



PLANNING COMMISSION AGENDA REPORT

VII.5

MEETING DATE: SEPTEMBER 10, 2007

ITEM NUMBER:

SUBJECT: PLANNING APPLICATION PA-07-21 AND PARCEL MAP PM-07-175
225 16TH PLACE

DATE: AUGUST 30, 2007

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

DESCRIPTION

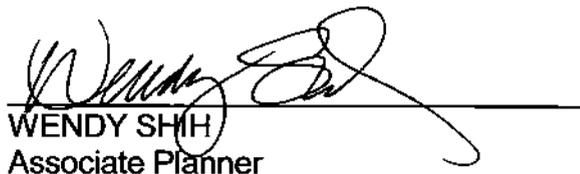
The applicant is proposing to construct a two-story residence behind an existing single-story, single-family residence with a variance from driveway parkway landscaping requirements (3-foot minimum required on one side; 2-foot proposed on east (left) side), a minor modification for reduced driveway width (16 feet required; 10 feet proposed), a residential common interest development conversion to convert the existing single-family residence into a condominium unit, and a parcel map to facilitate the subdivision for a 2-unit, airspace condominium project.

APPLICANT

The applicant is Brad Smith, representing the owner of the property, Wade Tift.

RECOMMENDATION

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


WENDY SHIH
Associate Planner


R. MICHAEL ROBINSON, AICP
Asst. Development Services Director

PLANNING APPLICATION SUMMARY

Location: 225 16th Place Application: PA-07-21 and PM-07-175

Request: Construct a two-story residence behind an existing single-story, single-family residence with a variance from driveway parkway landscaping requirements, a minor modification for reduced driveway width, a residential common interest development conversion to convert the existing single-family residence, and a parcel map to facilitate the subdivision for a 2-unit, airspace condominium project.

SUBJECT PROPERTY:

SURROUNDING PROPERTY:

Zone:	<u>R3</u>	North:	<u>Surrounding properties</u>
General Plan:	<u>High Density Residential</u>	South:	<u>are zoned</u>
Lot Dimensions:	<u>137.5 FT x 50 FT</u>	East:	<u>residential and contain</u>
Lot Area:	<u>6,875 SF</u>	West:	<u>residential uses.</u>
Existing Development:	<u>Single-family residence and detached garage</u>		

DEVELOPMENT STANDARD COMPARISON

<u>Development Standard</u>	<u>Required/Allowed</u>	<u>Proposed/Provided</u>
Lot Size:		
Lot Width	100 FT	50 FT ¹
Lot Area	12,000 SF	6,875 SF ¹
Density:		
Zone	1 du/2,178 SF	1 du/3,437 SF
General Plan	1 du/2,178 SF	1 du/3,437 SF
Building Coverage:		
Buildings	NA	2,100 SF (31%)
Paving	NA	2,017 SF (29%)
Open Space	2,750 SF (40%)	2,758 SF (40%)
TOTAL	100%	6,875 SF (100%)
Private Open Space:	10 FT minimum dimension	10 FT minimum dimension
Building Height:	2 Stories/27 FT	2 Stories/26 FT
2 nd to 1 st Floor Ratio ²	80%	92% (840 SF/914 SF)
Setbacks (proposed residence):		
Front (distance to front unit)	10 FT	15 FT
Side (left/right)	5 FT/5 FT	8 FT/5 FT
2 nd Floor Side (left/right) ²	10 FT average	17 ft. avg./5 ft.
Rear (proposed residence)	10 FT (1 Story)/ 15 FT (2 Story)	10 FT/15 FT
Parking:		
Covered	2	2
Open	5	5
TOTAL	7 Spaces	7 Spaces
Driveway Width:	16 FT	10 FT ³
Landscape Pkwy's for Common Driveway	10 FT combined; 5 FT min. on house side and 3 FT min. on other side	11 FT combined; 9 FT on house side and 2 FT on other side ⁴

CEQA Status Exempt, Class 3, New Construction
 Final Action Planning Commission

- NA Not Applicable or No Requirement
- 1 The property is legal nonconforming
- 2 Residential Design Guidelines
- 3 Minor Modification Requested
- 4 Variance Requested

BACKGROUND

The site is bounded on all sides by existing two-story multiple-family residential developments. The subject site contains a single-story, single-family residence and a detached garage at the rear. On September 25, 2006, Planning Commission approved Planning Application PA-06-42 for the construction of a 2-story residence behind the existing residence with a variance from driveway parkway landscaping and a minor modification for reduced driveway width.

Since the property owner would like to sell the two units separately (no changes to the previously approved development), he is requesting approval of a new application to supersede PA-06-42, which includes a design review for the construction of a 2-story condominium unit with a variance from driveway parkway landscaping (previously approved), a minor modification for reduced driveway width (previously approved), and a residential common interest development conversion to convert the existing single-family residence into a condominium unit. The applicant is also processing a parcel map to facilitate a subdivision for condominium purposes.

City Council enacted an urgency ordinance adopting a moratorium on the approval of common interest development conversions for existing multi-family apartment units. Because this application includes a request to convert an existing single-family residence, it is not subject to the moratorium.

ANALYSIS

Design Review

The proposed unit is a 2-story, 3-bedroom unit with an attached one car garage. Three open parking spaces are proposed for the new unit, one of which is located in the driveway next to the proposed garage, with two tandem spaces behind these spaces. Tandem spaces are typically provided only behind a covered parking space, like the other tandem space is. In this instance, staff supports the tandem configuration for the open space because this space serves the same function for the open space as it would for a covered space (i.e., resident parking for the proposed unit). A carport and two new open parking spaces will adjoin the existing unit. The total 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 (92% 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 proposed). It is staff's opinion, however, that the design of the project complies with the intent of the City's Residential Design Guidelines because the proposed design incorporates sufficient variation in building heights and forms, to alleviate building mass. Additionally, the design is consistent with the prevailing two-story design in the immediate area.

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; 2-foot proposed on other side). 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) 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 larger 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 (137.5 feet) and the resultant driveway reduces the visual impact the driveway will have.

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.

Residential Common Interest Development Conversion

Common interest developments must comply with additional development standards above those applicable to apartments. These additional development standards include provision of a 10-foot by 10-foot private open space for each unit and provision of on-site lighting. The proposal complies with these standards.

There is concern that conversions may diminish the supply of rental housing and displace residents unreasonably. Since the existing single-family residence is owner-occupied, the conversion of the unit would not result in a loss of rental units.

As required by Code, a property inspection report as well as a termite report was submitted, and a City property inspection report was prepared. Based on those reports, Planning staff's inspection of the site, and to allow a general upgrading of the site for condominium purposes, staff recommends the following improvements:

1. The existing and new units shall be architecturally compatible with regard to building materials, style, colors, etc. This includes an upgrade in existing roof style to match the new unit.
2. Treat termite infestations as recommended by the termite control company. Submit an updated termite report showing completion of work.
3. Complete building, mechanical, plumbing, and electrical corrections or upgrades as noted in the City property inspection report (also listed in the recommended conditions of approval in Exhibit "B").

4. Complete other site improvements as outlined in the recommended conditions of approval in Exhibit "B".

Parcel Map

If the Planning Commission approves the new construction and conversion of the existing single-family residence, the parcel map will facilitate the separate ownership of the units. The map is in compliance with the requirements of the Subdivision Map Act and Chapter XI (Subdivision) of the Zoning Code. A condition is included requiring a provision in the CC&Rs for the use of the garage for parking purposes only.

GENERAL PLAN CONFORMITY

Approval of the application will satisfy General Plan Goal LU-1A.4 that encourages additional home ownership opportunities in the City. The proposal meets the General Plan's Land Use and Housing Element goals and objectives for additional ownership housing and will improve the balance between rental and ownership housing opportunities within the City. The proposal is consistent with the High Density General Plan land use designation since a maximum of three residential units are allowed and two units are proposed.

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. Approval of the application will allow for additional home ownership opportunities, which would balance the ratio of rental to ownership housing, and will result in a general upgrading of the property. The parcel map is also in compliance with applicable State and City requirements.

- Attachments:
1. Draft Planning Commission Resolution
 2. Exhibit "A" - Draft Findings
 3. Exhibit "B" - Draft Conditions of Approval
 4. Inspection Reports
 6. Location Map
 7. Plans

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

Wade Tift
225 16th Place
Costa Mesa, CA 92627

Brad Smith
365 B Old Newport Boulevard
Newport Beach, CA 92663

File: 091007PA0721PM07175	Date: 082807	Time: 3:00 p.m.
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RESOLUTION NO. PC-07-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY
OF COSTA MESA APPROVING PLANNING APPLICATION PA-07-21
AND PARCEL MAP PM-07-175**

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

WHEREAS, an application was filed by Brad Smith, representing the owner of the property, Wade Tift, with respect to the real property located at 225 16th Place, requesting approval to construct a two-story residence behind an existing single-story, single-family residence with a variance from driveway parkway landscaping requirements, a minor modification for reduced driveway width, a residential common interest development conversion to convert the existing single-family residence, and a parcel map to facilitate the subdivision for a 2-unit, airspace condominium project.; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on September 10, 2007.

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-07-21 and Parcel Map PM-07-175 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 10th day of September, 2007.

Donn Hall, Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, R. Michael Robinson, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on September 10, 2007, by the following votes:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Secretary, Costa Mesa
Planning Commission

EXHIBIT "A"

FINDINGS

- A. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(10) in that, although the critical vacancy rate is less than the rate established in Section 13-42(c) (Residential Common Interest Development Conversions), the conversion of the existing single-family residence would not result in the displacement of seniors or school-age children and would not result in a loss of affordable rental units because it is owner-occupied. Conversion of the residence will result in a general upgrading of the property, as well as providing additional home ownership opportunities within the City.
- B. 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 High Density Residential. Under this designation three 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.
- C. 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 design incorporates sufficient variation in building heights and forms to alleviate building mass and the design is consistent with the prevailing two-story design in the immediate area. As a result, it is the scale of the project will be compatible with the neighborhood. Privacy of the adjoining neighbors will not be impacted because second story windows are designed and/or conditioned to minimize direct lines-of-sight windows on neighboring properties.
- D. 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 larger 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. The existing landscape strip along the side of the driveway will be expanded to provide visual relief.

- E. 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.
- F. The proposed single lot airspace subdivision is consistent with the City's General Plan and Zoning Ordinances.
- G. 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.
- H. The subject property is physically suitable to accommodate PM-07-175 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.
- I. 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.
- J. 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.
- K. 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).
- L. 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.

- M. 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. The existing and new units shall be compatible with regard to building materials and colors. Plans submitted for plan check shall show how this will be accomplished. This condition shall be completed under the direction of the Planning staff.
 2. The approved address of individual units (225 16th Place, Units A and B), shall be blueprinted on the site plan and on all floor plans in the working drawings as part of the plan check submittal package.
 3. 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.
 4. 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.
 5. 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.
 6. The applicant shall contact the current cable company prior to issuance of building permits to arrange for pre-wiring for future cable communication service.
 7. Applicant shall contact the Building Safety Division, prior to the release of utilities for any units, to provide proof that the Uniform Building Code requirements for condominiums have been satisfied, to obtain a change of occupancy permit, and to complete any additional paperwork created through this conversion.
 8. The applicant shall show proof of compliance with all applicable conditions of approval and code requirements prior to recordation of the final map. This condition shall be completed under the direction of the Planning Division.
 9. The CC&R's shall require that garage spaces be used for parking purposes only. Any changes made to this provision require prior review and approval by the City of Costa Mesa.

10. The conditions of approval, ordinance and code provisions of PA-07-21/PM-07-175 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
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. 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.
13. 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.
14. The second floor bedroom window on the right (west side) elevation shall be relocated or designed to minimize visibility into the abutting second story residential windows on the adjoining property. This condition shall be completed under the direction of the Planning staff.
15. To avoid an alley-like appearance, the driveway shall be developed without a center concrete swale. Design shall be approved by the Planning Division.
16. 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.
17. The applicant shall contact utility companies for requirements and to obtain separate meters for each unit.
18. In conjunction with project plan check review and approval, submit two (2) sets of detailed landscaped and irrigation plans which comply with Municipal Code requirements regarding landscaping materials and irrigation including percentage of turf allowed, number of trees and shrubs, etc., and provision of benderboard or other separation between turf and shrub areas.
19. Provide a washer/dryer hook-up in the interior of every unit.
20. The project is subject to compliance with all applicable federal, state, and local laws. A copy of the applicable Costa Mesa Municipal Code requirements has been forwarded to the applicant and, where applicable, the authorized agent, for reference.
- Bldg. 21. The following Building Division corrections shall be made to all units:
 - a. Provide GFCI Protected receptacles at all required areas.
 - b. Verify dryer exhaust ducting meets mechanical Code requirements.
 - c. Portable dishwasher shall be connected per listing and installation requirements.

- d. Provide smoke detectors at all required areas.
- Eng. 22. 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.

/

**DEVELOPMENT SERVICES
BUILDING SAFETY DIVISION
77 FAIR DRIVE, P.O. BOX 1200
COSTA MESA, CALIFORNIA 92628-1200
714-754-5629**

Date: 7-31-07

Project: Residential Common Interest Development Conversion

Address: 225 16TH PL.

City: Costa Mesa

Permit: PA-07-21 BX07-00038

Per sec.13-42 (f), (2) City of Costa Mesa zoning code. A property review inspection was conducted. The following items were noted. There are 1 units, comments listed for each unit.

BUILDING, PLUMBING, MECHANICAL, AND ELECTRICAL

ELECTRICAL:

GFCI protection for all receptacles at required areas.

MECHANICAL:

Verify dryer exhaust ducting meets mechanical code requirements.

PLUMBING:

Portable dishwasher requires to be connected per listing and installation requirements.

BUILDING:

Smoke detectors at all required areas.



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.**