



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: SEPTEMBER 25, 2006

11.2
ITEM NUMBER:

SUBJECT: PLANNING APPLICATION PA-05-45
369 ROCHESTER STREET

DATE: SEPTEMBER 14, 2006

FOR FURTHER INFORMATION CONTACT: MEL LEE, AICP, SENIOR PLANNER
(714) 754-5611

DESCRIPTION

The applicant is proposing to construct a two-story residence behind an existing one-story residence with a variance from driveway parkway landscaping requirements and a minor modification for reduced driveway width.

APPLICANT

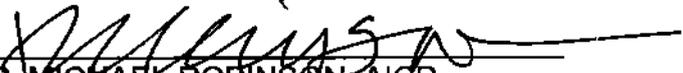
The applicant is Ralph Ringo, representing the owner of the property, Ryan Negrette.

RECOMMENDATION

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



MEL LEE, AICP
Senior Planner



R. MICHAEL ROBINSON, AICP
Asst. Development Services Director

PLANNING APPLICATION SUMMARY

Location: 369 Rochester Street Application: PA-05-45

Request: Construct a two-story residence behind an existing one-story residence with a variance from driveway parkway landscaping requirements and reduced driveway width.

SUBJECT PROPERTY:

SURROUNDING PROPERTY:

Zone:	<u>R2-MD</u>	North:	<u>Surrounding properties are zoned</u>
General Plan:	<u>Medium Density Residential</u>	South:	<u>residential and contain</u>
Lot Dimensions:	<u>135 FT x 50 FT</u>	East:	<u>residential uses.</u>
Lot Area:	<u>6,750 SF</u>	West:	<u></u>
Existing Development:	<u>One, 1-story residential unit and detached garage</u>		

DEVELOPMENT STANDARD COMPARISON

<u>Development Standard</u>	<u>Required/Allowed</u>	<u>Proposed/Provided</u>
Lot Size:		
Lot Width (Development Lot)	100 FT	50 FT (1)
Lot Area (Development Lot)	12,000 SF	6,750 SF (1)
Density:		
Zone	1 du/3,000 SF	1 du/3,375 SF
General Plan	1 du/3,000 SF	1 du/3,375 SF
Building Coverage (Development Lot):		
Buildings	NA	1,843 SF (31%)
Paving	NA	2,185 SF (29%)
Open Space	2,700 SF (40%)	2,722 SF (40%)
TOTAL		6,750 SF (100%)
Building Height:	2 Stories/27 FT	2 Stories/21 FT, 6 IN
Chimney Height	NA	NA
First Floor Area (Carport)	NA	504 SF
Second Floor Area (Unit)	NA	735 SF
2nd Floor% of 1st Floor (2)	80%	146% (3)
Distance Between Buildings	10 FT	10 FT
Setbacks		
Front (Existing House)	20 FT	20 FT
Side (left/right)	5 FT (1 Story) 10 FT Avg. (2 Story) (2)	5 FT/5 FT (3)
Rear (Proposed House)	10 FT (1 Story) 20 FT (2 Story)	20 FT
Parking:		
Covered	2	3
Open	4	3
TOTAL	6 Spaces	6 Spaces
Driveway Width:	16 FT	10 FT (4)
Landscape Pkwy's for Common Driveway	10 FT combined; 5 FT min. on house side and 3 FT min. on other side	5 FT combined; 2.5 FT min. on house side and 2.5 FT min. on other side (5)

NA = Not Applicable or No Requirement

(1) The property is legal nonconforming

(2) Residential Design Guideline

(3) Does not comply with Residential Design Guideline (refer to staff report discussion)

(4) Minor Modification Requested

(5) Variance Requested

CEQA Status Exempt, Class 3, New Construction

Final Action Planning Commission

BACKGROUND

The site is bounded by existing residential properties. The subject site contains an existing one-story residence towards the front of the property and a detached garage at the rear of the property; the garage is proposed to be demolished to accommodate the proposed residential unit.

On March 27, 2006, Planning Commission continued this application to the meeting of April 10, 2006, at the request of the applicant, to resolve design issues. The application was pulled from the agenda at the April 10, 2006 meeting. The applicant re-submitted revised plans in August, and new hearing notices for the September 25, 2006 meeting were mailed and published.

ANALYSIS

The proposed unit is a two-story, one bedroom unit over a three-car carport. Access is provided via an exterior stair at the rear of the unit. Three open parking spaces are proposed, two at the rear of the property and one between the proposed unit and the existing residence. The number of proposed parking spaces complies with code requirements.

The City's Residential Design Guidelines recommends maximum second-story floor area to not exceed 80% of the first floor (146% is proposed). Additionally, the second story on the right (west side) has a less than average 10-foot side setback as recommended in the design guidelines (5 feet is proposed). It is staff's opinion that the design of the building complies with the intent of the City's Residential Design Guidelines because the proposed second story, by virtue of being constructed over open carports, minimizes the mass of the building. With regard to the right (west side) elevation, siding and other plant-ons will be incorporated on the elevation to create architectural interest. Privacy of the adjoining neighbors will not be impacted because the second floor kitchen window on the right (west side) elevation is required to be designed as a high window to minimize visibility into the abutting yard on the adjoining property (condition number 13). Also, the landing at the top of the exterior stairs will be required to be screened with a solid wall along the right (west side) elevation to also minimize privacy impacts on the abutting property (condition number 14). Staff is also recommending, as a condition of approval, that the units (existing and proposed) be compatible with regard to building materials and colors (condition number 9).

Variance

The project does not comply with driveway parkway landscaping requirements (10 feet combined width with 5-foot minimum width on house side and 3-foot minimum width on other side required; 5 foot combined; 2.5 foot minimum on house side and 2.5 foot minimum on other side provided). It is staff's opinion that special circumstances applicable to the property exist to justify the requested variance. Specifically, the lot width is legal nonconforming (100 feet required; 50 feet existing). Also, the original intent of the

driveway landscaping requirement was to provide visual relief for driveways serving multiple family or common interest developments where driveways are often longer (such as for 300-foot deep lots). The shorter length of the subject property (135 feet) and the resultant driveway reduces the visual impact the driveway will have. The applicant is proposing a 2.5-foot wide landscape strip along the side of the driveway to provide visual relief from the street.

Minor Modification

Code requires a driveway serving more than one dwelling unit be a minimum 16 feet wide. However, through a minor modification, a reduced driveway width to 10 feet may be allowed. Staff supports the minor modification because only two units are proposed and granting the minor modification will allow the provision of landscaping to soften the appearance of the driveway. The Transportation Services Division has reviewed the proposal and has no objections to the reduced driveway width, as the reduced driveway width is adequate to provide on-site vehicle circulation for both units.

GENERAL PLAN CONFORMITY

The property has a general plan designation of Medium Density Residential. Under the general plan designation, two residential units are allowed and two residential units are proposed. As a result, the use and density conforms to the City's General Plan

ENVIRONMENTAL DETERMINATION

The project is exempt pursuant to Section 15303, New Construction, of the California Environmental Quality Act.

ALTERNATIVES

The Commission has the following alternatives:

1. Approve the project as recommended by staff; or
2. Deny the project. The applicant could not submit substantially the same type of application for six months.

CONCLUSION

It is staff's opinion that the project, as conditioned, will be compatible with surrounding properties. Therefore, staff recommends approval of the project.

- Attachments:
1. Draft Planning Commission Resolution
 2. Exhibit "A" - Draft Findings
 3. Exhibit "B" - Draft Conditions of Approval
 4. Applicant's Project Description and Justification

6. Location Map
7. Plans

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

Ryan Negrette
369 Rochester Street
Costa Mesa, CA 92627

Ralph Ringo
Milagra Design and Development
47 Saratoga
Newport Beach, CA 92660

File Name: 092506PA0545	Date: 091306	Time: 8:45 a.m.
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RESOLUTION NO. PC-06-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY
OF COSTA MESA APPROVING PLANNING APPLICATION PA-05-45**

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

WHEREAS, an application was filed by Ralph Ringo, representing the owner of the property, Ryan Negrette, with respect to the real property located at 369 Rochester Place, requesting approval to construct a two-story residence behind an existing one-story residence with a variance from driveway parkway landscaping requirements and a minor modification for reduced driveway width; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on September 25, 2006.

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-05-45 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 applicant's compliance with each and all of the conditions contained in Exhibit "B". Should the applicant fail to comply with the conditions of approval, then this resolution, and the approval herein contained, shall be deemed null and void.

PASSED AND ADOPTED this 25th day of September, 2006.

Bill Perkins, Chair
Costa Mesa Planning Commission

EXHIBIT "A"

FINDINGS

- A. The project complies with Costa Mesa Municipal Code Section 13-29(e) because:
- a. The proposed development and use is compatible and harmonious with 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 automobile and pedestrian circulation, have been considered.
 - c. The project is consistent with the General Plan designation of Medium Density Residential. Under this designation two dwelling units are allowed on the property and two units are proposed.
 - 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 has been considered.
- B. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(14) in that the proposed development complies with the City of Costa Mesa Zoning Code and meets the purpose and intent of the Residential Design Guidelines, which are intended to promote design excellence in new residential construction, with consideration being given to compatibility with the established residential community. This design review includes site planning, preservation of overall open space, landscaping, appearance, mass and scale of structures, location of windows, varied roof forms and roof plane breaks, and any other applicable design features. Specifically, although the second floor does not comply with the 80% second floor to first floor ratio and average second story side setbacks recommended in the City's Residential Design Guidelines, the proposed second story will be constructed over open carports, minimizing building mass. Privacy of the adjoining neighbors will not be impacted because the second floor windows are placed to minimize direct lines-of-sight into windows on adjacent neighboring properties.
- C. The information presented complies with section 13-29(g)(1) of the Costa Mesa Municipal Code in that special circumstances applicable to the property exist to justify the requested variance from parkway landscaping requirements. Specifically, the lot width is legal nonconforming and the abutting properties are fully developed and contain residential developments, prohibiting the consolidation of this lot with the abutting properties. Also, the original intent of the driveway landscaping requirement was to provide visual relief for driveways serving multiple family or common interest developments where driveways are often longer. The shorter length of the subject property and the resultant driveway reduces the visual impact the driveway will have. A 2.5-foot wide landscape strip along the side of the driveway will provide visual relief from the street.
- D. The information presented does comply with Costa Mesa Municipal Code Section

13-29(g)(6) with regard to the minor modification because the reduced driveway width will not be materially detrimental to the health, safety, and general welfare of persons residing within the immediate vicinity of the project or to property and improvements within the neighborhood. The improvement enhances the design of the existing and anticipated development in the vicinity. Specifically, only two units are proposed and granting the minor modification will allow the provision of landscaping to soften the appearance of the driveway. The Transportation Services Division has reviewed the proposal and has no objections to the reduced driveway width, as the reduced driveway width is adequate to provide on-site vehicle circulation for both units.

- E. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA under Section 15303 for New Construction.
- F. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT "B"**CONDITIONS OF APPROVAL**

- Plng. 1. Address assignment shall be requested from the Planning Division prior to submittal of working drawings for plan check. The approved address of individual units, 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. Street addresses shall be displayed on the building fascia adjacent to the main entrance or front door in a manner visible to the public street and/or alley. 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.
4. 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, 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.
5. The applicant shall contact the current cable company prior to issuance of building permits to arrange for pre-wiring for future cable communication service.
6. The conditions of approval, ordinance and code provisions of PA-05-45 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
7. The applicant shall contact the Planning Division to arrange 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.
8. 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.
9. The units (existing and proposed) shall be compatible with regard to building materials and colors. Plans submitted for plan check shall show how this will be accomplished.
10. 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.

11. To avoid an alley-like appearance, the driveway shall be developed without a center concrete swale. Design shall be approved by the Planning Division.
12. Show method of screening for all ground-mounted equipment. Ground-mounted equipment shall not be located in any landscaped setback visible from the street, except when required by applicable uniform codes, and shall be screened from view, under the direction of Planning Staff.
13. The second floor kitchen window on the right (west side) elevation shall be designed as a high window to minimize visibility into the abutting yard on the adjoining property.
14. The landing at the top of the exterior stairs will be required to be screened with a solid wall along the right (west side) elevation to minimize visibility into the abutting yard on the adjoining property.
- Eng. 15. 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.

CITY OF COSTA MESA PLANNING APPLICATION

PROJECT DESCRIPTION AND JUSTIFICATION

PA-05-45

1. Project Address: 369 Rochester

2. Fully describe your request:

We have a 16 foot wide driveway (existing) with our house on the west side of the driveway. We request a variance from the "planters" required to deviate from the landscaping requirement. Please see photos provided of neighbors properties to justify our request. We cannot move our house.

3. Justification:

A. For a Conditional Use Permit or Minor Conditional Use Permit: On a separate sheet, 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: On a separate sheet, 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.

4. This project is: (check where appropriate)

In a flood zone.

In the Redevelopment Area.

Subject to future street widening.

In a Specific Plan Area.

Includes a drive-through facility.

(Special notice requirements, pursuant to GC Section 65091 (d))

5. I have reviewed the HAZARDOUS WASTE AND SUBSTANCES SITES LIST reproduced on the rear of this page and have determined the project:

Is not included in the publication indicated above.

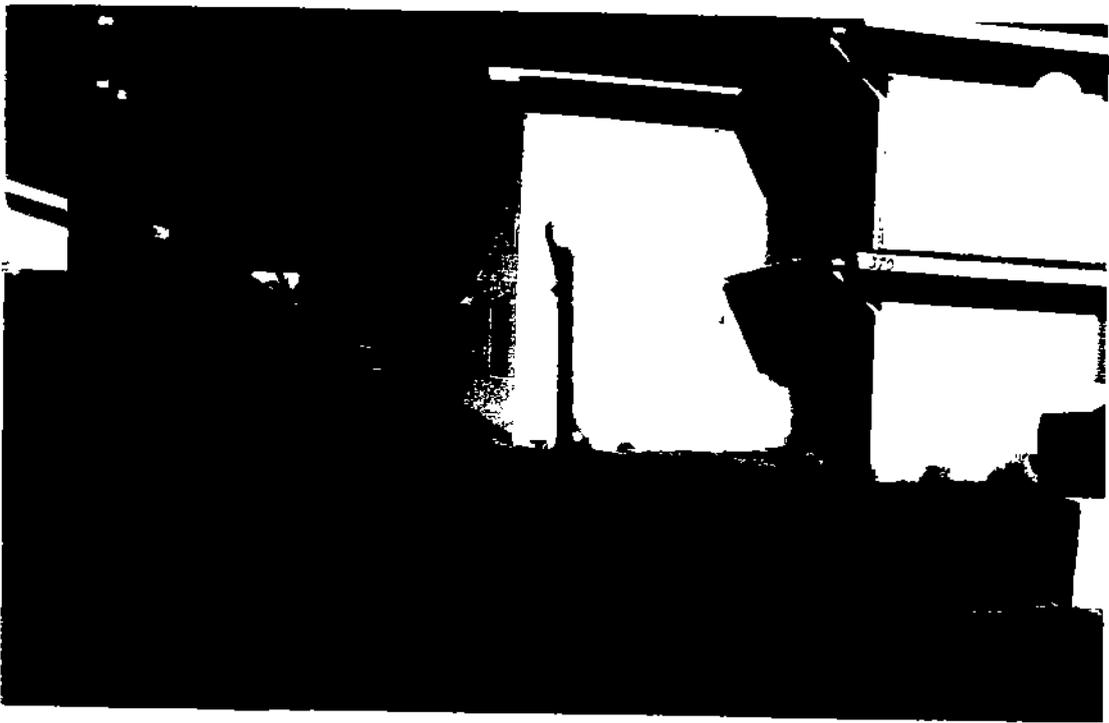
Is included in the publication indicated above.


Signature

10/15/05
Date



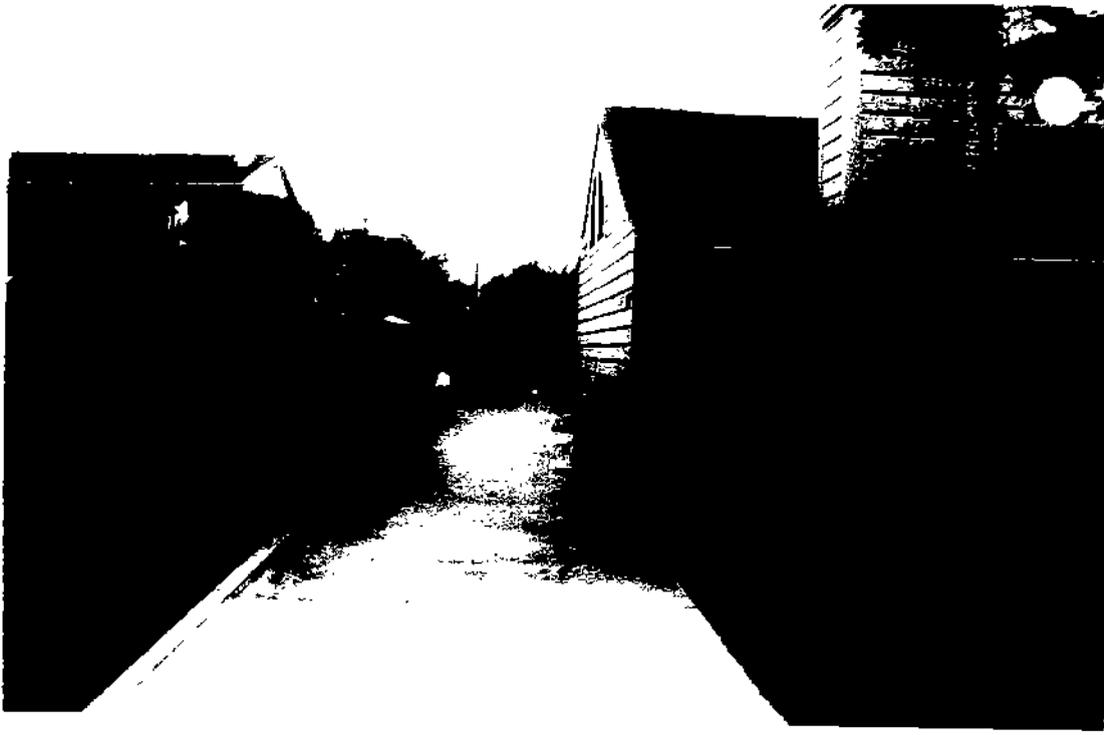
EXISTING RESIDENCE
369 ROCHESTER



370 ROCHESTER
10' Driveway



359 ROCHESTER
5' Side Setback



379 ROCHESTER
12' wide Driveway
w/no landscaping



379 ROCHESTER
2 story, 5 foot side setback

PA-05-45

Legend

- Parcel Addresses
- Street Names
- Parcel Lines
- Ortho Photography
- Parcels



ZONING/LOCATION MAP

Legend

- Parcel Addresses
- Street Names
- Parcel Lines
- Zoning
 - AP
 - C1
 - C1-S
 - C2
 - CL
 - ISR
 - ISR-S
 - MG
 - MP
 - P
 - PDC
 - PDI
 - PDR-ND
 - PDR-LD
 - PDR-MD
 - PDR-NCM
 - R1
 - R2-MD
 - R2-MD
 - R3
 - TC
- Parcels

