



PLANNING COMMISSION AGENDA REPORT

III.2.

MEETING DATE: APRIL 24, 2006

ITEM NUMBER:

SUBJECT: PARCEL MAP PM-06-106
151 ALBERT PLACE

DATE: APRIL 13, 2006

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

DESCRIPTION

Applicant is proposing a one-lot, airspace subdivision to facilitate the common interest development (condominium) conversion that was approved under Planning Application PA-04-18.

APPLICANT

Thomas Burger is representing the property owner, Richard Fiock.

RECOMMENDATION

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

Handwritten signature of Wendy Shih in black ink, written over a horizontal line.

WENDY SHIH
Associate Planner

Handwritten signature of R. Michael Robinson in black ink, written over a horizontal line.

R. MICHAEL ROBINSON, AICP
Asst. Development Services Director

BACKGROUND/ANALYSIS

On March 27, 2006, Planning Commission approved a time extension (to expire on March 14, 2007) for Planning Application PA-04-18 to allow conversion of an existing, 2-story triplex into a common interest development (condominiums). The result will be a 3-unit ownership housing project. The applicant is processing the map that will facilitate the conversion. The proposed map will subdivide the airspace to allow the individual units to be sold independent of one another. The map complies with City Codes and the State Subdivision Map Act.

The staff report and plans for the condominium conversion are attached for reference.

GENERAL PLAN CONSISTENCY

General Plan Goal LU-1A.4 encourages additional home ownership opportunities within the City. Approval of the parcel map would facilitate the condominium conversion and, therefore, be consistent with the 2000 General Plan.

ALTERNATIVES

If the parcel map is denied, the individual units could not be sold independent of one another and could only be used as rentals.

ENVIRONMENTAL DETERMINATION

The project is exempt from the provisions of the California Environmental Quality Act under Section 15301 (k) for Existing Facilities.

CONCLUSION

Approval of the parcel map will facilitate an ownership housing project as approved by Planning Commission under Planning Application PA-04-18. The map is in compliance with the requirements of the Subdivision Map Act, Planning Application PA-04-18, and Chapter XI (Subdivision) of the Zoning Code.

Attachments: Draft Planning Commission Resolution
 Exhibit "A" - Draft Findings
 Exhibit "B" - Draft Conditions of Approval
 Applicant's Project Description and Justification
 Zoning/Location Map
 Parcel Map No. 2006-106
 Staff Report PA-04-18
 Plans

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

Thomas Burger
1990 s. Coast Hwy., Ste. 1
Laguna Beach, CA 92651

Richard Fiock
2259 Elden Avenue
Costa Mesa, CA 92627

Occupant
151 Albert Place, Unit A
Costa Mesa, CA 92627

Occupant
151 Albert Place, Unit B
Costa Mesa, CA 92627

Occupant
151 Albert Place, Unit C
Costa Mesa, CA 92627

File: 042406PM06106	Date: 041006	Time: 4:00p.m.
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RESOLUTION NO. PC-06-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA APPROVING PARCEL MAP PM-06-
106**

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

WHEREAS, an application was filed by Thomas Burger for Richard Fiock, property owner with respect to the real property located at 151 Albert Place, requesting approval of a one-lot, airspace subdivision to facilitate a common interest development (condominium) conversion in the R2-MD zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on April 24, 2006.

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** Parcel Map PM-06-106 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 Parcel Map PM-06-106 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 24th day of April 2006.

Bill Perkins, Chair
Costa Mesa Planning Commission

H

EXHIBIT "A"

FINDINGS

- A. The proposed single lot airspace subdivision is consistent with the City's General Plan and Zoning Ordinances.
- B. Approval of the subdivision will allow additional home ownership opportunities without impacting affordable rental housing. This is consistent with the objectives, policies, general land use, and programs specified in the General Plan.
- C. The subject property is physically suitable to accommodate PM-06-106 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.
- D. 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.
- E. The subdivision and development of the property will not unreasonably interfere with the free and complete exercise of the public entry and/or public utility rights-of-way and/or easements within the tract.
- F. 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).
- G. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA, under Section 15301 (k) for Existing Facilities.
- H. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.
- I. The project, subject to conditions and code provisions, is consistent with Government Code Section 66427.1 in that all tenants have received written notifications of intention to convert and their exclusive rights to contract for the purchase of their unit.
- J. The information presented complies with Section 13-29(e) of the Costa Mesa Municipal Code in that the proposed use is compatible and harmonious with developments and uses that exist in the general neighborhood. Safety and compatibility of the design of buildings, parking area, landscaping, luminaries and other site features, which may include functional aspects of the site development such as automobile and pedestrian circulation, have been considered. The planning application is for a project-specific case and is not to be construed to be setting a precedent for future development. 6

EXHIBIT "B"

CONDITIONS OF APPROVAL

- Plng. 1. The applicant is reminded that all conditions, Code requirements, and special district requirements, of Planning Application PA-04-18 still apply (copy of conditions attached).

PLANNING DIVISION - CITY OF COSTA MESA
DESCRIPTION/JUSTIFICATION

Application #:

Environmental Determination:

Address: 157 ALBERT PLACE.

1. Fully describe your request: APPROVE TENTATIVE TRACT NO. 17010 BEING A SUBDIVISION OF LOT 50 OF TRACT 114 IN COSTA MESA FOR CONDO CONVERSION OF AN EXISTING 3-UNIT APARTMENT WITH 2-CAR ATTACHED GARAGES FOR EACH UNIT. APPROVED BY PA-04-18

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.

NA

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.

NA

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.

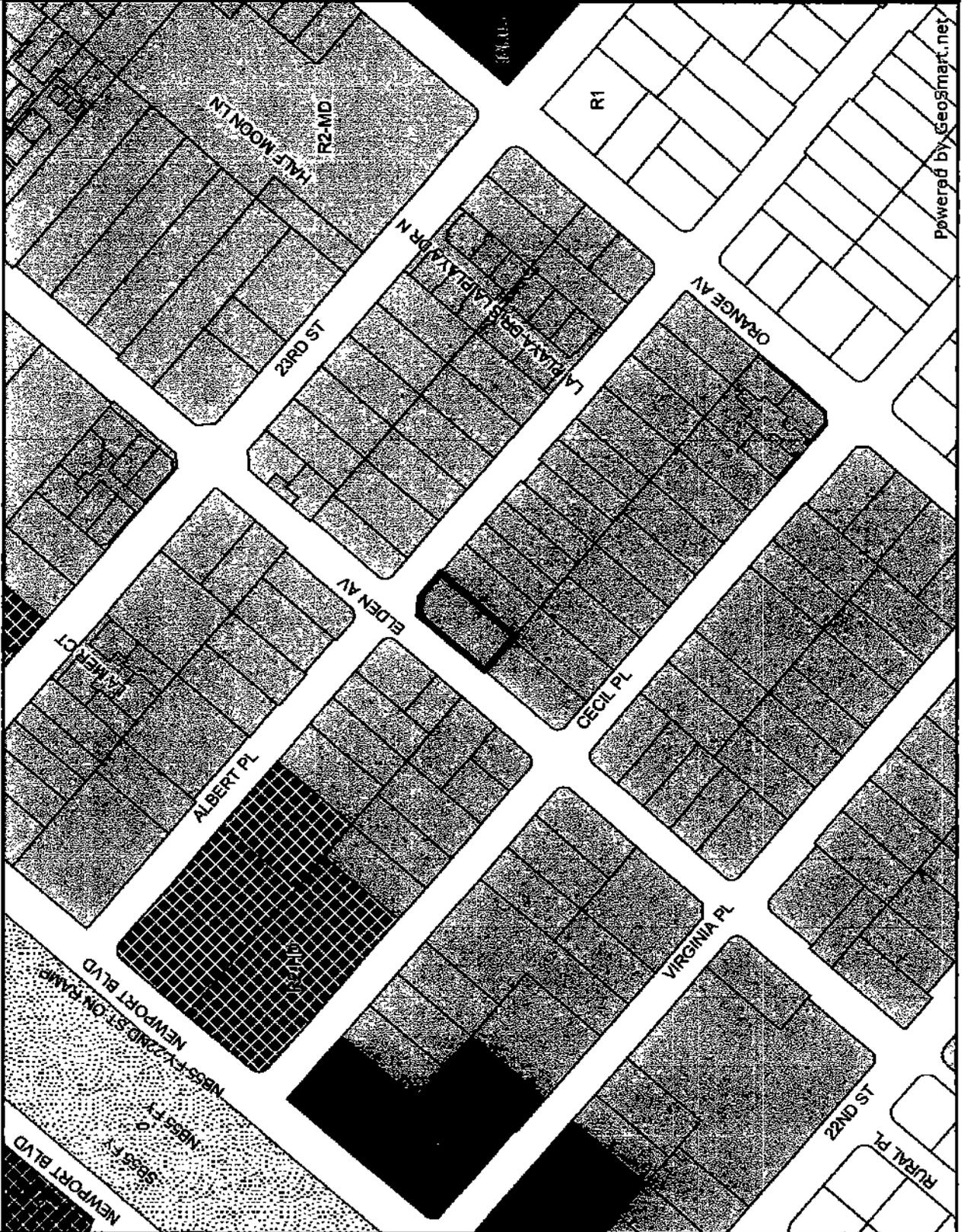
Is included in the publication indicated above.

Signature

Date

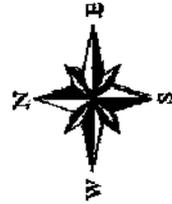
ZONING/LOCATION MAP

151 Albert Place



Legend

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



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AERIAL PHOTOGRAPH

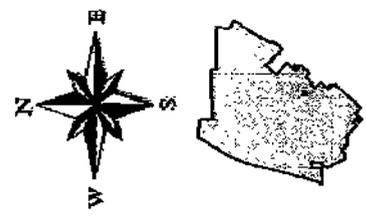
151 Albert Place

42606302



Legend

- Selected Features
- 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.**