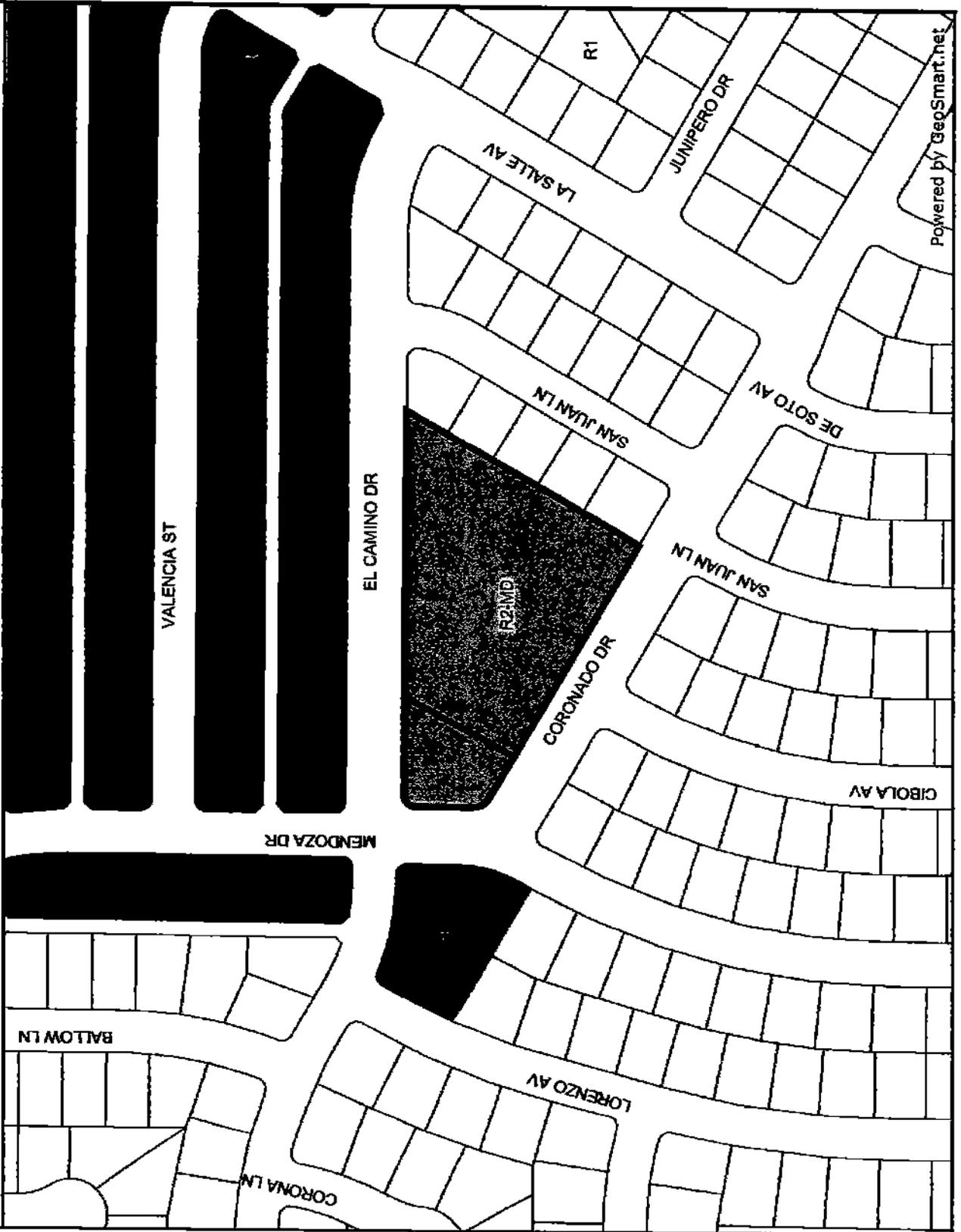
- Is not included in the publication indicated above.
- Is included in the publication indicated above.


Signature

7-12-05
Date

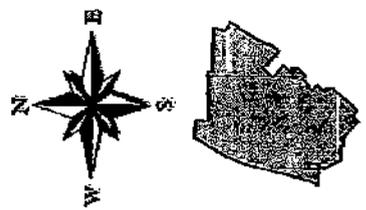
ZONING/LOCATION MAP

1011 - 1045 El Camino Drive



Legend

- Selected Features
 - Street Names
 - Parcel Lines
 - City Boundary
 - Zoning
- AP C1 C1-S C2 CL IAR IAR-S MG MP P PDC PDI PDR-ND PDR-LD PDR-MD PDR-NCM R1 R2-HO R2-MD R3 TC Parcels



1011 - 1045 El Camino Drive

Legend

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





CITY OF COSTA MESA

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

DEVELOPMENT SERVICES DEPARTMENT

**FOR ATTACHMENTS NOT INCLUDED IN THIS REPORT,
PLEASE CONTACT THE PLANNING DIV. AT (714)754-5245.**