PLANNING COMMISSION AGENDA REPORT

VI. 2

MEETING DATE: OCTOBER 22, 2007 ITEM NUMBER:

SUBJECT: PLANNING APPLICATION PA-07-05
390 WEST BAY STREET

DATE: OCTOBER 11, 2007

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

DESCRIPTION

The applicant is proposing to construct a 3-unit, 2-story, residential common interest development behind an existing single-family residence with variances from open space and driveway parkway landscaping requirements, and a conversion of the existing single-family residence into a condominium unit resulting in a 4-unit common interest development.

APPLICANT

Leonard Bekemeyer is the authorized agent for property owner Nick Kareotes.

RECOMMENDATION

Deny by adoption of Planning Commission resolution.

WENDY SHIH
Associate Planner

KIMBERLY BRANDT, AICP
Asst. Development Services Director

PLANNING APPLICATION SUMMARY

Location: 390 West Bay Street Application: PA-07-05

Request: Construct a 3-unit, 2-story, residential common interest development behind an existing single-family residence with variances from open space and driveway parkway landscaping requirements, and a conversion of the existing single-family residence into a condominium unit resulting in a 4-unit common interest development.

SUBJECT PROPERTY:		SURROUNDING PROPERTY:	
Zone:	R3	North:	Surrounding properties
General Plan:	High Density Residential	South:	are all
Lot Dimensions:	60 ft. x 180 ft.	East:	R2-HD zoned
Lot Area:	10,800 sq.ft.	West:	and developed.
Existing Development:	Two detached residential units and detached garage (rear unit and garage to be demolished).		

DEVELOPMENT STANDARD COMPARISON

Development Standard	Required/Allowed	Proposed/Provided
Lot Size:		
Lot Width	100 ft.	60 ft.[1]
Lot Area	12,000 sq. ft.	10,800 sq.ft.[1]
Density:		
Zone/General Plan	1 du/2,178 sq.ft.	1 du/2,700 sq.ft.
Building Coverage:		
Buildings	N/A	32% (3,468 sq.ft.)
Paving	N/A	30% (3,203 sq.ft.)
Open Space	Minimum 40% (4,320 sq. ft.)	38% (4,129 sq.ft.)[2]
TOTAL	100%	100%
Private Open Space:	Minimum 10 ft. dimension	Minimum 10 ft. dimension
Building Height:	2 stories/27 ft.	2 stories/27 ft.
Ratio of 2nd floor to 1st floor[3]:	80% (1,818 sq.ft. 2nd floor)	124% (2,832 sq.ft. 2nd floor)[4]
Setbacks:		
Front (distance to SFR)	10 ft.	13 ft.
1st Floor Side (left/right)	5 ft./5 ft.	5 ft./5 ft.
2nd Floor Side[3] (left/right)	10 ft. average	8 ft. average[4]/15 ft. average
Rear (1st floor/2nd floor)	10 ft./20 ft.	10 ft./20 ft.
Parking:		
Covered	4	8
Open	5	1
Guest	2	2
TOTAL	11 Spaces	11 spaces
Parkway Landscaping	Minimum 10 ft. combined width	3 ft. – 8 ft. combined width[2]
CEQA Status	Exempt, Class 32	
Final Action	Planning Commission	

1 Existing, nonconforming.
2 Variance requested.
3 Residential Design Guidelines.
4 Does not comply with Residential Design Guidelines. See staff report discussion.

BACKGROUND/PROJECT DESCRIPTION:

The subject property is located mid-block between Harbor Boulevard and Newport Boulevard, on the north side of West Bay Street. It is zoned R3 (Multiple-Family Residential) with a General Plan designation of High Density Residential.

The applicant had submitted a request to demolish all structures on-site to construct a 4-unit common interest development. The application was heard by the Planning Commission on July 9, 2007, and continued to August 13, 2007 to resolve design issues. The application was then withdrawn by the applicant to provide an alternative design proposal.

The applicant now proposes to demolish the existing detached apartment and accessory structures at the rear of the property and construct a 3-unit, 2-story, residential condominium building behind an existing single-family residence that was constructed in 1959. The applicant requests variances from open space and driveway parkway landscaping requirements to accommodate the project, as well as a common interest development conversion to convert the existing single-family residence into a condominium unit resulting in a 4-unit common interest development.

If the project is approved, a parcel map will be required to be approved and recorded before building permits can be issued for the condominiums. The applicant is aware of this requirement but did not want to incur the cost of having the map prepared until Planning Commission acted on the subject application.

ANALYSIS

Design Review

Proposed residential common interest developments are subject to a design review, which requires Planning Commission consideration. This allows review of the structure's scale, site planning, landscaping, appearance, and any other applicable features relative to a compatible and attractive development.

To minimize second story mass, the City's residential design guidelines recommend that the second floor not exceed 80% of the first floor area and that it be set back an average of 10 feet from the side property lines. The proposed second to first floor ratio is 124% and has an 8-foot average second floor left side setback. 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. The setbacks and placement of windows are also designed to minimize privacy impacts and direct views into windows on adjacent properties. Additionally, the design is consistent with the prevailing two-story residences in the immediate area.

Although the design of the structure meets the intent of the design guidelines, staff is not recommending approval of the project due to insufficient open space (see following discussion).

Variances

The applicant requests approval of variances from open space (40% required; 38% proposed) and driveway parkway landscaping requirements (10 feet combined width required; 3 to 8 feet combined width proposed) to accommodate the project.

Driveway Parkway Landscaping

It is staff's opinion that the nonconforming 60-foot lot width (100 feet required) creates the justification for the variance from driveway parkway landscaping. There is limited lot width to accommodate the required 16-foot driveway, 5-foot side building setbacks with 10-foot minimum dimensions for private open space, adequate vehicle back out distance, and a 10-foot combined width for driveway parkway landscaping. The existing single-family residence also precludes any opportunity for additional driveway parkway landscaping at the front of the property.

The intent of the driveway parkway landscaping requirement was to provide visual relief for long driveways serving multiple dwelling units. Along with the landscaped setback on the left side of the driveway, the applicant also proposes a 3-foot to 6-foot wide landscape strip along the right side of the driveway to provide visual relief from the street. Since landscaping will be provided on both sides of a relatively short driveway (approximately 140 feet), visual impacts should be negligible.

Open Space

Although it is staff's opinion that special circumstances exist to justify approval of the driveway parkway landscaping variance, staff does not support the variance from open space. It is staff's opinion that application of the open space requirement will not deprive the property of privileges enjoyed by others in the vicinity under the same zoning district because the nonconforming lot width and area do not preclude a project from providing adequate open space. There have been many projects on nonconforming lots that were designed to meet the open space requirement. Additionally, the minimum lot area necessary to accommodate a 4-unit project is 8,712 square feet based on the 1 unit per 2,178 square feet density allowance; the subject lot is 10,800 square feet.

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 if the project is approved:

1. The existing and new units shall be architecturally compatible with regard to building materials, style, colors, etc.
2. Treat termite infestations as recommended by the termite control company. Submit an updated termite report showing completion of work.
3. Building corrections or upgrades as noted in the City property inspection report (also listed in the recommended conditions of approval in Exhibit "B").
4. Other site improvements as outlined in the recommended conditions of approval in Exhibit "B".

GENERAL PLAN CONFORMITY

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

ALTERNATIVES

1. If the application is approved, it would allow construction of the project as proposed.

2. If the application is denied, the property could not be subdivided or built as proposed. The applicant could not submit substantially the same type of design for six months.

ENVIRONMENTAL DETERMINATION

The project is exempt from the provisions of the California Environmental Quality Act under Section 15332 for In-Fill Development Projects.

CONCLUSION

The R3 zone of the property allows a maximum of 4 dwelling units. The applicant proposes a 4-unit condominium project that satisfies the majority of the City's residential development standards and the intent of the design guidelines. However, it is staff's opinion that special circumstances applicable to the property do not exist to justify approval of the open space variance and that approval would constitute a grant of special privileges inconsistent with other properties in the same zoning district. Therefore, staff recommends denial of the project.

Attachments: Draft Planning Commission Resolution
Exhibit "A" - Draft Findings
Exhibit "B" - Draft Conditions of Approval
Inspection Reports
Zoning/Location Map
Plans

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

Leonard Bekemeyer
2970 Harbor Blvd., Ste. 203
Costa Mesa, CA 92626

Nick Kareotes
390 West Bay Street
Costa Mesa, CA 92627

File: 102207PA0705	Date: 101107	Time: 10:00 a.m.

RESOLUTION NO. PC-07-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DENYING PLANNING APPLICATION PA-07-05

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

WHEREAS, an application was filed by Leonard Bekemeyer, authorized agent for Nick Kareotes, with respect to the real property located at 390 West Bay Street, requesting approval of a design review to construct a 3-unit, 2-story, residential condominium building behind an existing single-family residence with variances from open space and driveway parkway landscaping requirements, and a residential common interest development conversion to convert the existing single-family residence into a condominium unit resulting in a 4-unit common interest development, in the R3 zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on October 22, 2007.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", the Planning Commission hereby **DENIES** Planning Application PA-07-05 with respect to the property described above.

PASSED AND ADOPTED this 22nd day of October, 2007.

_____

Donn Hall, Chair
Costa Mesa Planning Commission

RESOLUTION NO. PC-07-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-07-05

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

WHEREAS, an application was filed by Leonard Bekemeyer, authorized agent for Nick Kareotes, with respect to the real property located at 390 West Bay Street, requesting approval of a design review to construct a 3-unit, 2-story, residential condominium building behind an existing single-family residence with variances from open space and driveway parkway landscaping requirements, and a residential common interest development conversion to convert the existing single-family residence into a condominium unit resulting in a 4-unit common interest development, in the R3 zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on October 22, 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** Planning Application PA-07-05 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 Planning Application PA-07-05 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 22nd day of October, 2007.

_____

Donn Hall, Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, Kimberly Brandt, 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 October 22, 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 does not comply with Costa Mesa Municipal Code Section 13-29(14)(a) in that although the proposed building itself incorporates architectural features to provide visual interest and the second story windows are placed to minimize privacy impacts on adjoining properties, the project as a whole does not include provision of the minimum required open space.

B. The proposed project does not comply with Costa Mesa Municipal Code Section 13-29 (g)(1) because although special circumstances (nonconforming lot width) applicable to the property exist to justify approval of the variance from driveway parkway landscaping requirement, and landscaping is proposed on both sides of a relatively short driveway thus minimizing visual impacts, they do not exist to justify approval of the open space variance that is required to accommodate the project. There have been many projects on nonconforming lots that are designed to meet the open space requirement. The nonconforming lot width and area do not preclude a project from providing adequate open space. The application of open space requirement would not deprive such property of privileges enjoyed by others in the vicinity under identical zoning classifications. Approval of an open space variance would constitute a grant of special privilege inconsistent with the limitation upon other properties in the vicinity and zone in which the property is situated.

C. The proposal is consistent with the High Density General Plan land use designation since a maximum of four residential units are allowed and four units are proposed. It is also consistent with General Plan Goal LU-1A.4 which encourages additional home ownership opportunities in the City. The project meets the General Plan's Land Use and Housing Element goals and objectives for additional ownership housing and would improve the balance between rental and ownership housing opportunities within the City.

D. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City's environmental procedures, and has been found to be exempt from CEQA under Section 15332 for In-Fill Developments.

E. The project, as conditioned, is consistent with Chapter XII, Article 3 Transportation System Management, of Title 13 of the Costa Mesa Municipal Code in that the development project's traffic impacts will be mitigated by the payment of traffic impact fees.

F. The rear building of this development is at an excessive distance from the street, but the plan does not lend itself to fire apparatus access or placement of an on-site fire hydrant. Problems associated with the depth of buildings on the property can be somewhat reduced by installation of a residential sprinkler system.

EXHIBIT "B"

CONDITIONS OF APPROVAL (if project is approved)

Plng.

1. Treat termite infestations as recommended by the termite control company. Submit an updated termite report to the Planning Division showing completion of work prior to final occupancy.
2. All existing and new construction shall be architecturally compatible with regard to building materials, style, and colors. Plans submitted for plan check shall indicate how architectural compatibility will be accomplished. This condition shall be completed under the direction of the Planning staff.
3. The exterior of existing building elevations shall be completely repainted (unless recently painted within 1 or 2 years of application submittal). A minimum two colors shall be used- three colors recommended.
4. Install rain gutters on all appropriate building elevations.
5. Install all new double paned low E glass windows and exterior doors.
6. Replace all appliances, water heater, and light fixtures with Energy Star (or better) rated appliances/fixtures, including a programmable heating system, unless the applicant demonstrates that the existing appliances, etc. are energy efficient.
7. Each unit shall have access to the electrical branch circuits that serve the unit, and each unit shall have a minimum 100-amp service.
8. Replace all electrical wiring, outlets, switches, interior lighting (title 24) sub panels and exterior lighting.
9. Replace all above ground plumbing and add tankless water heaters, camera test the sewer line and replace if needed, add main sewer clean outs and complete a water test.
10. Replace all gas lines (interior and exterior) and conduct a pressure test.
11. Install new ducting as needed, registers, and gas efficient HVACs.
12. Check all framing for integrity and replace if needed.
13. Address assignment shall be 390 West Bay Street, Units A through D. The approved address of the site and individual units shall be blueprinted on the site plan and on all floor plans in the working drawings as part of the plan check submittal package.
14. Prior to issuance of building permits, applicant shall contact the US 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.
15. The final map shall show easements or other provisions for the placement of centralized mail delivery units, if applicable. Specific locations for such units shall be to the satisfaction of the Planning Division, Engineering Division, and the US Postal Service.
16. The subject property's ultimate finished grade level may not be filled/raised in excess of 30" above the finished grade of any abutting property. If additional fill dirt is needed to provide acceptable onsite 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.

17. No privacy fences shall be installed to obscure the driveway parkway landscaped area. This condition shall be completed under the direction of the Planning staff.
18. To avoid an alley-like appearance, the driveway shall be developed without a center concrete swale. Design shall be approved by the Planning Division.
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. The site plan submitted with initial working drawings shall contain a notation specifying the project is a "4-unit condominium common interest development".
21. No modification(s) of the approved building elevations including, but not limited to, changes that increase the building height, removal of building articulation, or a change of the finish material(s), shall be made during construction without prior Planning Division written approval. Failure to obtain prior Planning Division approval of the modification could result in the requirement of the applicant to (re)process the modification through a discretionary review process such as a design review or a variance, or in the requirement to modify the construction to reflect the approved plans.
22. The applicant shall contact the current cable company prior to issuance of building permits to arrange for pre-wiring for future cable communication service.
23. The conditions of approval and summary of code requirements and special district requirements of Planning Application PA-07-05 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
24. Provide decorative block wall along the street frontage under the direction of Planning staff.
25. Show method of screening for all ground-mounted equipment (backflow prevention devices, Fire Department connections, electrical transformers, etc.). 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.
26. Block walls shall be provided on all interior lot lines. The wall(s) shall have a finished quality on both sides. 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. Block walls visible from the street shall be decorative block and set back from adjacent sidewalks to provide a landscape planter area, subject to approval by the Planning Division.

27. Decorative paving shall be provided within the 20-foot setback at the driveway entry area. This condition shall be completed under the direction of Planning Division.
28. Grading, materials delivery, equipment operation, and other construction-related activity shall be limited to between the hours of 7 a.m. and 8 p.m., Monday through Friday, and 8 a.m. to 6 p.m. 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.
29. Applicant shall provide proof of establishment of a homeowner's association prior to release of any utilities.
30. All backflow prevention devices, transformers, and other utility equipment shall be placed behind the 20-foot setback line, and shall be screened from view in a manner approved by the Planning Division.
31. The applicant shall contact utility companies for requirements and to obtain separate meters for each unit.
32. 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.
33. 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.
34. The applicant shall contact the Planning Division to arrange for an inspection of the site prior to the release of utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.

Bldg.

35. Install smoke alarms in the CBC required locations.
36. Provide GFCI protection for receptacles located in the kitchen, bath, garage, and outdoors.
37. Provide CMC access requirements for attic FAU (catwalk and platform).
38. Provide CEC legal wiring methods in attic.

Eng

39. 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.

CHARLES A. JOHNSON, JR.
Consulting/Structural Engineer

PROPERTY REVIEW REPORT

August 28 2007

Property address: 390 West Bay St. Costa Mesa, CA

Property owner: Tula Kareotes

The following review was prepared by Leonard Bekemeyer, a representative of this office.

1. Introduction

In this report "property" refers to the residence adjacent to 390 West Bay. The rear residence and separate garage will be demolished in preparation for added condominiums.

The report is based on visual observation and comparison with the Zoning Code of the City of Costa Mesa, and the California Building Code, 2002 Edition, as adopted by The City of Costa Mesa.

2. Summary property description:

The 1180 s.f. single family residence nearest to West Bay St. consists of 2 bedrooms; den; 2 bathrooms; laundry room, kitchen with eating area, and living room with fireplace. An additional residence and garages at the rear of the property will be demolished, and are not part of the inspection. There is a mature palm tree near the southwest corner of the property which will not be removed. The short brick wall at the south property line, and the east property line fence will be removed. The wall on the west and north property line will remain. The drive area surface is aggregate.

The floor is raised, wood framed with a continuous perimeter footing and with piers and girders internally. The existing roof cover is composition shingles. They will be replaced with light weight concrete shingles to match the proposed additional units at the rear.

The windows are metal frame single glaze

3. Condition / Compliance observations

A. Structural
Note: Damage from termites or dry rot is the subject of another report.

1. A visual observation of floor framing indicates that the floor is structurally sound. There is water staining at some floor joists and sheathing.

2. An attic review indicates no framing deficiencies

P. O. Box 6284 Garden Grove, CA 92846-6284
(714) 898-6180 office (714) 373-3990 fax

CHARLES A. JOHNSON, JR.

Consulting/Structural Engineer

3. Conditions / Compliance Observations cont.

3. The exterior and interior surfaces are in better than average condition.

4. The windows and doors function normally

B. Mechanical

1. The forced air unit heating system is in the attic. It functions normally. There is no Air Conditioning. The outer lining of the flexible ducting has deteriorated in some places. insulation is held in place by netting.

2. There is an attic exhaust fan at one of the gable vents. There is batt insulation between ceiling joists.
   Note: There is a vent termination in the attic not near the gable vents.

C. Electrical

1. The main electrical disconnects, and circuit breaker panel appear to be in good condition.

2. There were Ground Fault Interceptor outlets in the kitchen and rear bathroom. The duplex outlet in the west bathroom should be replaced with a GFI outlet per code.

3. There was no exposed wiring in accessible areas.

4. Battery powered smoke detectors should be installed in each bedroom and in the hallway leading to the bedrooms per code.

5. There is a power/telephone pole along the west side of the property which serves 2 dwellings. The rear dwelling is being removed.

D. Plumbing

1. No observed drain or water supply leaks.

2. There app eared to be sufficient flow and pressure at all faucets.

3. The water heater is secured to the wall. There is a pressure relief valve and overflow lines.

General

The opinions stated in this report are based on visual observations performed at the time of the property inspection. No invasive or destructive testing was performed in the course of the inspection, the undersigned therefore has no implicit or explicit liability for any damage that is hidden inside wall, floor, or ceiling cavities. The opinions stated in this report are subject to change based upon further field investigation, analysis or review of additional information.

This report does not include termite damage inspection, as it is the subject of another inspection.

This report was prepared exclusively for the subject property and cannot be used for any other property.

REGISTERED PROFESSIONAL ENGINEER
Charles A. Johnson Jr.
No. 2537
Exp 3/08
STRUCTURAL
STATE OF CALIFORNIA

P. O. Box 6284 Garden Grove, CA 92846-6284
(714) 898-6180 office (714) 373-3990 fax

WOOD DESTROYING PESTS AND ORGANISMS INSPECTION REPORT

BUILDING NO.	STREET, CITY, STATE, ZIP	Date of Inspection	No. of Pages
390	Bay W. , Costa Mesa CA 92626	8/20/2007	4

UNITED NATIONAL EXTERMINATOR

1415 N. Hundley St., Anaheim, CA 92806
Ph: (714) 750-1930 or (714) 630-4010
(714) 630-5983 Fax

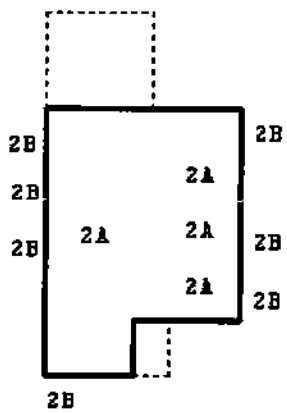
Firm Registration No. PR 0706	Report No. 5284	Escrow No.
Ordered By: Len Bekemeyer 2970 Harbor Blvd. #203 Costa Mesa, CA 92626 662-5952	Property Owner/Party of Interest Nick Kareotes 390 Bay W. Costa Mesa, CA 92626 308-7378	Report Sent To: Nick Kareotes 390 Bay W. Costa Mesa, CA 92626 308-7378

COMPLETE REPORT ☒ LIMITED REPORT ☐ SUPPLEMENTAL REPORT ☐ REINSPECTION REPORT ☐

General Description:	Inspection Tag Posted:
1 STORY RESIDENCE FURNISHED COMP ROOF	ATTIC
	Other Inspection Tags:

An inspection has been made to the structure(s) shown on the diagram in accordance with the Structural Pest Control Act. Detached porches, detached steps, detached decks and any other structures not on the diagram were not inspected.

Subterranean Termites ☐ Drywood Termites ☒ Fungus/Dryrot ☐ Other Findings ☐ Further Inspection ☐
If any of above boxes are checked, it indicates that there were visible problems in accessible areas. Read the report for details on checked items.



Inspected by Kelly Robinson License No. OPR 9346 Signature

You are entitled to obtain copies of all reports and completion notices on this property reported to the Structural Pest Control Board during the preceeding two years. To obtain copies contact: Structural Pest Control Board, 1418 Howe Ave., Ste. 18, Sacramento, California 95825-3204.

NOTE: Questions or problems concerning the above report should be directed to the manager of the company. Unresolved questions or problems with services performed may be directed to the Structural Pest Control board at (916) 561-8708, or (800) 737-8188 or www.pestboard.ca.gov.

43M-41 (Rev. 10/01)

390	Bay W., Costa Mesa CA 92626	8/20/2007	5284
BUILDING NO.	STREET, CITY, STATE, ZIP	INSPECTION DATE	REPORT NO.

In accordance with standard practice of the Industry, areas of the above designated property were not inspected. Although we make a dilligent visual inspection of exposed and accessible areas, we do not probe or deface decorative trim, window or door frames. Hollow wall interiors are inaccessible for inspection unless otherwise noted below and were not inspected at this time. We do not move appliances, furniture, raise floor coverings or remove storage unless specified within this report. Stall showers over finished ceilings are not water tested. If water stains are evident on the ceiling below, recommendations will be made for testing by a licensed contractor. Detached wood fences, sheds, patios, decks, and garden trellises are not part of this report, and no notation or recommendation will be made unless requested by Owner. Eave area(s) of second story of this structure were not probed due to inaccessibility, however a visual examination was made of these area(s). This report includes findings relating to the presence/nonpresence of wood destroying organisms and or visible signs of leaks in the accessible portions of the roof. The inspector did not go onto the roof surface due to possible physical damage to the roof, or personal injury. The exterior surface of the roof was not inspected. If you want the water tightness of the roof determined, you should contact a roofing contractor who is licensed by the Contractors' State License Board. Our report does not certify deck coverings or plumbing. If further inspection of these area(s) is desired, at Owner's request and expense, a certification will be made by a sub-contractor licensee. This company is not responsible for work completed by others, recommended or not, including by Owner. If requested within four (4) months of the inspection date, a reinspection of this structure will be performed by this Company at the expense of Owner, or person ordering original inspection. Reinspection fee will not exceed the original inspection charge. This report reflects conditions observed in visible and accessible area(s) only and pertains to structure(s) or portions thereof as indicted on the diagram only. NO WARRANTY expressed or implied on any future substandard conditions, infections or infestations which were not present at the time of this inspection and noted below. Our price is based on this Company receiving all work bid on and is valid for forty five (45) days only subject to review by this Company at that time. No painting done unless specified, no color match guarantee. If this Report is used for escrow purposes then it is agreed that this Inspection Report and Completion, if any, is part of the ESCROW TRANSACTION. However, if you received written or verbal instructions from any interested parties involved in this escrow (agents, principals, etc.) to not pay our invoice at close od escrow, you are instructed by us not to use these documents to satisfy any conditions or terms of your escrow for purposes of closing the escrow. Further, you are instructed to return all of our documents and the most current mailing address you have on file for the property Owner.

NOTICE TO OWNER Under the California Mechanics Lien Law, any Structural Pest Control Company which contracts to do work for you, any contractor, subcontractor, laborer, supplier or other person who helps to improve your property, but is not paid for his or her work or supplies, has the right to enforce a claim against your property. This means that after a court hearing, your property could be sold by a court officer and the proceeds used to satisfy the indebtedness. This can happen even if you have paid your Structural Pest Control Company in full if the subcontractor, laborer or supplier remain unpaid. To preserve their right to file a claim or lien against your property certain claimants such as subcontractors or material suppliers are required to provide you with a document entitled 'Preliminary Notice' prime contractors and laborers for wages do not have to provide this notice. A Preliminary Notice is not a lien against your property. Its purpose is to notify you of persons who may have a right to file a lien against your property if ther are not paid.

"NOTICE: The Structural Pest Control Board encourages competitive business practices among registered companies. Reports on this structure prepared by various registered companies should list the same findings (i.e. termite infestations, termite damage, fungus damage, etc.) However, recommendations to correct these findings may vary from company to company. Therefore, you have a right to seek a second opinion from another company.

"State law requires that you be given the following information: CAUTION - PESTICIDES ARE TOXIC CHEMICALS. Structural Pest Control Companies are registered and regulated by the Structural Pest Control Board, and apply pesticides which are registered and approved for use by the California Department of Pesticide Regulation and the United States Environmental Protection Agency. Registration is granted when the state finds that based on existing scientific evidence there is no applicable risks if proper use conditions are followed or that the risks are outweighed by the benefits. The degree of risk depends upon the degree of exposure, so exposure should be minimized." If within 24 hours following the application you experience symptoms similar to common seasonal illness comparable to the flu, contact your physician or poison control center (800-876-4766) and UNITED NATIONAL EXTERMINATOR. For further information, contact any of the following UNITED NATIONAL EXTERMINATOR (714-630-4010); for health questions - The County Health Department (714-834-3155); for Application Information - the County Agricultural Commissioner (714 447-7100) and for Regulatory Information - the Structural Pest Control Board (800-737-8188) 1418 Howe Ave. Suite 18 Sacramento, CA 95825.

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We recommend all item(s) in our report to be completed. United National Exterminator assumes no responsibility for infection, infestations or damages resulting from any item(s) not completed by this company. If during the normal course of the outlined work repair or replacement extend into inaccessible area(s) we reserve the right to issue a supplemental report outlining any additional findings, recommendations, and costs. United National Exterminator assumes no responsibility or liability for unknown plumbing conditions disclosed during the course of our outlined work. United National Exterminator does not guarantee the replacement of roofing material. After timber(s) have been replaced the roof will be returned as close as possible to previous condition. If further inspection of roof is desired after replacement, we recommend owner contact a licensed contractor. **United National Exterminator guarantees the immediate area(s) treated by this company for a period of one year from the date of completion unless otherwise stated in this report. Fumigation warranty is 2 years.**

This is Separated Report which is defined as Section I / Section II conditions evident on the date of Inspection. Section I contains items where there is evidence of active infestation, infection or conditions that have resulted in or from infestation or infection. Section II items are conditions deemed likely to lead to infestation or infection but where no visible evidence of such was found. Further inspection items are defined as recommendations to inspect area(s) which during the original inspection did not allow the inspector access to complete his/her Inspection and cannot be defined as Section I or Section II.

This company will reinspect repairs done by others within four months of the original Inspection. A charge, if any, can be no greater than the original inspection fee for each reinspection. The reinspection must be done within ten working days of request. This company may reinspect but may not certify to chemical treating not performed by this company. The reinspection is a visual inspection and if inspection of concealed areas are desired, inspection of work in progress will be necessary. Any guarantees must be received from parties performing repairs.

This Wood Destroying Pests & Organisms Report **DOES NOT INCLUDE MOLD** or any mold like conditions. No reference will be made to mold or mold like condition. Mold is not a Wood Destroying Organism and is outside the scope of this report as defined by the Structural Pest Control Act. If you wish your property to be inspected for mold or mold like conditions, please contact the appropriate mold professional.

□

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Drywood Termites:

FINDING 2A

SECTION I: EVIDENCE OF DRYWOOD TERMITES NOTED AT ATTIC AS INDICATED ON THE DIAGRAM. INFESTATION APPEARS TO EXTEND INTO INACCESSIBLE AREA(S).

RECOMMENDATION 2A

VACATE PREMISES AND SEAL THE STRUCTURE, FUMIGATE WITH A LETHAL GAS OVERNIGHT. REMOVE THE SEALS AND AIR BUILDING READY FOR OCCUPANCY. REMOVE/COVER ALL VISIBLE DROPPINGS AS NECESSARY.

FINDING 2B

SECTION I: EVIDENCE OF DRYWOOD TERMITES AND DRYWOOD TERMITE DAMAGE NOTED AT ROOF SHEATHING, RAFTER TAILS AND FASCIA BOARD AS INDICATED ON THE DIAGRAM.

RECOMMENDATION 2B

OWNER TO CONTACT A LICENSED CONTRACTOR TO MAKE NECESSARY REPAIRS/CORRECTIONS.

ITEM 2A VIKANE GAS - EPA REG 62179-4 ACTIVE INGRED SULFURYL FLUORIDE 99.8% OR ZYTHOR - EPA REG 81824-1 ACTIVE INGRED SULFURYL FLUORIDE 99.3%.

INSPECTION FEE: $ 85.00
JOB ESTIMATE: $1085.00 FOR ITEMS: 2A
TOTAL: $1085.00

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

DATE: 08-23-07

PROJECT: Residential Common Interest Development Conversion BX07-00068
ADDRESS: 390 W BAY ST
CITY: COSTA MESA

A property review inspection was conducted. The following items were noted. There is 1 unit.

1) Install smoke alarms in the CBC required locations.
2) Provide GFCI protection for receptacles located in the kitchen, bath, garage, and outdoors.
3) Provide CMC access requirements for attic FAU. (catwalk and platform).
4) Provide CEC legal wiring methods in attic.

City of Costa Mesa

390 W. BAY ST. - [Created: 6/22/2007 1:23:03 PM] [Scale: 247.86] [Page: 8.5 x 11 / Landscape]

Overview Map

Legend

	Zoning
Address Small	AP
Address Points	C1
	C1-S
	C2
Street Names	CL
	I&R
	I&R-S
Parcel Lines	MG
	MP
	P
City Boundary	PDC
	PDI
	PDR-HD (cont)

Map Display

(C) 2002-7 GeoPrise.net (GeoVec, Inc.) - (866)422-2505

City of Costa Mesa

390 W. BAY ST. - [Created: 6/22/2007 1:22:09 PM] [Scale: 124.72] [Page: 8.5 x 11 / Landscape]

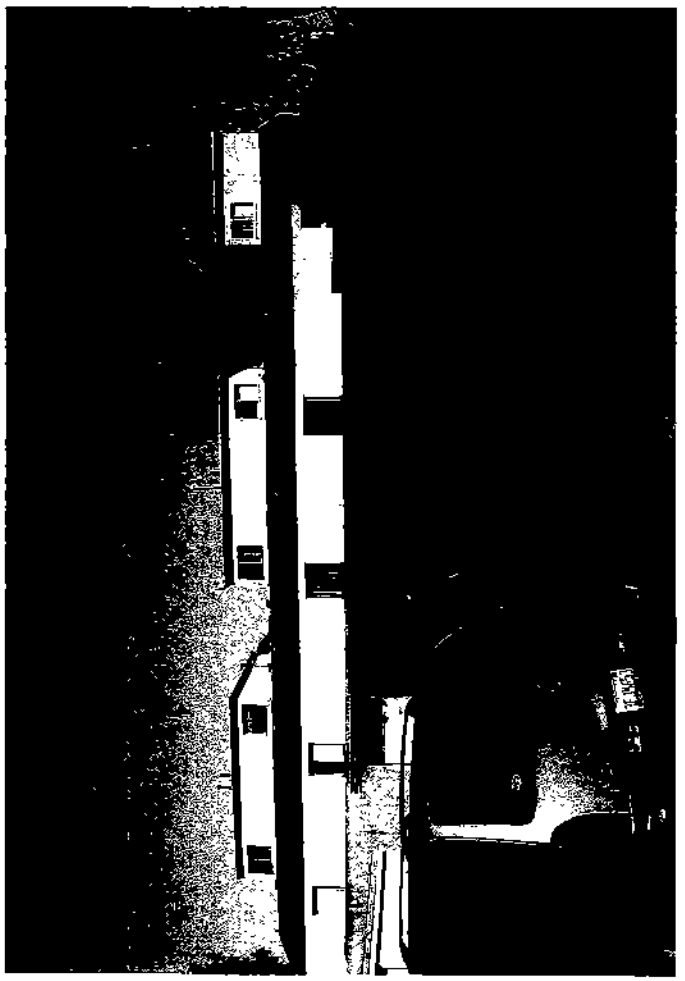
Overview Map

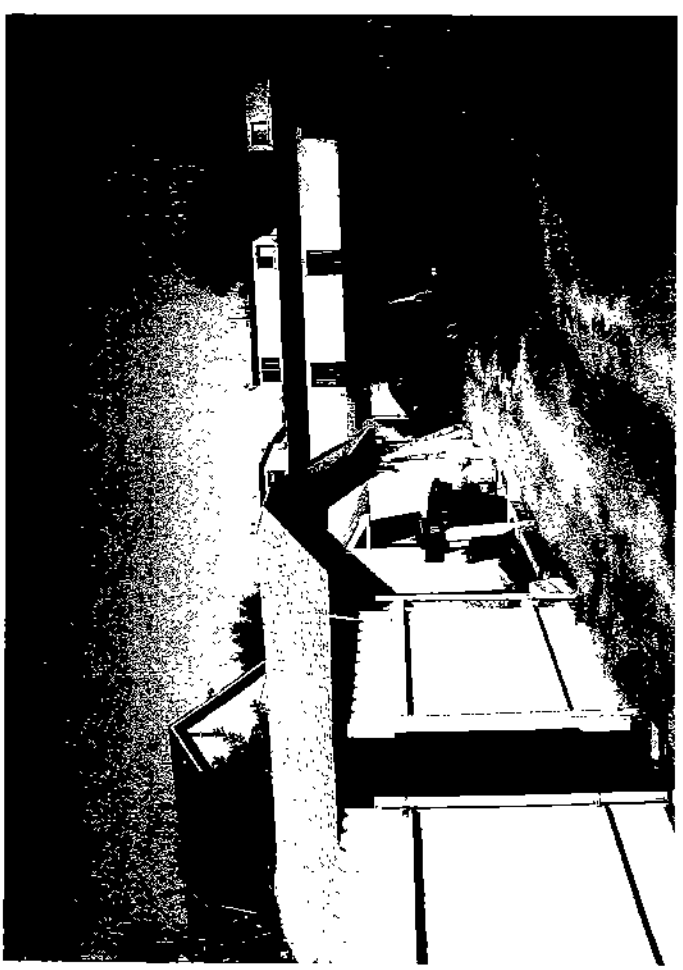
Legend

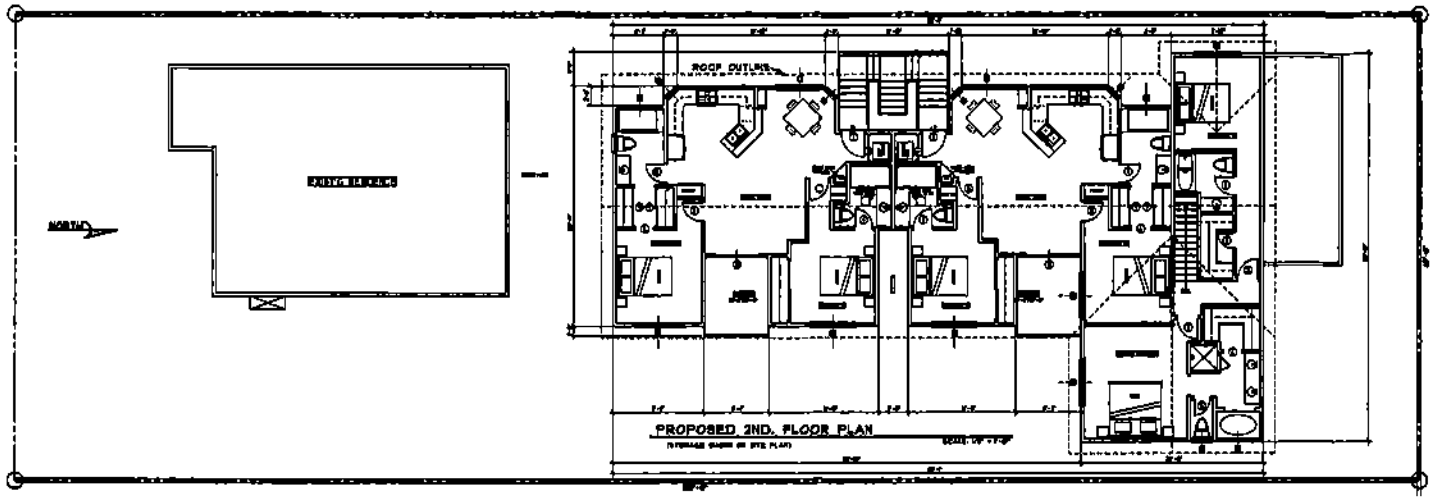
- Address Large
- Dwelling General
- Address Points
- Level1 Ortho Photo city
- Street Names
- Parcel Lines
- City Boundary

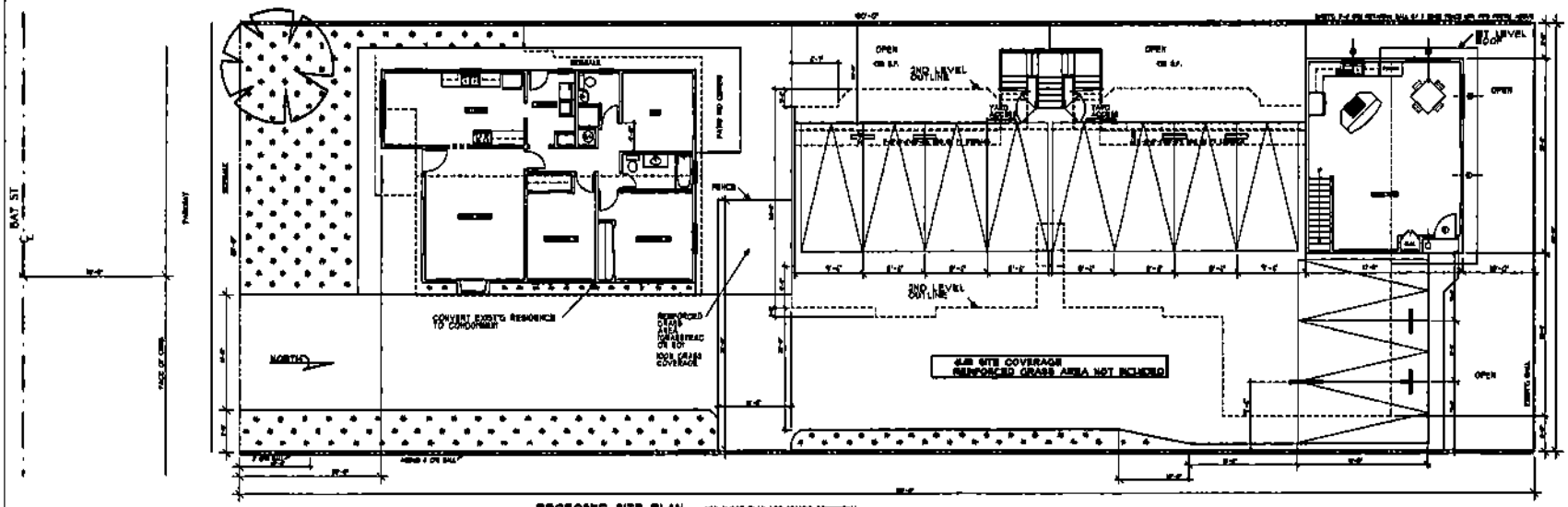
Map Display

(C) 2002-7 GeoPrise.net (GeoVec, Inc.) - (866)422-2505









SEP 24 2007

PROJECT DATA

TRACT 9 LOT 9
PARCEL NO. 1 [illegible]
LOCATION: [illegible] BAY STREET
OCCUPANCY: [illegible] 'C' CLASSIFICATION (1 OR MORE BEDROOMS (1 CARPORT SPACE)
CONSTRUCTION TYPE: [illegible]
LOT SIZE: [illegible] S.F.
OPEN SPACE: [illegible] (1,000 SQ.FT.)
LOT SIZE

AREA SUMMARY (S.F.)

	1ST FLOOR	2ND FLR	DECK	TOTAL
UNIT #1	[illegible]	—	—	[illegible]
UNIT #2	—	[illegible]	60	[illegible]
UNIT #3	—	[illegible]	60	[illegible]
UNIT #4	[illegible]	[illegible]		[illegible]
TOTAL	[illegible]	[illegible]	[illegible]	[illegible]

IF UNIT #1 EXISTING NO AREA CHANGE! : UNIT NO [illegible]

DRIVEWAY AND PARKING: [illegible] S.F.
SITE COVERAGE: [illegible]

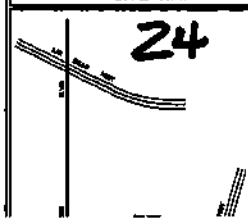
SYMBOLS

ROOM NUMBER
WALL NUMBER & ORIENTATION
WALL ELEVATION DRAWN OR SUBJECT
SHEET WHERE ELEVATION DRAWN
BUILDING/WALL SECTION
SECTION
SMOKE DETECTOR & HEAT ABOVE AS PROVIDED, WITH STUNG THAN FIRE ALARM/SMOKE DETECTION, INTERCONNECTED AND EQUIPPED WITH BATTERY BACKUP. (A BATTERY OPERATED IS EXISTS)
DUPLEX RECEPTACLE OUTLET
1/2 SWITCH CONTROLLED DUPLEX REC.
SINGLE POLE SWITCH
DOUBLE POLE SWITCH
WALL MOUNT FIXTURE
CEILING MOUNT FIXTURE
FLUORESCENT AIR CHANGER / MEU
WALL FAN AIR CHANGER / MEU
RECESSED CEILING LIGHT
COMMUNICATIONS
WALL LEGEND
EXISTING WALL TO REMAIN
EXISTING TO BE REMOVED
ADDED 2x4 STUD WALL @ 16" O.C. (NO FLOOR ALL SHOWN)

ABBREVIATIONS

EX.	EXISTING	AL.	ALUMINUM
SING.	SINGLE	F.J.	FLOOR JOIST
TWO	TWO	FTG.	FOOTING
W/	WITH	CLP SB	CLIPPED SB
SF.	SQUARE FT.	PSF	POUNDS/SQ.FT.
S.C.	SOLID CENTER	F.G.	FIRST GRADE
CHG.	CHANGE	P.T.	PRESSURE TREATED
FAN	FORCED AIR UNIT	BM.	BEAM
P.L.	PROPERTY LINE	TOP	TOP
R.O.	REQUIRED OPENING	T/B	TOP & BOTTOM
SAR	SUPPLY AIR REGISTER	STL.	STEEL
T.O.P.	TOP OF PLATE	C.J.	CEILING JOIST
FR.	FRAMING	BR.	BOUNDARY RAIL
DR.	DOOR	F.C.C.	FIBROUS CEMENT CONCRETE
DOR	DOORS	G.I.	GALVANIZED IRON
HDR	HEADER		
V.B.	VALLEY BRACE		
H.B.	HIP BRACE		
R.B.	RIDGE BRACE		

SITE MAP



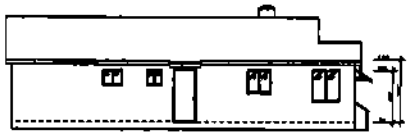
LEN BERKEMEYER & ASSOCIATES
RESIDENTIAL & COMMERCIAL DESIGN

FLOOR & SITE PLANS

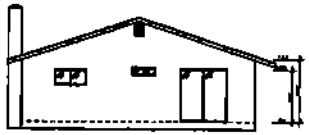
ADDITION TO:
NICK KAREOTES RE/MAX

DRAWN BY:
DATE:
CLIENT: KA
SCALE:
JOB NO.:
SHEET N

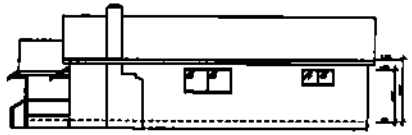
EXIST'G FRONT ELEV.



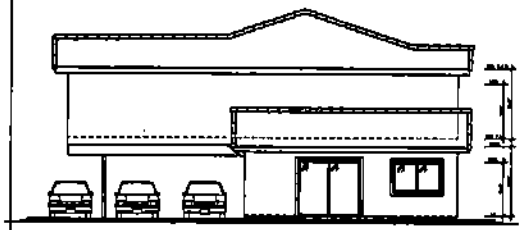
EXIST'G LEFT-SIDE ELEVATION



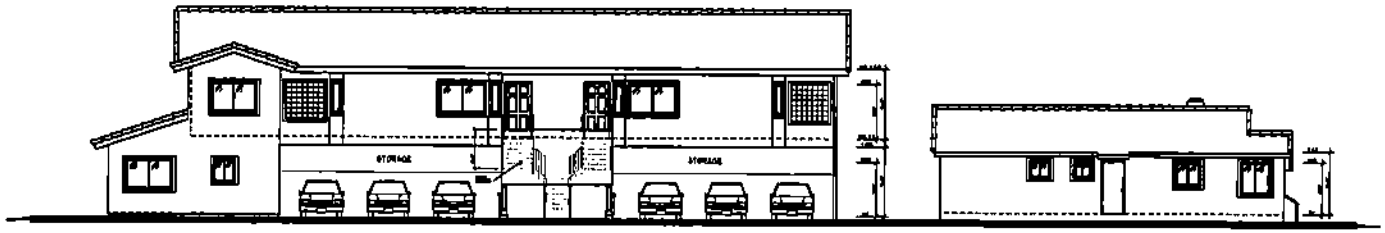
EXIST'G REAR ELEV.



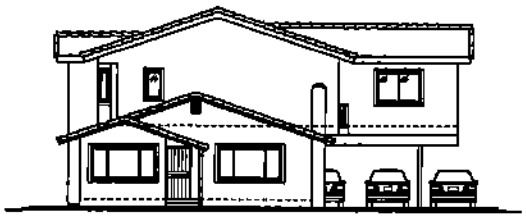
EXIST'G RIGHT-SIDE ELEVATION



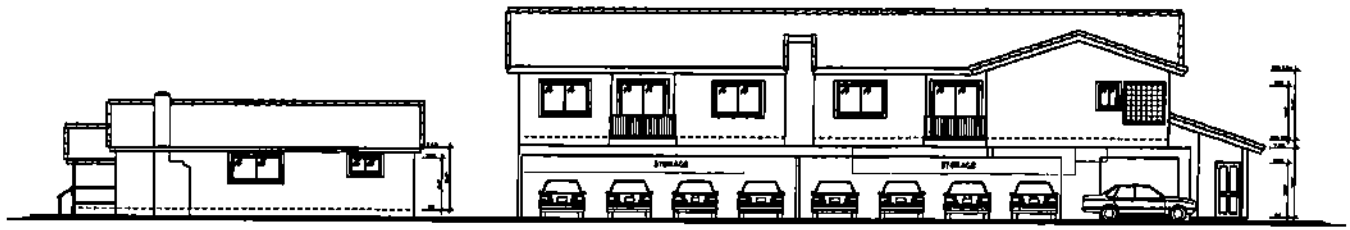
PROPOSED REAR ELEVATION



PROPOSED LEFT-SIDE ELEVATION



PROPOSED FRONT ELEVATION



PROPOSED RIGHT-SIDE ELEVATION