



# **PLANNING COMMISSION AGENDA REPORT**

VII. 5

MEETING DATE: APRIL 23, 2007

ITEM NUMBER:

SUBJECT: PARCEL MAP PM-07-115  
695 CENTER STREET AND 1838 POMONA AVENUE

DATE: APRIL 12, 2007

FOR FURTHER INFORMATION CONTACT: HANH NGUYEN, ASSISTANT PLANNER (714) 754-5640

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## **DESCRIPTION**

Applicant is proposing an airspace subdivision to facilitate a four-unit, two-story, detached common interest development (condominiums) that was approved under Planning Application PA-06-33.

## **APPLICANT**

Esam Rostom is representing himself and the property owners, Gregory and Kimberly Burghardt.

## **RECOMMENDATION**

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

Handwritten signature of Hanh Nguyen in black ink.

HANH NGUYEN  
Assistant Planner

Handwritten signature of R. Michael Robinson in black ink.

R. MICHAEL ROBINSON, AICP  
Asst. Development Services Director

## **BACKGROUND/ANALYSIS**

On September 25, 2006, Planning Commission approved Planning Application PA-06-33 to allow a four-unit common interest development on two separate lots with a variance from driveway parkway landscaping requirements and a minor conditional use permit for shared access across the two properties.

The applicant is processing the map to facilitate the condominium development, allowing 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 common interest development are attached for reference.

## **GENERAL PLAN CONSISTENCY**

Since the common interest development was approved under PA-06-33, the Planning Commission has limited discretionary authority over the subsequent parcel map. Should the Commission wish to deny the parcel map, findings supporting this action must comply with those listed in the Subdivision Map Act (Section 66974 of the Government Code).

## **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 15303 for New Construction.

## **CONCLUSION**

Approval of the parcel map will facilitate an ownership housing project as approved by Planning Commission under Planning Application PA-06-33. The map is in compliance with the requirements of the Subdivision Map Act, Planning Application PA-06-33, 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. 2007-115  
                              Staff Report PA-06-33

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

Esam Rostom  
335 South Earham Street  
Orange, CA 92869

Greg and Kimberly Burghardt  
930 Ballina Court  
Newbury Park, CA 91320

File: 042307PM07115	Date: 041207	Time: 4:00p.m.
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**RESOLUTION NO. PC-07-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF COSTA MESA APPROVING PARCEL MAP  
PM-07-115**

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

WHEREAS, an application was filed by Esam Rostrom, Gregory Burghardt, and Kimberly Burghardt, property owners with respect to the real properties located at 695 Center Street and 1838 Pomona Avenue, requesting approval for a one-lot, airspace subdivision on two separate lots, to facilitate a four-unit, detached common interest development (condominiums) approved under PA-06-33 in the R2-HD zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on April 23, 2007.

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-07-115 with respect to the properties 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-07-115 and upon applicants' 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 23rd day of April 2007.**

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Donn Hall, Chair  
Costa Mesa Planning Commission



**EXHIBIT "A"**

**FINDINGS**

- A. The proposed airspace subdivision on two lots 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-07-115 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 subdivision.
- 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 15303 for New Construction.
- H. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.
- I. The information presented complies with Section 13-29(e) of the Costa Mesa Municipal Code in that the subdivision is consistent with the General Plan and the Planning Application is for a project specific case and does not establish a precedent for future development.

**EXHIBIT "B"**

**CONDITIONS OF APPROVAL**

- Plng. 1. The applicant is reminded that all conditions, Code requirements, and special district requirements of Planning Application PA-06-33 still apply (copy of conditions and Code requirements attached).
2. The final parcel map shall depict the reciprocal access and parking between the two lots or, if the easement cannot be shown on the map, proof of a recorded reciprocal access and parking easement between the two lots shall be submitted to the Planning Division prior to approval of the final parcel map. The easement document shall be reviewed and approved by Planning staff prior to recordation. This easement shall be reflected in the CC&Rs recorded for this project.

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Esam Rostom, authorized agent  
for Greg & Kimberly Burghardt  
335 S. Earham St.  
Orange, California 92869



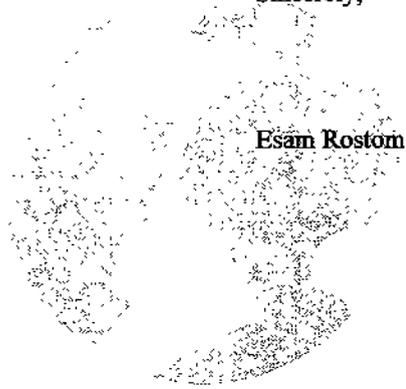
April 9, 2007

Hanh Nguyen – Assistant Planner  
City of Costa Mesa  
77 Fair Drive  
Costa Mesa, California 92628

Dear Ms. Nguyen:

The intent of this letter is to notify the City of Costa Mesa that it is my intent to subdivide the parcels located at 695 Center Street & 1838 Pomona Avenue to build four detached condominiums, per the City approved plans.

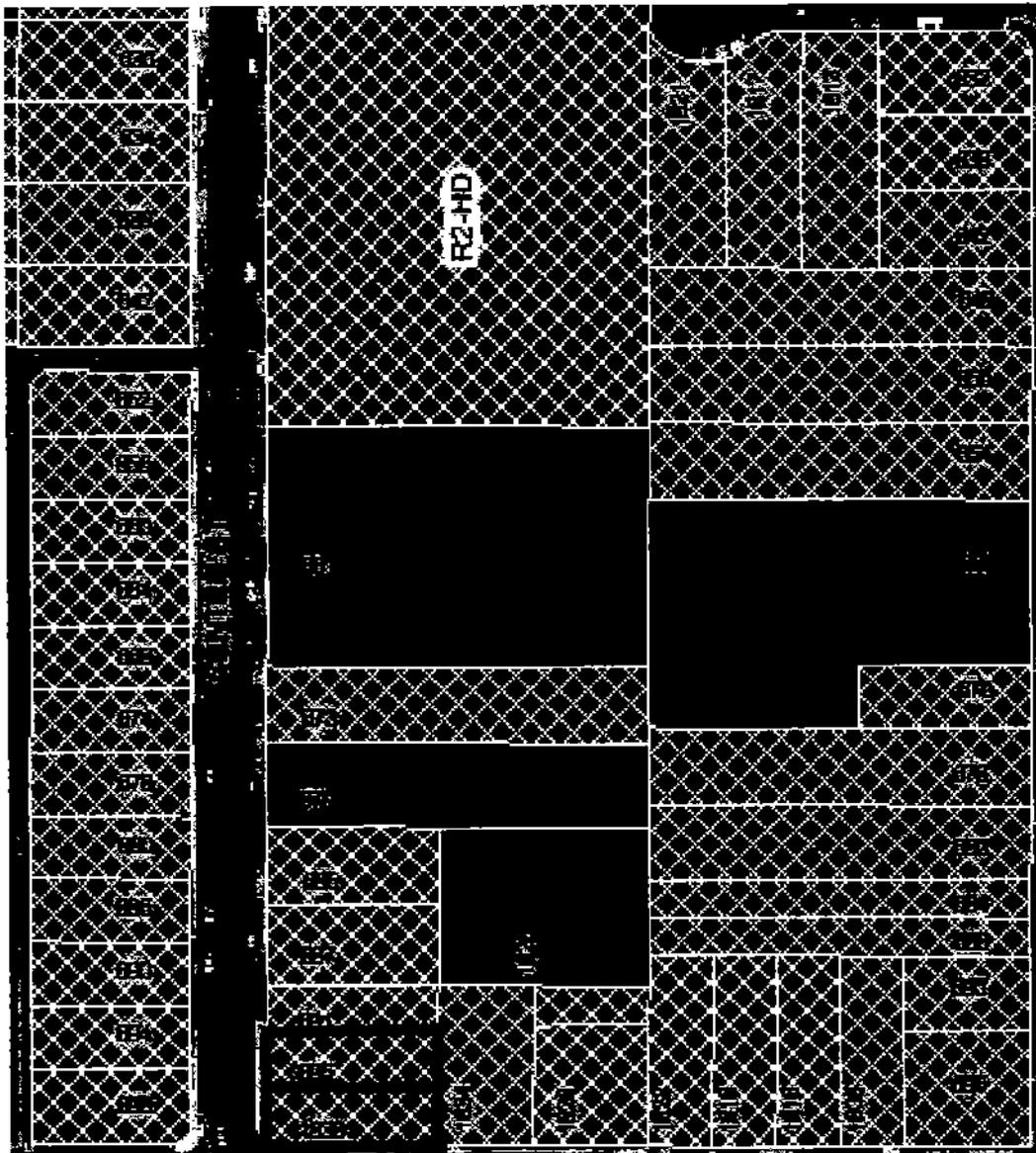
Sincerely,



Esam Rostom



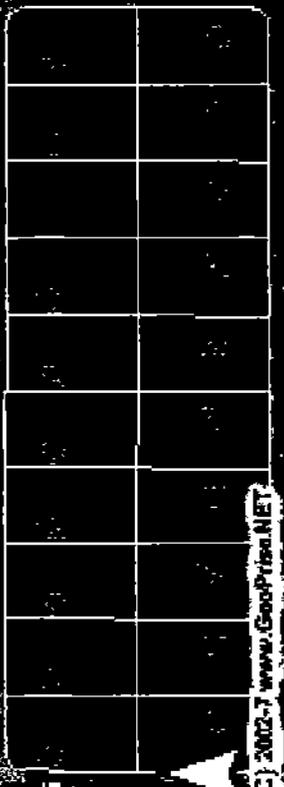
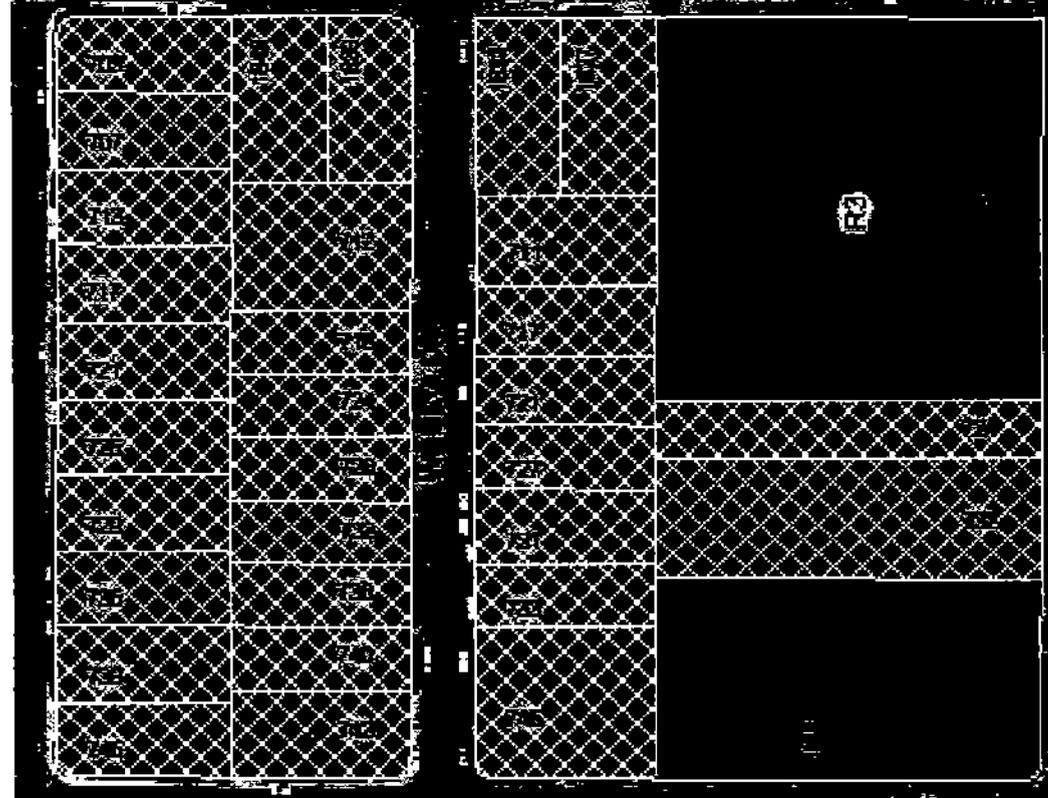
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DEVELOPMENT SERVICES DEPARTMENT

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