



# PLANNING COMMISSION AGENDA REPORT

*III 2.*

MEETING DATE: DECEMBER 12, 2005

ITEM NUMBER

**SUBJECT: PLANNING APPLICATION PA-05-35/ TENTATIVE TRACT MAP T-16926/ MINOR  
CONDITIONAL USE PERMIT AT 2287-2295 PACIFIC AVENUE**

**DATE: NOVEMBER 30, 2005**

**FOR FURTHER INFORMATION CONTACT: CLAIRE L. FLYNN, AICP, SENIOR PLANNER  
(714) 754-5278**

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## DESCRIPTION

The proposed project involves the following:

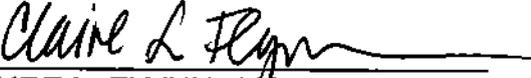
- (1) PA-05-35 for design review of a 10-unit residential common-interest development and a minor conditional use permit for encroachment of structures into the required 10-foot bluff setback.
- (2) Tentative Tract Map T-16926 for a one-lot airspace condominium subdivision.

## APPLICANT

Garrett Calacci of Waterpointe Homes, authorized agent for 2295 Pacific LLC.

## RECOMMENDATION

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

  
CLAIRE L. FLYNN, AICP  
Senior Planner

  
R. MICHAEL ROBINSON, AICP  
Asst. Development Services Director

**PLANNING APPLICATION SUMMARY**

Location: 2287-2295 Pacific Avenue Application Number: PA-05-35/T-16926

Request: Design Review for 10-unit residential common interest development / Minor Conditional Use Permit for encroachment of structures (i.e. wrought iron fence, first-floor deck, and second-floor balconies) into 10-foot bluff setback / Tentative Tract Map for one-lot airspace condominium subdivision

SUBJECT PROPERTY:		SURROUNDING PROPERTY:	
Zone:	<u>R2-MD</u>	North:	<u>Fairview Park</u>
General Plan:	<u>Medium Density Res.</u>	South:	<u>Multi-family Residential</u>
Lot Dimensions:	<u>irregular</u>	East:	<u>Pacific Avenue</u>
Lot Area:	<u>51,209 sq.ft.</u>	West:	<u>Talbert Nature Reserve</u>
Existing Development:	<u>12 apartments</u>		

Development Standard	DEVELOPMENT STANDARD COMPARISON	
	Required/Allowed	Proposed/Provided
<b>Lot Size:</b>		
Lot Width (Development Lot)	100 ft.	Over 100 ft.
Lot Area (Development Lot)	12,000 sq.ft.	1.18 acres (51,209 sq.ft., includes slope area)
<b>Density:</b>		
Zone	Maximum 14 units 1 du/3,630 sq.ft.	Proposed 10 units 1 du/5,120 sq.ft.
General Plan	1 du/3,630 sq.ft.	1 du/5,120 sq.ft.
<b>Building Coverage (Development Lot):</b>		
Buildings	NA	11,659 sq.ft. (23%)
Paving	NA	9,418 sq.ft. (18%)
OPEN SPACE	Minimum 20,412 sq.ft. (40%)	30,132 (59%)
TOTAL		51,029 sq.ft. (100%)
Building Height:	2 Stories/27 ft.	2 Stories/27 ft.
Chimney Height	29 ft.	29 ft.
First Floor Area (Including Garage)	NA	Plan 1AR & 1B: 1,059 sq.ft. Plan 1XAR & 1XA: 1,073 sq.ft. Plan 2B, 2AR, 2XB, 2XAR: 1,229 sq.ft. PLAN 2YB: 1,250 sq.ft. PLAN 3A: 1,229 sq.ft.
Second Floor Area	NA	Plan 1AR & 1B: 1,076 sq.ft. Plan 1XAR & 1XA: 972 sq.ft. Plan 2B, 2AR, 2XB, 2XAR: 1,007 sq.ft. PLAN 2YB: 1,007 sq.ft. PLAN 3A: 1,002 sq.ft.
2 <sup>nd</sup> Floor% of 1 <sup>st</sup> Floor <sup>1</sup>	80%	Plan 1AR & 1B: 91% Plan 1XAR & 1XA: 89% Plan 2B, 2AR, 2XB, 2XAR: 77% PLAN 2YB: 76% PLAN 3A: 78%
<b>Building Setbacks (Entire Site)</b>		
Front (Pacific Avenue)	20 ft.	20 ft.
Side (left/right [Fairview Park])	5 ft./5 ft.	5 ft./5 ft.
Average Second-Story Side Setback <sup>1</sup>	Avg. 10 feet	From 6 to 8 feet
Rear (Bluffs/Talbert Nature Reserve)	10 ft	7 ft. <sup>2</sup>
Rear Yard Lot Coverage	25%	0% (undeveloped slope area)
Private Open Space	10 ft. min. dim.	10 ft. min. dim.
<b>Parking:</b>		
Covered	20	20
Open	20	20
TOTAL	40	40
Backup Distance	25 ft.	25 ft.
Parkway Landscape	10 ft. combined width/3 ft. min. on one side/ 5 ft. min. adj. to house	10 ft. combined width/5 ft. on one side/ 5 ft. adj. to house
Driveway Width:	16 ft.	16 ft.

NA = Not Applicable or No Requirement

<sup>1</sup> Design Guideline (Massing Calculation does not include square footage of second-floor balconies.)

<sup>2</sup> Minor CUP required for 3-foot encroachment of second-floor balconies

CEQA Status Categorical Exemption, Class 2

Final Action Planning Commission

**BACKGROUND*****Project Site***

The project site consists of two parcels (total 1.17 acres) located at 2287-2295 Pacific Avenue (Vicinity Map, Attachment 3). Existing development consists of a 9-unit apartment complex at 2295 Pacific Avenue and a 3-unit complex at 2287 Pacific Avenue. The maximum development potential for this site in the R2-MD zone is 14 dwelling units. Site photographs are included as Attachment 6.

**ANALYSIS*****Project Description***

The proposed project involves the following:

- (1) Design Review for a 10-unit residential common-interest development;
- (2) Minor Conditional Use Permit for encroachment of the following structures into the required 10-foot bluff setback: 42" high wrought iron fencing along bluff crest, first-floor deck, and second-story balconies.
- (3) Tentative Tract Map VT-16926 for a one-lot airspace condominium subdivision.

The twelve existing apartments and all other related existing structures will be demolished.

***Design Review***

Design reviews are required for projects containing three or more, two-story residences. This allows review of the structures' scale, location of windows, site planning, landscaping, and appearance, with the goal of promoting design excellence while giving consideration to the project's compatibility and consistency with the established residential community. The site plan, floor plans, and elevations are attached (Attachment 7).

The following analysis summarizes the project's consistency with the City's Residential Development Standards and Design Guidelines.

- *Building massing is appropriate for a self-contained residential development.* The project features alternating floor plans and design schemes to create varied massing and form. To control building massing, the City's residential design guidelines recommend that the second floor not exceed 80% of the first floor. The Plan 1 models feature massing within the 89-91% range, but these models achieve the intent of the guidelines through enhanced architectural elements (i.e. second-floor balconies, wood shutters, stucco detailing, wood corbels/trims) which reduce the visual effect of building massing. A condition of approval requires that enhanced architectural treatment be provided to the satisfaction of the Development Services Director for residences fronting Pacific Avenue on Lots 1, 9, and 10.
- *Overall architectural design promotes design excellence and compatibility.* The proposed homes do not feature an average side-yard setback of 10 feet along the second story. However, architectural treatments and second-story balconies along the side elevations provide enhancements in the place of physically articulated wall planes. Staff believes that the assorted variation in building materials/colors on the front elevations, (concrete tile

roofing, wood trim, stucco elements in contrasting color) result in a well-designed residential project. Please refer to the color elevations (Attachment 4).

- Location of residences maximize views of open space areas. Staff has worked with the applicant to maximize views of Fairview Park and the Mesa West Bluffs from the new residences. The homes along these “view corridors” feature second-floor balconies, large view windows from stairwells and master bedrooms to specifically take advantage of these views. The restoration efforts occurring pursuant to the Fairview Park Master Plan will hopefully create new dynamic views of flora and fauna in their natural habitat for these residents.
- Encroachment of existing structures into Fairview Park to be removed. A survey of the property revealed that existing structures, parking lot area, and fencing are located on the Fairview Park property. A condition of approval requires demolition of these off-site structures and related improvements in this area.
- Proposed parking meets City standards. As required by Code, the proposed project features two-car garages and two open parking spaces for each dwelling unit. Parking stalls are proposed between residences located on Lots 4, 5, and 6. A condition of approval requires that a vehicle barrier (e.g. landscaped planter, steel-reinforced bollards, 36” high reinforced block wall) be provided in front of these parking stalls for safety purposes. The height and width of the vehicle barrier shall be shown on the site plan of the working drawings and subject to approval by the Planning Division.
- Landscape Concept Plan features diverse plant palette. The Landscape Concept Plan (Attachment 5) is generally consistent with the City’s landscape standards for multi-family residential development. The Concept Plan proposes a diverse plant palette including: ornamental pear trees, India hawthornes, and Mexican fan palms. Different types of ornamental grasses and shrubs are also proposed. The landscaped street setback will be consistent with the City’s landscape standards.

### ***Minor Conditional Use Permit***

Code requires the approval of a minor conditional use permit for the encroachment of structures into the required 10-foot bluff setback. The following structures are proposed to encroach into the bluff setback in Lots 3-6:

- 42” high wrought iron fencing located along the bluff crest. The wrought iron fence will not include any retaining wall or block wall component and will strictly serve as safety fencing along the bluff crest. A condition of approval requires that native plants be planted along this area to soften or screen the wrought iron fencing. In addition, the wrought iron fence will be painted in a buff color to match the landscape.
- Maximum 4-foot encroachment of first-floor decks into bluff setback. The first-floor decks will cantilever over the ground and encroach a maximum of 4 feet into the required 10-foot bluff setback area. The deck rail will feature clear view glass and rail supports will be painted to complement the existing landscape.
- Maximum 2-foot encroachment of second-story balconies into bluff setback. Second-story balconies are proposed to encroach a maximum of 2 feet into the required 10-foot bluff setback area. Balconies will be painted to match the first-floor deck in a color to complement the landscape.

It should be noted that the public notice referenced a minor conditional use permit for the encroachment of second-floor balconies. Although these other structures were not specifically described in the notice, the intent of the noticing to describe the encroachment of structures in the bluff setback was met. Thus, Planning Commission is able to take action on the approval of the minor CUP for all these structures at the meeting.

Consistent with the Zoning Code requirements, staff believes the following justifications can be made for the approval of this encroachment:

- o Proposed project improves existing built conditions along bluff crest. Existing dwelling units on the project site are sited within the 10-foot bluff setback. One residence at 2295 Pacific Avenue is located directly on the bluff crest with less than a one-foot setback. The proposed project will improve existing conditions by demolishing these structures and locating buildings a minimum of 10-feet from the bluff crest.
- o Proposed project consistent with required findings for approval. The Zoning Code requires that a minor conditional use permit not be materially detrimental to the health, safety, and general welfare of the public. In this case, the top of the slope was field verified and surveyed by a licensed surveyor to ensure that the bluff crest remains undisturbed. Granting the minor conditional use permit will not be materially detrimental to the health, safety, and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood. Specifically, the approval of 42" high wrought iron fence, first-floor decks, and second-story balconies in the 10-foot bluff setback will not endanger the stability of the slope, substantially interfere with access for fire protection, nor detract from the visual identity and integrity of the bluffs.

### ***Tentative Tract Map***

The proposed project involves a one-lot airspace condominium subdivision (Attachment 8). In contrast to a traditional small-lot residential common-interest development project, the airspace within the building structures will be owned by the new residents, and the outdoor yard areas will be held in common by the homeowner's association, with exclusive rights over certain yard areas by the individual property owner. Covenants, Conditions, and Restrictions (CC&Rs) are required to be recorded to ensure proper maintenance of the common areas. The City Engineer has determined that the tentative tract map complies with all applicable code provisions and the State Subdivision Map Act.

### **ENVIRONMENTAL DETERMINATION**

The project has been reviewed for compliance with the California Environmental Quality Act and is considered an exempt activity under CEQA Guidelines Section 15302, Class 2, involving the replacement or reconstruction of structures on the same site having substantially the same purpose and capacity.

**ALTERNATIVES CONSIDERED**

Planning Commission has the following alternatives:

1. Approve the proposed project as recommended by Planning staff.
2. Request modifications to the proposed project and/or incorporate additional conditions of approval prior to project approval.

**CONCLUSION**

The developer is interested in constructing a residential common interest development. Under the R2-MD zoning classification, the 1.17-acre site has a maximum development potential of 14 dwelling units. The developer is proposing a 10-unit development that would contribute single-family residences to the City's ownership housing stock. The proposed project will be compatible with the uses in the surrounding area and showcase views of Mesa West Bluffs and Fairview Park, thereby providing a substantial improvement to the subject property. Staff recommends approval of the proposed project, subject to conditions as described in the approval resolution.

- Attachments:
1. Draft Planning Commission Resolution  
Exhibit "A" Findings  
Exhibit "B" Conditions
  2. Applicant Letter
  3. Vicinity Map
  4. Site Photos
  5. Color Elevations
  6. Color Landscape Concept Plan
  7. Readable Plans (11" x 17")
  8. Tentative Tract Map

Distribution:

Deputy City Attorney  
Deputy City Manager/Dev. Svcs. Director  
City Engineer  
Fire Protection Analyst  
Staff (4)  
File (2)

Garrett Calacci  
190 Newport Center Drive, Suite 220  
Newport Beach, CA 92660

File: 121205PA0535

Date: 120105

Time: 7:45 a.m.

**RESOLUTION NO. PC-05-**

**A RESOLUTION OF THE PLANNING COMMISSION OF  
THE CITY OF COSTA MESA APPROVING PLANNING  
APPLICATION PA-05-35, INCLUDING A MINOR  
CONDITIONAL USE PERMIT, AND TENTATIVE TRACT  
MAP T-16926 AT 2287-2295 PACIFIC AVENUE**

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

WHEREAS, an application was filed by Garrett Calacci of Waterpointe Development Company, authorized agent for 2287-2295 Pacific LLC, requesting approval of the following: (1) Design Review for a 10-unit residential common-interest development; (2) Minor Conditional Use Permit for encroachment of the following structures into the required 10-foot bluff setback: 42" high wrought iron fencing along bluff crest, first-floor decks, and second-story balconies; and (3) Tentative Tract Map VT-16926 for a one-lot airspace condominium subdivision.

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

WHEREAS, the project has been reviewed for compliance with the California Environmental Quality Act and is considered an exempt activity under CEQA Guidelines Section 15302, Class 2, involving the replacement or reconstruction of structures on the same site having substantially the same purpose and capacity;

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", subject to the conditions contained in Exhibit "B", the Planning Commission hereby **APPROVES** Planning Application PA-05-35, including a Minor Conditional Use Permit, and Tentative Tract Map T -16926 for the proposed project as described above, located at 2287-2295 Pacific Avenue.

BE IT FURTHER RESOLVED that the 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-05-35/ Tentative Tract Map T-16926 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B." Should any material change occur in the operation, or should the applicant fail to comply with the conditions of approval, this Resolution, and any recommendation for approval herein contained, shall be deemed null and void.

**PASSED AND ADOPTED this 12<sup>th</sup> day of December, 2005.**

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Chair, Costa Mesa  
Planning Commission



## EXHIBIT "A"

### FINDINGS

- A. The proposed residential common interest development project, subdivision, and related improvements provide for residential home ownership and are in conformance with the goals, policies, and objectives of the Costa Mesa General Plan and provisions of the Zoning Code.
- B. 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 onsite as well as those on surrounding properties. Specifically, the proposed medium-density residential development will replace an existing multi-family residential development. New perimeter block walls will provide noise attenuation and privacy from Pacific Avenue, Fairview Park, and the adjacent residential property.
  - 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. The project shall provide a standard residential drive approach from Pacific Avenue that shall be ungated to avoid vehicle queuing from the public street.
  - c. The planning application is for a project-specific case and does not establish a precedent for future development.
  - d. The cumulative effects of all planning applications have been considered.
- C. The information presented complies with Costa Mesa Municipal Code Section 13-29(g)(14) in that the project meets the purpose and intent of the Residential Design Guidelines which are intended to promote design excellence in new residential construction, with consideration given to compatibility with the established residential community. First, although the proposed units exceed the 80 percent second floor to first floor ratio recommended in the City's Residential Design Guidelines, the building massing will be primarily visible from within the development. Second, architectural treatments (window trim in contrasting color and decorative window shutters) provide visual enhancements in the place of physically articulated wall planes. Third, the location of large windows and balcony areas for residences neighboring Fairview Park and the bluffs area maximize open space views. Fourth, the project does not feature an 10-foot average side setback along the development property lines, however, architectural treatments and other vertical/horizontal plane breaks achieve the intent of this guideline. This project is considered similar in scale and design with the prevailing character of neighborhoods in the area.
- D. With regard to the minor conditional use permit for the encroachment of structures into the bluff setback area, the proposed project complies with Costa Mesa Municipal Code Section 13-29(g)(2). Granting the minor conditional use permit will not be

materially detrimental to the health, safety, and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood. Specifically, the approval of 42" high wrought iron fence, first-floor decks, and second-story balconies in the 10-foot bluff setback will not endanger the stability of the slope, substantially interfere with access for fire protection, nor detract from the visual identity and integrity of the bluffs. Furthermore, while the public notice did not specifically describe each structure, the public notice identified the requirement for a minor conditional use permit for encroachment into the bluff setback area. The public notice for the minor conditional use permit is considered adequate.

- F. In accordance with State Law, the project has been reviewed for compliance with the California Environmental Quality Act and is considered an exempt activity under CEQA Guidelines Section 15302, Class 2, involving the replacement or reconstruction of structures on the same site having substantially the same purpose and capacity. Thus, the evidence presented in the record as a whole indicates that the project will not individually or cumulatively have an adverse effect on the environment.
- G. The project, as conditioned, is consistent with Chapter IX, Article 11, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code in that the project's traffic impacts will be mitigated by the payment of traffic impact fees, currently estimated at \$1,000.00. The Transportation Services Division has determined that the proposed project is not subject to the San Joaquin Hills Transportation Corridor fees or dedication requirements.
- H. The proposed project does not comply with minimum requirements for fire apparatus access. The problems associated with this can be somewhat reduced by the installation of residential sprinkler systems."
- I. The subject property is physically suitable to accommodate Tentative Tract Map T-16926 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.
- J. 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.
- K. 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.
- L. 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).

- M. The evidence presented in the record as a whole indicates that the project will not individually or cumulatively have an adverse affect on wildlife resources or habitat. There project site consists of ornamental, non-native vegetation and does not contain, nor is in proximity to, any sensitive habitat areas.

## 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 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. The conditions of approval or code provisions of Planning Application PA-05-35 AND T-16926 shall be blueprinted on the face of the site plan as part of the plan check submittal package. The project shall comply with these requirements.
  4. All residential units shall be "for sale" units. The site shall not be developed for apartments or other non owner-occupied units.
  5. 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.
  6. 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 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. No cross lot drainage to adjacent properties shall be allowed.
  7. Applicant shall plant slope area along the bluff crest with native plants, or other plant materials as deemed acceptable by the Development Services Director, to soften appearance of wrought iron fence along bluff crest.
  8. To avoid an alley-like appearance, the private street shall not be entirely paved with asphalt nor be developed with a center concrete swale. The entry/exit drive of the private street shall be made of stamped concrete or pervious pavers. The final landscape concept plan shall indicate the landscape palette and the design/material of paved areas, and the

- landscape/hardscape plan shall be approved by the Planning Division prior to issuance of building permits.
9. The site plan submitted with initial working drawings shall contain a notation specifying that the project is a "one-lot airspace common interest development" and shall specify the ultimate interior property lines.
  10. 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.
  11. 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.
  12. The applicant shall construct a 6-foot tall decorative block walls around the perimeter of the project site, excluding the rear property line along the bluff crest where a wrought iron wall is proposed. 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 and/or provide adequate privacy screening by trees and landscaping.
  13. Applicant shall apply for a minor modification for any encroachment of decks into 5-foot side setback area.
  14. Enhanced architectural treatment shall be provided to the satisfaction of the Development Services Director for residences on Lot 1, 9, and 10.
  15. If the project is constructed in phases, the decorative perimeter block wall, landscaping within the street setback areas, and irrigation shall be installed prior to the release of utilities for the first phase.
  16. No exterior roof access ladders, roof drain scuppers, or roof drain downspouts shall be permitted.
  17. Applicant shall submit floor plans for all models, including reverse plan models, with the working drawings for plan check.
  18. There shall be no nighttime lighting, except for security purposes, of the common areas. 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 the nearby residences.
  19. 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.
  20. All backflow prevention devices, transformers, and other utility or 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. The applicant shall show method of screening for all ground-mounted equipment (backflow prevention devices, Fire Department connections, electrical transformers, etc.) on the initial

- working plans.
21. The privacy walls between residences and parking areas shall be 6-foot high decorative block walls. Wall location, building material, and height shall be subject to approval by the Planning Division.
  22. A vehicle barrier (e.g. landscaped planter, steel-reinforced bollards, 36" high reinforced block wall) shall be provided in front of the parking stalls of Lots 4, 5, and 6. The height and width of the vehicle barrier shall be shown on the site plan of the working drawings and subject to approval by the Planning Division.
  23. The fireplace of Lot 2 shall be relocated away from the open parking areas.
  24. The project site shall be graded in a manner to eliminate the necessity of retaining walls within the project site to the maximum extent feasible. This condition excludes the proposed perimeter retaining walls along the development lot lines.
  25. Prior to submittal of working plans for plan check, applicant shall submit 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.
  26. 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.
  27. 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.
  28. Proposed wrought iron fencing at the top of the slope shall be located at the bluff crest and not include any retaining wall or block wall component. The wrought iron fencing shall be painted in a complementary, neutral color to match the landscape to the satisfaction of the Development Services Director.
  29. The first-floor decks shall encroach a maximum of 4 feet into the required

- 10-foot bluff setback area. The deck rail shall feature clear view glass and rail supports shall be painted to complement the existing landscape to the satisfaction of the Development Services Director.
30. Second-story balconies shall encroach a maximum of 2 feet into the required 10-foot bluff setback area. Balconies shall be painted to match the first-floor deck in a color to complement the landscape to the satisfaction of the Development Services Director.
31. Landscape plan shall include off-site improvements made in the public right of way and Fairview Park as a result of demolition of existing structures.
32. Off-site improvements to Fairview Park shall be completed prior to issuance of certificate of occupancy for the first unit.
33. Applicant shall provide proof of establishment of a homeowner's association prior to release of any utilities.
34. Garages for individuals units shall be equipped with automatic garage door openers and roll-up garage doors.
35. Final tract map shall be approved and recorded prior to issuance of building permits.
- Trans. 36. Recess landscaping at parking aisle adjacent to southern property line a minimum distance of three feet to allow for additional maneuvering space for utilization of open parking spaces OR shift open parking spaces #3 through #8 a minimum distance of four feet in northerly direction to allow for maneuverability.
- Eng. 37. 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.
38. Applicant shall comply with any conditions of approval as indicated in the City Engineer's letter dated September 28, 2005 for T-16926 (attached).
- Fire 39. All proposed residences shall be fire sprinklered.



# CITY OF COSTA MESA

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

FROM THE DEPARTMENT OF PUBLIC SERVICES/ENGINEERING DIVISION

September 28, 2005

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

**SUBJECT:** Tentative Tract No. 16926  
**LOCATION:** 2287-2295 Pacific Avenue

Dear Commissioners:

Vesting Tentative Tract Map No. 16926 as furnished by the Planning Division for review by the Public Services Department, consists of a one (1) lot subdivision for condominium purposes. Tentative Tract Map No. 16926 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. Include impacts of grading and drainage (required in note 14 below) in soil investigation.
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 for emergency and public security vehicles purposes only. Maintenance of the easement area shall be the sole responsibility of a Homeowners Association formed to conform to Section 13-41 (e) of the C.C.M.M.C.

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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 \$685 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).
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 Pacific Avenue 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. Remove private improvements from public right-of-way and Fairview Park. Re-landscape and provide off-site improvements to the satisfaction of the Parks & Parkway Maintenance department.

Sincerely,



Ernesto Munoz, P. E.  
City Engineer

ch (Engr. 2005/Planning Commission Tract 16926)

# WATERPOINTE

DEVELOPMENT COMPANIES

October 21, 2005

Claire Flynn  
City of Costa Mesa Senior Planner  
77 Fair Drive  
Costa Mesa, Ca 92628

Dear Claire,

2295 Pacific LLC is hereby requesting a minor conditional use permit to allow a 3-foot encroachment of a second-story deck into the 10-foot bluff setback for our project located at 2287-2295 Pacific Avenue. It was determined that constructing the homes along the bluff with this deck system will solve the concerns of the staff regarding the visual appearance of bluff top. We feel that the rear elevations of these homes will be both architecturally pleasing as well and functional for homeowners for years to come. Thank you again for your assistance and consideration in this matter. Should you have any questions please give me a call at (949) 644-8900.

Sincerely,



Garrett E. Calacci

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**Attachment 2**

PLANNING DIVISION - CITY OF COSTA MESA

DESCRIPTION/JUSTIFICATION

Application #: PA-05-35/TT 10926 Environmental Determination:

Address: 2287-2295 Pacificave

1. Fully describe your request:

Demolition of an existing apartment building and the construction of (10) detached condominium units on an R2MD 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.

B. For a Variance or Administrative Adjustment: Describe the property's special circumstances, including size, shape, topography, location or surroundings that deprive the property of privileges enjoyed by other properties in the vicinity under the identical zoning classification due to strict application of the Zoning Code.

3. This project is: (check where appropriate)

In a flood zone.

In the Redevelopment Area.

Subject to future street widening.

In a Specific Plan Area.

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

Is not included in the publication indicated above.

Is included in the publication indicated above.

Signature

Date

# 2287-2295 PACIFIC AVENUE

## Vicinity Map



### Legend

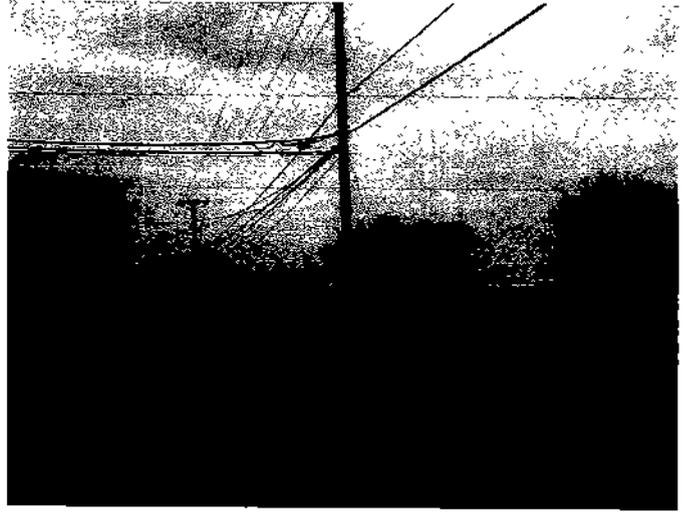
- Parcel Addresses
- Street Names
- Parcel Lines
- City Boundary
- Ortho Photography



Attachment 4



2295 Pacific St



2295 Pacific St

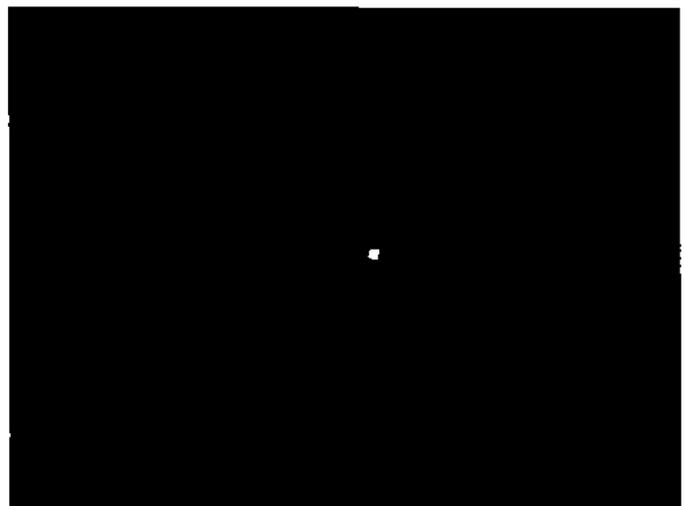




2287 Pacific



2287 Pacific





# **CITY OF COSTA MESA**

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

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DEVELOPMENT SERVICES DEPARTMENT

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