



# PLANNING COMMISSION AGENDA REPORT

VII.2

MEETING DATE: DECEMBER 10, 2007

ITEM NUMBER

**SUBJECT:** GENERAL PLAN AMENDMENT GP-07-03/REZONE R-07-06/ PLANNING APPLICATION PA-07-19/ TENTATIVE TRACT MAP T-17176 FOR PROPERTY LOCATED AT 351 WEST BAY STREET

**DATE:** NOVEMBER 28, 2007

**FOR FURTHER INFORMATION CONTACT:** REBECCA ROBBINS, ASSISTANT PLANNER  
(714) 754-5609

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## DESCRIPTION

The proposed project involves the following discretionary actions for the property located at 351 West Bay Street:

- **General Plan Amendment GP-07-03** – General Plan Amendment to change land use designation from General Commercial to Medium Density Residential.
- **Rezone R-07-06** -- Rezone from C2 (General Business) to R2-MD (Multi-Family Residential – Medium Density).
- **Planning Application PA-07-19** – Design Review for a 7-unit, two-story, single-family, detached, small-lot residential common interest development. This includes the following requests: (a) Administrative Adjustment for front setback (20 ft. required, 13 ft. proposed); (b) Minor Modification for 2<sup>nd</sup> story rear setback (20 ft. required, 16 ft. proposed); (c) Deviations from Residential Design Guidelines for second-to-first floor ratio (80% ratio recommended; 92% ratio proposed) and second floor left side setback (10 ft. average recommended; 5 ft. average proposed).
- **Tentative Tract Map T-17176** - Tract Map to subdivide the property for common-interest development purposes.

## APPLICANT

Garrett Calacci of Waterpointe Development, authorized agent for Richard and John Dick, property owners.

## RECOMMENDATION

Recommend the following actions to City Council: (1) approved General Plan Amendment GP-07-03; (2) give first reading to the ordinance for Rezone R-07-06; (3) approve Planning Application PA-07-19; and (4) approve Tentative Tract Map T-17176, by adoption of attached resolution.

REBECCA ROBBINS  
Assistant Planner

KIMBERLY BRANDT, AICP  
Asst. Development Svs. Director

## PLANNING APPLICATION SUMMARY

Location: 351 W Bay Street Application Number: GP-07-03/R-07-06/PA-07-19/T-17176  
 Request: (1) General Plan Amendment GP-07-03; (2) Rezone R-07-06; (2) Planning Application PA-07-19 for a two-story, 7-unit detached, small-lot common-interest development and (3) Tentative Tract Map T-17176

### **SUBJECT PROPERTY:**

Zone: C2 (General Bus. District)  
 General Plan: General Commercial  
 Lot Dimensions: Irregular  
 Lot Area: 33,573 sq. ft.  
 Existing Development: Currently Vacant (Previously a Mobilehome park)

### **SURROUNDING PROPERTY:**

North: Multi-Family Residences  
 South: Commercial  
 East: Commercial (containing a non-conforming mobilehome park)  
 West: Multi-Family Residences

## DEVELOPMENT STANDARD COMPARISON

Development Standard	Required/Allowed in Proposed R2-MD zone	Proposed/Provided
<b>Lot Size:</b>		
Lot Width (Development Lot)	100 ft.	115 ft.
Lot Area (Development Lot)	12,000 sq. ft.	33,573 sq. ft.
Min. Lot Size for Ind. Dwelling Unit Lot	3,000 sq.ft.	3,268 sq. ft. (smallest lot) 4,370 sq. ft. (largest lot)
Avg. Lot Size for Ind. Dwelling Unit Lot	3,500 sq.ft.	3,819 sq. ft.
<b>Density:</b>		
Medium Density Residential Land Use	Max. 12 units per acre	9 dwelling units per acre
Zone – R2-MD	Max. 9 dwelling units 1 du/3,630 sq. ft.	7 dwelling units 1 du/4,796 sq. ft.
<b>Building Coverage (Development Lot)</b>		
Buildings	60%	11,111 sq. ft.
Paving		7,591 sq. ft. (56%)
Min. Open Space Development Lot	Minimum 40% of total site area 13,429 sq. ft.	44% 14,871 sq. ft.
<b>TOTAL</b>		33,573 sq. ft. (100%)
Rear Lot Coverage	25% (195 sq. ft.)	14% (112 sq. ft.)
Minimum Open Space / Private Open space for Individual Dwelling Unit Lots	40% minimum per lot (15 ft. min. dimension /400 sq. ft.)	Minimum provided: 41% to 54% (1,355 sq. ft. to 2,123 sq.ft) (15 ft. min. dimension/400 sq. ft.)
Common Lot	10 ft. min. street setback landscape	10 ft. street setback (landscape and driveways)
Building Height	2 stories/27 feet	2 stories / 26 ft. 7in.
Chimney Height	29 feet	29 feet
2 <sup>nd</sup> Floor Percentage vs. 1 <sup>st</sup> Floor	80% <sup>4</sup>	87% (Plan 1A, 1C)      88% (Plan 1B) 84% (Plan 1E)      92% (Plan 1D) 80% (Plan 2A)      86% (Plan 2B)
<b>Building Setbacks</b>		
Front (W. Bay Street)	20 ft.	13 ft <sup>1</sup>
Side (left/right)	5 ft.	8 ft. 8 in./5 ft.
Rear (Multi-Family Residential)	10 ft. (1 <sup>st</sup> floor) 20 ft. (2 <sup>nd</sup> floor)	16 ft. 3 in. (1 <sup>st</sup> floor), 16 ft. 3 in. (2 <sup>nd</sup> floor) <sup>2</sup>
Separation between units	10 ft.	10 ft.
<b>Parking:</b>		
Garage Parking Spaces	2-car garage each unit 14 garage spaces total	2-car garage each unit 14 garage spaces total
Open Parking Spaces	14 spaces	16 spaces
<b>Total</b>	28 spaces	30 spaces
Two-Car Garage Interior Dimensions	20' x 20'	20' x 20'
Driveway Width:	16 ft.	Min. 16 ft.
Block Wall Height	6 feet	8 feet <sup>3</sup>
<sup>1</sup> Administrative Adjustment requested for 13-foot front setback. <sup>2</sup> Minor Modification requested for 16-foot rear setback on 2 <sup>nd</sup> floor. <sup>3</sup> Minor Modification for 8-foot tall block wall along front property line. <sup>4</sup> Residential Design Guidelines. NA = Not Applicable		
Final Action	City Council	
CEQA Review	Exempt, Class 32, Infill Development	

## **BACKGROUND**

The property previously contained a non-conforming mobile home park (Tropic Trailer Ports Park) originally built in the 1950's as a short-term vacation travel trailer with 15 spaces. On November 21, 2006, City Council reviewed and approved the Closure Impact Report and homeowner relocation measures for the Park's residents. A copy of this report is available for review at the City of Costa Mesa's public counter in the Planning Division. All structures have been relocated or demolished and the site is currently vacant.

On May 15, 2007, City Council considered General Plan screening request GPS-07-01 for a General Plan amendment to change the land use designation from General Commercial to Medium Density Residential. Along with a required rezone of the property, the General Plan amendment is proposed to accommodate a 7-unit single-family detached, common interest development (9 dwelling units per acre). Council supported the request and authorized processing of the General Plan amendment (Meeting Minutes, Attachment 4).

## **ANALYSIS**

### ***Project Location***

The 0.77-acre project site is located at 351 West Bay Street (Vicinity Map, Attachment 1). The adjacent property to the south contains a 34-unit mobile home park. The property to the east contains a 9-unit apartment building. The "Bungalows on Bay Street" residential development is located to the north/northeast of the project site.

### ***Proposed Project***

#### ***General Plan Amendment GP-07-03***

The proposed General Plan amendment is required to allow for residential development on the property. The proposed request involves a change in the land use designation from General Commercial to Medium Density Residential (maximum 12 dwelling units per acre). This involves amendments to the General Plan land use map and related text changes to the Land Use Element.

Following are justifications for approval of the General Plan amendment:

- ***Project achieves General Plan Housing Element Goal HOU-3.*** The proposed owner-occupied housing project would achieve this Housing Element goal by converting existing marginal commercially zoned property to residential for a new residential development. The new for-sale housing development would be compatible with neighboring residential uses.
- ***Project is consistent with General Plan Land Use Policy LU-1F.4.*** This General Plan policy requires that residential densities be supported by infrastructure and that high-density residential areas not be permitted in areas which can cause incompatibility with existing single-family areas. The proposed development results in an 87% decrease average daily trips compared to General Plan conditions.
- ***Project is consistent with General Plan Land Use Objective LU-2A.*** The proposed project is consistent with Land Use Objective LU-2A which encourages new development and redevelopment to improve and maintain the quality of environment.

The proposed project will create new ownership housing opportunities. The non-conforming mobile home park which was originally built over 50 years ago will be replaced with new housing stock.

- The request is within General Plan traffic capacity. Since the project proposes seven single-family dwelling units, the projected traffic trips are greatly lower than the future General Plan conditions if the site were developed as commercial. The proposed project would result in a reduction of over 500 vehicle trips (87%).

**Table A – Trip Generation Analysis**

General Plan Land Use Designation	Potential Buildout	AM Peak Hr Trips	PM Peak Hr Trips	Total Avg Daily Trips
Existing General Commercial	<u>Commercial building</u> (10,125 sq. ft.) 0.30 FAR	16	64	690
Proposed Medium Density Residential	<u>Medium-Density Residential Project</u> Up to 12 dwelling units/acre	10	13	124
<b>Net Change in Trips</b>		<b>(-6)</b>	<b>(-51)</b>	<b>(-599)</b>

### **Rezone R-07-06**

The proposed project also requires a rezone of the property from C2 (General Business) to R2-MD (Multi-Family Residential – Medium Density). The R2-MD zoning is compatible with the existing apartments to the west (R3 zoning) and the mobile home park to the east/southeast.

### **Planning Application PA-07-19**

#### **Design Review**

Design Reviews are required for projects with three or more residential units and for common interest developments. This allows review of the structures' scale, window location, site planning, landscaping, and appearance, with the goal of promoting design excellence while giving consideration to the project's compatibility and consistency with the surrounding area.

The project consists of a 7-unit single-family, detached, small-lot residential common interest development. (Site Plan/Floor Plan/Elevations, Attachment 5). The project involves deviations from development standards including an administrative adjustment for the front setback, minor modifications for the rear setback of the second floor and perimeter wall height, and the Residential Design Guidelines for the second-to-first floor ratio.

Staff recommends approval of the Design Review and the deviation requests for the following reasons:

- Overall architectural design promotes excellence and compatibility. The two-story project features French Normandy architecture. The identifying features of these modern, cottage-style homes include accentuated entry areas and symmetrically-balanced windows. This type of architectural style lacks physically-articulated walls; however, varied surface materials and porches/verandas add visual interest to compensate for the lack of façade articulation. Although the proposed units exceed the 80 percent second floor to first floor ratio recommended in the City's Residential Design Guidelines, the building massing will be primarily visible from within the development. Additionally, architectural treatments provide visual enhancements in the place of physically articulated wall planes. Lastly, the project includes custom-made garage doors, wood shutters, wood roofing, stone veneers, and varied color schemes for the buildings.
- Proposed parking exceeds City standards. The proposed project provides 30 parking spaces (14 spaces in two-car garages and 16 open parking spaces). Proposed parking exceeds the City's minimum parking requirements by two parking spaces.
- Administrative adjustment from front setback requirement is considered minor. The administrative adjustment is for relief from the front setback requirement for two structures (20-foot setback required, 13-foot setback proposed). In the R2-MD zone, a block wall may be constructed at a 10-foot front setback from West Bay Street. For example, the Bungalows at Bay Street (330/340 W. Bay Street) feature a 10-foot landscaped setback from Bay Street and Thurin Avenue. Therefore, the proposed project does not diminish the public view of the landscaping along West Bay Street.

In addition, the administrative adjustment allows for breaks in the building to enhance visual interest from the street. The majority of the two structures within the front setback contain a 15-foot setback with minor pop-outs at 13-14 feet for windows and articulation. Staff finds that the administrative adjustment is compatible with the neighboring development and would enhance the architecture/design of the proposed project.

- Minor Modification from rear setback requirement is for a slight building encroachment. The minor modification is for the rear setback of the second floor of the two-story residence on Lot 3 (20 feet required, 16 feet proposed). The rear of this irregular-sized lot is only 36 feet wide. Given the unusual shape of the property and the fact that this is a minor encroachment of only one residence, staff believes that the proposed design would result in a compatible and attractive development.
- Minor departures from Residential Design Guidelines are compensated by architectural enhancements. The proposed project deviates from the Residential Design Guidelines for the second-to-first floor ratio (80% recommended; 92% proposed) and for the second floor left side setback (10 ft. average recommended; 5 ft. average proposed).

Staff believes these minor departures from the design guidelines which would not detract from the appearance and appropriate scale of the structures given the enhanced architectural treatments. These include varying accent colors, stone veneers, wood window trim and shutters, and stucco elements throughout the building, including the left side elevations. These features provide for a colorful, well-designed façade and better building definition. A condition of approval requires that approved enhancements must be

implemented per plan, unless changes are approved in advance by the Planning Division. Enhancements must be provided, especially the elevations along the left side of the property subject to the approval of the Planning Division prior to release of the first certificate of occupancy.

- Noise study shall verify compliance with City's Noise Ordinance. The Costa Mesa 2000 General Plan requires that sensitive uses be located outside a 65 Community Noise Equivalent Level (CNEL) noise contour. Traffic noise may not be greater than the 65 CNEL exterior noise standards and 45 CNEL interior noise standards. According to the 2000 General Plan, existing (Year 2000) and expected (Year 2020) noise contours along the project site range from 60 to 65 CNEL. Therefore, a 7-foot perimeter block wall may likely be sufficient sound attenuation. However, this is to be verified by an acoustical study.

The primary source of noise is Bay Street/Newport Boulevard traffic. Typical residential construction achieves an average of 12 decibels of outdoor-to-indoor noise reduction with windows open. With windows closed, the outdoor-to-indoor noise reduction increases to an average of 20 decibels. In order to assume that windows can remain closed, adequate mechanical ventilation must be provided. An acoustical study is required to be completed prior to issuance of building permits to verify appropriate heights of any required sound walls to maintain the 65 CNEL (or lower) exterior noise standard and compliance with interior noise standards.

A minor modification for an 8-foot block wall (6-foot allowed, 8-foot may be required) is included as part of the proposed project in the event that such a wall is needed for noise attenuation purposes along West Bay Street and the left side property line.

- Landscape Plan features plant palette consistent with City standards. The Landscape Plan is generally consistent with the City's standards. The Landscape Plan proposes a diverse palette of trees, shrubs, and groundcover.

### ***Tract Map T-17176***

The applicant is proposing the tract map to facilitate the small-lot, common-interest development. The subdivision would allow the individual residential lots to be sold independent of one another. The new residents will own the structure and individual lot as well as a portion areas held in common by the homeowner's association. Covenants, Conditions, and Restrictions (CC&Rs) are required to be recorded to ensure proper maintenance of the common areas. The map complies with City Code and the State Subdivision Map Act.

The lot sizes of the individual dwelling units are similar to other small-lot residential common interest developments. The Zoning Code requires a minimum 3,000 sq. ft. lot and average 3,500 sq. ft. lot. (See Table B).

**Table B – Summary of Residential Lot Areas (in square feet)**

<b>Lot 1</b>	3,925	<b>Lot 5</b>	3,356
<b>Lot 2</b>	3,891	<b>Lot 6</b>	3,331
<b>Lot 3</b>	4,370**	<b>Lot 7</b>	3,645
<b>Lot 4</b>	3,268*		
		<b>Average Lot Size</b>	<b>3,949</b>

\*Smallest and \*\*Largest Individual Dwelling Unit Lot

### **ENVIRONMENTAL DETERMINATION**

The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), CEQA Guidelines, and the City's environmental processing procedures. Pursuant to Section 15332 (In-Fill Development Projects) of the California Environmental Quality Act (CEQA) Guidelines, this project is exempt from CEQA.

### **LEGAL REVIEW**

The City Attorney's office has approved the attached resolution as to form.

### **ALTERNATIVES**

The Planning Commission has the following alternatives:

1. Recommend approval of the general plan amendment, rezone, planning application and tract map. Proposed residential development would be in conformance with the City's General Plan (as amended) and proposed R2-MD zoning. This well-designed, medium-density residential project would create new homeownership opportunities in the city.
2. Recommend denial of the proposed project. The current General Commercial land use designation would expressly prohibit residential development. The proposed two-story, small-lot subdivision would not be consistent with the current C2 zoning. The applicant could not apply for a similar project until six months after the decision date.

### **CONCLUSION**

This project involves the development of an underutilized commercial property into seven small-lot residential homes. While there are requested deviations from development standards, staff believes the project exhibits design excellence and compatibility with the neighboring developments. The density at 12 du/ac is below the maximum density allowed in the proposed Medium-Density Residential land use designation.

- Attachments:
1. Vicinity Map
  2. Site Photos
  3. Planning Commission Resolution
  4. City Council Meeting Minutes
  5. Site Plans/Elevations/Floor Plans

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

Waterpointe Development  
c/o Garrett Calacci  
190 Newport Center Dr., Suite 220  
Newport Beach, CA 92660

File:121007GP0703R0706PA0719T17176

Date: 112807

Time: 2:30 p.m.

# Vicinity Map

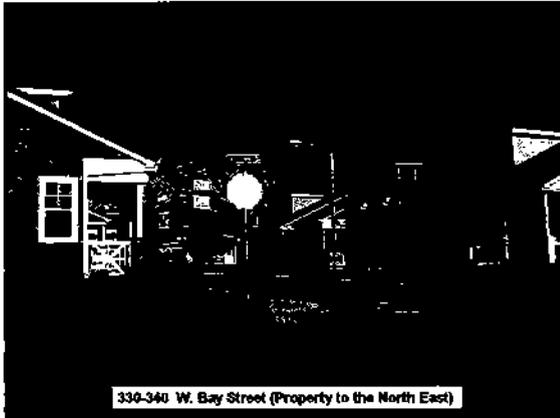




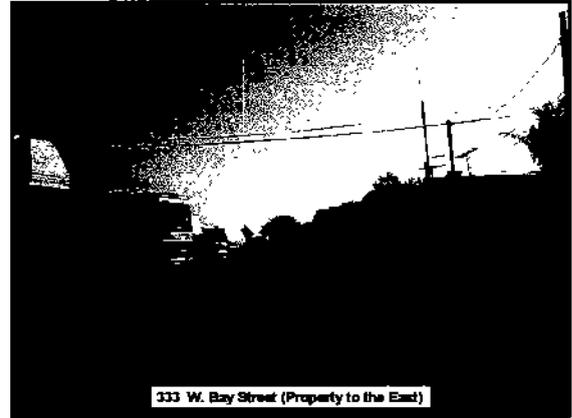
351 W. Bay Street (Subject Property)



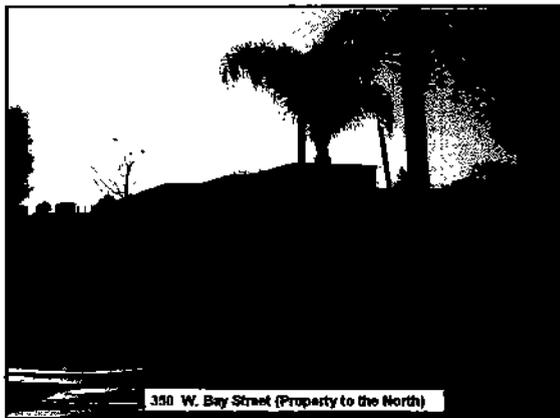
351 W. Bay Street (Subject Property)



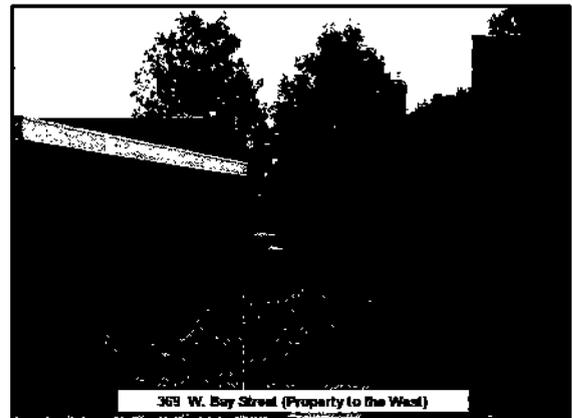
330-340 W. Bay Street (Property to the North East)



333 W. Bay Street (Property to the East)



350 W. Bay Street (Property to the North)



369 W. Bay Street (Property to the West)

## **Attachment 3**

### **Planning Commission Resolution**

## **RESOLUTION NO. PC-07-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA RECOMMENDING CITY COUNCIL APPROVAL OF THE FOLLOWING: (1) GENERAL PLAN AMENDMENT GP-07-03; (2) REZONE R-07-06 (3) PLANNING APPLICATION PA-07-19; AND (4) TENTATIVE TRACT MAP T-17176 AT 351 WEST BAY STREET.**

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

WHEREAS, an application was filed by Garrett Calacci of Waterpointe Development, as authorized agent for property owners, Richard and John Dick;

WHEREAS, the project site is real property located at 351 West Bay Street totaling 0.77 acre;

WHEREAS, the proposed project involves the following: (1) General Plan Amendment GP-07-03 to change the general plan land use designation from General Commercial to Medium Density Residential; (2) Rezone R-07-06 for a rezone of the property from C2 (General Business) to R2-MD (Multiple-Family Residential – Medium Density); (3) Planning Application PA-07-19 for a Design Review for a 7-unit two-story, single-family, detached small-lot common-interest development; and (4) Tentative Tract Map T-17176 to subdivide the property for condominium purposes;

WHEREAS, Planning Application PA-07-19 also includes an administrative adjustment for the front setback (20-foot setback required, 13-foot setback proposed), minor modification for the rear second-floor setback (20-foot setback required, 16-foot setback proposed); minor modification for block wall height (6-foot height allowed, 8-foot height proposed); and minor deviations from the Residential Design Guidelines for the second-story massing (80% maximum allowed, 92% proposed) and second-story side setbacks;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on December 10, 2007 to allow for public comment on the proposed project and with all persons having been given the opportunity to be heard both for and against the proposed project;

WHEREAS, the proposed project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and is considered an exempt activity under CEQA Guidelines Section 15332, Class 32, related to infill development;

BE IT RESOLVED that the Planning Commission **RECOMMENDS CITY COUNCIL APPROVAL** of General Plan Amendment GP-07-03, as shown in Exhibit "A".

BE IT RESOLVED that the Planning Commission **RECOMMENDS CITY COUNCIL APPROVAL** of the Ordinance to change the zoning classification of the 0.77-acre subject site from C2 (General Business) to R2-MD (Multiple Family Residential – Medium Density), as shown in Exhibit "B."

BE IT FURTHER RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "C", subject to the conditions contained in Exhibit "D", the Planning Commission hereby **RECOMMENDS CITY COUNCIL TO APPROVE** Planning Application PA-07-19 and Tentative Tract Map T-17176.

BE IT FURTHER RESOLVED that the 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 General Plan Amendment GP-07-03/Rezone R-07-06/Planning Application PA-07-19/Tract Map T-17176 and upon applicant's compliance with each and all of the conditions contained in Exhibit "D", as well as with compliance of all applicable federal, state, and local laws. Should any material change occur in the operation, or should the applicant fail to comply with the conditions of approval, this Resolution, and any recommendation for approval herein contained, shall be deemed null and void.

**PASSED AND ADOPTED this 10<sup>th</sup> day of December, 2007.**

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Chair, Donn Hall  
Costa Mesa Planning Commission



**TABLE LU-1: LAND USE DESIGNATIONS (2005)**

Land Use Designation	Residential Density DU/Acre*	Floor Area Ratio	Acres Developed	Acres Undeveloped (1999)	Total Acres	% of City
Low-Density Residential	≤8	Same as Neighborhood Commercial	2,168.3	1.8	2,170.1	26.8%
Medium-Density Residential <sup>1,6</sup>	≤12	Same as Neighborhood Commercial	<del>704.5</del> 795.3	30.7	<del>825.2</del> 826	10.2%
High-Density Residential <sup>1,5</sup>	≤20 <sup>2</sup>	Same as Neighborhood Commercial	836.3	42.0	878.3	10.8%
Commercial-Residential	≤17.4	0.20/High Traffic 0.30/Moderate Traffic 0.40/Low Traffic	42.6	0.9	43.5	0.5%
Neighborhood Commercial <sup>6</sup>	-	0.15/High Traffic 0.25/Moderate Traffic 0.35/Low Traffic 0.75/Very Low Traffic	42.4	2.5	44.9	0.6%
General Commercial <sup>6</sup>	≤20	0.20/High Traffic 0.30/Moderate Traffic 0.40 Low Traffic 0.75/Very Low Traffic	<del>610.7</del> 609.9	20.8	<del>631.5</del> 630.7	7.8%
Commercial Center <sup>5</sup>	≤20  ≤40 site-specific density for 1901 Newport Blvd <sup>3</sup>	0.25/High Traffic 0.35/Moderate Traffic 0.45 Low Traffic 0.75/Very Low Traffic 0.70 Site-Specific FAR for 1901 Newport Blvd <sup>3</sup>	29.4	63.3	92.7	1.1%
Regional Commercial	≤20	0.65/0.89 <sup>4</sup>	114.7	0.0	114.7	1.4%
Urban Center Commercial	≤20	0.50 Retail 0.60 Office 0.79 Site-Specific FAR for So.Coast Metro Center <sup>5</sup>	134.2	26.2	160.4	2.0%
Cultural Arts Center	-	1.77	49.0	5.0	54.0	0.7%
Industrial Park	≤20	0.20/High Traffic 0.30/Moderate Traffic 0.40/Low Traffic 0.75/Very Low Traffic	696.5	17.7	714.2	8.8%
Light Industry <sup>6</sup>	≤20	0.15/High Traffic 0.25/Moderate Traffic 0.35/Low Traffic 0.75/Very Low Traffic	375.5	6.6	382.1	4.7%
Public/Institutional	-	0.25	1,281.3	0.5	1,281.8	15.8%
Golf Course	-	<0.01	560.1	0.0	560.1	6.9%
Fairgrounds	-	<0.10	146.4	0.0	146.4	1.8%
<b>Total</b>			<b>7,881.9</b>	<b>218.0</b>	<b>8,099.9</b>	<b>100.0%</b>

<sup>1</sup> Within the Medium- and High-Density Residential designation, existing residential units legally built in excess of the dwelling units per acre standard may be rebuilt at the same higher density subject to other zoning code standards. The allowable density or number of units to be redeveloped would be limited to the 1990 General Plan density with a 25% incentive bonus for Medium-Density or a 50% incentive bonus for High-Density; or the existing number of units, whichever is less.

<sup>2</sup> See High-Density Residential text regarding an area in North Costa Mesa where the density allowance is 25 to 35 DU/acre.

<sup>3</sup> See Commercial Center text. <sup>4</sup> See Regional Comm. text. <sup>5</sup> See Urban Center Comm. text. <sup>6</sup> See Mixed-Use Developmt.

**EXHIBIT A2**



**EXHIBIT "B"**

**ORDINANCE NO. 07-**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REZONING ONE PARCEL TOTALLING 0.77 ACRE FROM C2 (GENERAL COMMERCIAL) TO R2-MD (MULTIPLE FAMILY RESIDENTIAL – MEDIUM DENSITY) FOR PROPERTY LOCATED AT 351 WEST BAY STREET.**

**THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY ORDAIN AS FOLLOWS:**

WHEREAS, Rezone R-07-06 is consistent with the 2000 General Plan adopted in January, 2002, as amended by GP-07-03;

WHEREAS, Rezone R-07-06 involves a change in the zoning district of real property located at 351 W. Bay Street from C2 (General Commercial) to R2-MD (Multi-Family Residential—Medium Density);

WHEREAS, Rezone R-07-06 will allow residential development at a maximum density of 12 du/ac, or 1 dwelling per 3,630 square feet, as allowed by the General Plan;

WHEREAS, ON December 10, 2007, after a duly noticed public hearing, the Planning Commission recommended City Council approval of Rezone R-07-06;

**SECTION 1. REZONE.** The City of Costa Mesa Official Zoning Map is hereby amended as follows:

a. There is hereby placed and included in the R2-MD (Multiple Family Residential – Medium Density) zoning district a 0.77-acre property, identified as Assessor Parcel Number 419-221-02 and as described in attached Exhibit 1, situated in the City of Costa Mesa, County of Orange, State of California.

b. Pursuant to the provisions of Section 13-22 of the Costa Mesa Municipal Code, the Official Zoning Map of the City of Costa Mesa is hereby amended by the change of zone described in subsection a hereof and in the respective exhibit. A copy of the Official Zoning Map is on file in the office of the Planning Division.

**SECTION 2. ENVIRONMENTAL DETERMINATION.** The proposed rezone was processed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the City of Costa Mesa Environmental Guidelines, and is considered an exempt activity under CEQA Guidelines Section 15332, Class 32, related to infill development.

**SECTION 3. INCONSISTENCIES.** Any provision of the Costa Mesa Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to affect the provisions of this Ordinance.

**SECTION 4. SEVERABILITY.** If any provision or clause of this ordinance or the application thereof to any person or circumstances is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions or clauses or applications of this ordinance which can be implemented without the invalid provision, clause or application; and to this end, the provisions of this ordinance are declared to be severable.

**SECTION 5. PUBLICATION.** This ordinance shall take effect and be in full force thirty (30) days from and after the passage thereof, and, prior to the expiration of fifteen (15) days from its passage, shall be published once in the ORANGE COAST DAILY PILOT, a newspaper of general circulation, printed and published in the City of Costa Mesa or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the office of the City Clerk five (5) days prior to the date of adoption of this Ordinance, and within fifteen (15) days after adoption, the City Clerk shall cause to be published the aforementioned summary and shall post in the office of the City Clerk a certified copy of this Ordinance together with the names of the members of the City Council voting for and against the same.

**PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2007.**

\_\_\_\_\_  
ALLAN MANSOOR  
Mayor of the City of Costa Mesa

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
City Clerk of the City of Costa Mesa

\_\_\_\_\_  
City Attorney

**EXHIBIT 1A**



**EXHIBIT 1B**

The following property is hereby rezoned as follows:

<b>ZONING DISTRICT</b>	<b>PARCEL NUMBER</b>
R2-MD (Multiple Family Residential – Medium Density)	419-221-02

**EXHIBIT "C"****FINDINGS**

- A. Rezone R-07-06 is consistent with the General Plan, as amended. The rezone of the property at 351 W. Bay Street from C2 (General Business District) to R2-MD (Multi-Family Residential, Medium-Density) is within the development capacity of the General Plan and would not exceed the maximum allowable density of the Medium Density Residential land use designation. The rezone included an analysis of the interface and compatibility between existing residential uses and was found to be compatible with the adjacent residential properties.
- B. The proposed design review for a residential common interest development project and related improvements provide for residential home ownership and are in conformance with the goals, policies, and objectives of the Costa Mesa General Plan and provisions of the Zoning Code. Specifically, the design review is in conformance with the broader goals of the General Plan for a single-family residential condominium project and exhibits excellence in design, site planning, integration of uses and structures and protection of the integrity of neighboring development. While the proposed development project includes an administrative adjustment from the front setback requirement and minor modifications from the rear setback requirement and perimeter wall height, the overall development represents a desirable product type in conformance with the General Plan.
- C. The proposed project complies with Costa Mesa Municipal Code Section 13-29(e) because:
- a. The proposed development and use is compatible and harmonious with uses both onsite as well as those on surrounding properties. Specifically, the proposed medium-density residential development is compatible with the multi-family residential use to the west and mobile home park to the south/southeast.
  - b. Safety and compatibility of the design of the buildings, parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered. The project shall provide a standard residential drive approach from West Bay Street that shall be ungated to avoid vehicle queuing from the public street.
  - c. The planning application is for a project-specific case and does not establish a precedent for future development.
  - d. The cumulative effects of General Plan Amendment GP-07-03, Rezone R-07-06, Planning Application PA-07-19, and Tract Map T-17176 have been considered.
- D. The project meets the purpose and intent of the Residential Design Guidelines which are intended to promote design excellence in new residential construction, with consideration given to compatibility with the established residential community. Although the proposed units exceed the 80 percent second floor to first floor ratio recommended in the City's Residential Design Guidelines, the building massing will be primarily visible from within the development. Additionally, architectural treatments provide visual enhancements in the place of physically articulated wall planes. Lastly, the project exceeds the minimum average 10-foot side setback along the right side property line as recommended by the Residential

Design Guidelines. Although two homes along the left side property line contain 5-foot setbacks on the 2<sup>nd</sup> story, a condition has been included to provide treatment to the elevation such as wood shutters or banding to break up the elevation and meet the intent of the Residential Design Guidelines. Varied building materials and architectural elements (custom garage doors, wrought iron fencing, wooden shutters, stucco elements, enhanced entry porches, and balconies) also contribute to a well-designed residential project.

- E. The information presented substantially complies with Section 13-29(g)(1) of the Costa Mesa Municipal Code:
- a. Because of special circumstances (irregular lot shape) applicable to the property, the strict application of the front setback requirement (20 ft. required, 13 ft. proposed) would deprive the property owner of privileges enjoyed by owners of other property in the vicinity under identical zoning classification.
  - b. The administrative adjustment granted shall be subject to such conditions as will assure that the deviation authorized shall not constitute a grant of special privileges inconsistent with the limitation upon other properties in the vicinity and zone in which the property is situated.
  - c. The granting of the administrative adjustment will not allow a use, density, or intensity which is not in accordance with the General Plan designation.
- F. The information presented substantially complies 13-29(g)(6) of the Costa Mesa Municipal Code.
- a. The minor modifications from the 2<sup>nd</sup> story rear setback requirement (20 ft. required, 16 ft. proposed) and 8-foot block wall for noise attenuation purposes will not be materially detrimental to the health, safety, and general welfare of persons residing or working within the immediate vicinity of the project or to the property and improvements within the neighborhood.
  - b. The minor modifications are compatible and enhance the architecture and design of the proposed single-family residential development. This includes the site planning of the residential structures, land coverage, landscaping, appearance, scale of structures, and open space areas which contribute to a compatible and attractive development.
- G. In accordance with State Law, the project has been reviewed for compliance with the California Environmental Quality Act and is considered an exempt activity under CEQA Guidelines Section 15332, Class 32, related to infill development. Thus, the evidence presented in the record as a whole indicates that the project will not individually or cumulatively have an adverse effect on the environment.
- H. The proposed project complies with minimum requirements for fire apparatus access through the provision of a minimum 20-foot wide drivable area. Due to the 223-foot depth of the lot, the challenges associated with fire access may be minimized by the installation of residential sprinkler systems for all dwelling units pursuant to the direction of the Fire Marshal.
- 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 future subdivision for condominium purposes and development of the property will not unreasonably interfere with the free and complete exercise of the public entity and/or public utility rights- of-way and/or easements within the tract. The subdivision map application shall be processed and approved by the City prior to issuance of building permits to ensure compliance with the Subdivision Map Act requirements and provision of ownership dwelling units.
- 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 proposed use of the subdivision is for residential ownership purposes which is compatible with the objectives, policies, general plan land use designation, and programs specified in the City of Costa Mesa 2000 General Plan.
- M. The subject property is physically suitable to accommodate Tract Map T-17176 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.
- N. The subdivision will not unreasonably interfere with the free and complete exercise of the public entity and/or public utility rights-of-way and/or easements within the subdivision.

**EXHIBIT "D"****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, suites, buildings, etc, shall be blueprinted on the site plan and on all floor plans in the working drawings.
  2. The approval of PA-07-19 and T-17176 is contingent upon City Council's final approval of General Plan Amendment GP-07-03 and Rezone R-07-06. This approval shall not become effective until all other discretionary approvals are final and become effective.
  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. The conditions of approval or code provisions of PA-07-019/T-17176 shall be blueprinted on the face of the site plan as part of the plan check submittal package. The project shall comply with these requirements.
  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 storm water 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. No cross lot drainage to adjacent properties shall be allowed.
  6. To avoid an alley-like appearance, the private street shall not be entirely paved with asphalt nor be developed with a center concrete swale. The entry/exit drive of the private street shall be made of stamped concrete or pervious pavers. The final landscape concept plan shall indicate the landscape palette and the design/material of paved areas, and the landscape/hardscape plan shall be approved by the Planning Division prior to issuance of building permits.
  7. The final landscape plan shall include recommended trees from the Appendix B and Appendix D of the Streetscape and Median Development Standards. Specifically, the front landscaped setback shall include *Pinus canariensis* (Canary Island Pine) or other tree species as deemed acceptable by the Development Services Director.
  8. The site plan submitted with initial working drawings shall contain a notation specifying that the project is a single-family detached, small-lot, common interest development and shall specify the ultimate interior property lines.
  9. 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.
  10. Prior to issuance of building permits, applicant shall submit an acoustical study completed by a qualified acoustical engineer to verify the minimum height requirements for a sound wall or minimum building construction standards to

- comply with the City's Noise Ordinance for interior and exterior areas of the residential development.
11. Prior to issuance of certificate of occupancy, the applicant shall construct a minimum 6-foot tall decorative block/sound wall around the perimeter of the project site. 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 and/or provide adequate privacy screening by trees and landscaping. The block wall shall be constructed of slumpstone block at least 6 inches thick and shall be of consistent color and texture (Orco Block – La Paz) or match any existing masonry walls within the immediate street segment. Brick trim caps are required on all block walls. Refer to Section 8.06 of the City's Streetscape and Median Development Standards or contact the Planning Division for more information on this requirement.
  12. The two homes along the left side property line that contain 5-foot setbacks on the 2<sup>nd</sup> story (Lots 2 and Lot 3) shall contain additional architectural treatment such as wood shutters, stucco elements, differing surface materials (i.e. brick veneer, stacked stone, etc.) to provide visual relief/visual interest along this elevation, as deemed acceptable by the Planning Division.
  13. The applicant shall contact the current cable service provider prior to issuance of building permits to arrange for pre-wiring for future cable communication service.
  14. To the fullest extent possible, the landscape plan shall feature 24-inch box trees and 5-gallon shrubs that exceed the minimum size requirements of trees and shrubs as described in the City's landscaping standards to the satisfaction of the Development Services Director. The landscape plan shall also show decorative treatment (i.e. concrete pavers, brick, aggregated) within the private driveway. The landscape plan shall be approved prior to issuance of building permits.
  15. If the project is constructed in phases, the decorative perimeter block/noise wall, landscaping within the street setback areas, and irrigation shall be installed prior to the release of utilities for the first phase.
  16. No modification(s) of the approved building elevations including, but not limited to, changes that increase the building height, removal of building articulation, design modifications, 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, or in the requirement to modify the construction to reflect the approved plans.
  17. No exterior roof access ladders, roof drain scuppers, or roof drain downspouts shall be permitted.
  18. The two guest parking spaces shall be clearly distinguished as "visitor parking" either by signage, labeling the wheel stops, or other means as deemed appropriate by the Development Services Director prior to issuance of the first certificate of occupancy.
  19. Applicant shall submit floor plans for all models, including reverse plan models, with the working drawings for plan check.
  20. There shall be minimal nighttime lighting, primarily security purposes, of the common areas. Any lighting under the control of the applicant shall be directed in such a manner so as to not unreasonably interfere with the quiet enjoyment of the nearby residences abutting the project site.
  21. Demolition permits for any 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.
22. All backflow prevention devices, transformers, and other utility or 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. The applicant shall show method of screening for all ground-mounted equipment (backflow prevention devices, Fire Department connections, electrical transformers, etc.) on the initial working plans.
  23. The project site shall be graded in a manner to eliminate the necessity of retaining walls within the project site to the maximum extent feasible. This condition excludes the proposed perimeter retaining walls along the development lot lines.
  24. Applicant shall submit a written determination from the Sanitary District and/or any contract trash collection service that on-site trash collection service can be provided to each individual dwelling unit. In addition, applicant shall sign and record a land use restriction prohibiting trash collection in the public right-of-way; if adequate, screened on-site storage for trash containers is provided; and with a limitation of no more than two trash containers per dwelling unit. Proof of compliance will be required prior to issuance of building permits.
  25. 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.
  26. Prior to issuance of building permits, the applicant shall provide the Conditions, Covenants, and Restrictions (CC&Rs) to the Development Services Director and City Attorney's office for review. The CC&Rs must be in a form and substance acceptable to, and shall be approved by the Development Services Director and City Attorney's office. The CC&Rs shall contain provisions that effectively implement the following parking-related requirements: (1) require that the homeowner's association (HOA) require homeowners to maintain a 20' x 20' unobstructed area in their enclosed garages to allow parking of two vehicles instead of any other purpose (e.g. storage); (2) require that the HOA contract with a towing service to enforce the parking regulations; and (3) require guest/visitor open parking spaces to be available for use for everyone in the development, inclusive of guests, residents, and any other authorized persons. Any subsequent revisions to the CC&Rs related to these parking provisions must be reviewed and approved by the City Attorney's office and the Development Services Director before they become effective.
  27. Applicant shall provide proof of establishment of a homeowner's association prior to release of any utilities.
  28. Garages for individuals units shall be equipped with automatic garage door openers and 16' wide, roll-up garage doors.
  29. The final tract map shall reflect the accurate configuration of Lot A to include two guest parking spaces, as shown in the approved site plan.
  - Bldg. 30. Applicant shall submit a soils report to the Building Division for this project concurrently with the submission of grading plans. One boring shall be at least 15 feet deep. Soils report recommendations shall be blueprinted on the plans.
  31. Applicant shall submit grading, drainage, and erosion control plans for this project.
  - Trans. 32. Applicant shall close unused drive approach(es) with curb and gutter.

33. The Type II residential drive approach shall be constructed to suit approved entry design to the satisfaction of the Transportation Manager. Drive aisles, parking stall configurations, and turning radius must comply with the City's parking design standards. Applicant shall comply with minimum clearance requirements from property lines and vertical obstructions.
34. Vehicle Entry/Security gates shall be prohibited unless an acceptable security gate plan is approved by the Transportation Manager at a later date.
- Eng. 35. 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.
36. Applicant shall contact the Engineering Division to discuss requirements for on-site retention of stormwater flows.
37. Applicant shall comply with all of the engineering conditions for Tract Map T-17176 as set forth in the City Engineer's letter to the applicant dated September 10, 2007.
- Fire 38. Overhangs, eaves, awnings, etc. shall not encroach into the fire access area along the driveway.
39. 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.
40. All streets/private drives less than 24 feet wide shall be posted "No parking fire lane" per Vehicle Code Section 122500.1 and in accordance with the Costa Mesa Fire Department Standard Guidelines of Emergency Access.
41. Provide approved smoke detectors to be installed in accordance with the 2001 Edition of the Uniform Fire Code.
42. Provide Residential Fire Sprinklers per NFPA Standard 13D for all dwelling units.



# CITY OF COSTA MESA

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

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FROM THE DEPARTMENT OF PUBLIC SERVICES/ENGINEERING DIVISION

September 10, 2007

Costa Mesa Planning Commission  
City of Costa Mesa  
77 Fair Drive  
Costa Mesa, CA 92626

**SUBJECT:** Tract No. 17176  
**LOCATION:** 351 W. Bay Street

Dear Commissioners:

Tentative Tract Map No. 17176 as furnished by the Planning Division for review by the Public Services Department, consisting of a one-lot subdivision for condominium purposes. Tentative Tract Map No. 17176 meets the approval of the Public Services Department, subject to the following conditions:

1. The Tract shall be developed in full compliance with the State Map Act and the City of Costa Mesa Municipal Code (C.C.M.M.C.), except as authorized by the Costa Mesa City Council and/or Planning Commission. The attention of the Subdivider and his engineer is directed to Section 13-208 through 13-261 inclusive, of the Municipal Code.
2. The Subdivider shall conduct soil investigations and provide the results to the City of Costa Mesa Engineering and Building Divisions pursuant to Ordinance 97-11, and section 66491(a) of the Subdivision Map Act.
3. Two copies of the Final Tract Map shall be submitted to the Engineering Division for checking. Map check fee shall be paid per C.C.M.M.C. Section 13-231.
4. In accordance with C.C.M.M.C. Section 13-230, the Subdivider shall submit street improvement plans and/or off-site plans at the time of first submittal of the Final Tract Map. Plan check fee shall be paid per C.C.M.M.C. Section 13-231.
5. The Final Tract Map and all off-site improvements required to be made, or installed by the Subdivider, shall meet the approval of the City Engineer. Prior to any on-site/off-site construction, permits shall be obtained from the City of Costa Mesa Engineering Division.
6. A current copy of the title search shall be submitted to the Engineering Division with the first submittal of the Final Tract Map.
7. Vehicular and pedestrian access rights to Anaheim Avenue and alley shall be released and relinquished to the City of Costa Mesa except at approved access locations.

8. The Subdivider shall submit a cash deposit of \$500 for street sweeping at time of issuance of a Construction Access permit. Full amount of deposit shall be maintained on a monthly basis prior to and during construction until completion of project.
9. Haul routes must be approved by the City of Costa Mesa, Transportation & Engineering Division.
10. A Subdivision Agreement and cash deposit or surety bond shall be submitted to the City Engineer to guarantee construction of off-site improvements. The amount shall be determined by the City Engineer.
11. The Subdivider's engineers shall furnish the Engineering Division a storm runoff study which shows existing and proposed facilities and the method of draining this area and tributary areas without exceeding the capacity of any street or drainage facility on-site or off-site. This study to be furnished with the first submittal of the Final Tract Map. Cross lot drainage shall not occur.
12. Ownership and maintenance of the private on-site drainage facilities and parkway culverts and other common areas shall be transferred by the owner to the Homeowner Association to be formed pursuant to C.C.M.M.C. Section 13-41 (e) and said association shall indemnify and hold harmless the City for any liability arising out of or in any way associated with the connection of the private drainage system with the City's drainage system and shall execute and deliver to the City the standard (indemnity) Hold Harmless Agreement required for such conditions prior to issuance of permits.
13. Fulfill the drainage fee ordinance requirements prior to the approval of the Tract Map.
14. Fulfill City of Costa Mesa Drainage Ordinance No. 06-19 requirements prior to Approval of Final Map.
15. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then construct P.C.C. driveway approach per City of Costa Mesa Standards as shown on the Offsite Plan. Location and dimensions are subject to the approval of the Transportation Services Manager.
16. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and remove any existing driveways and/or curb depressions that will not be used and replace with full height curb and sidewalk.
17. Comply with streetscape & median development standards, and landscape the parkway per City of Costa Mesa's Streetscape and Median Development Standards, Section 3.0 "Public Rights-of-Way and Parkways-General Criteria".
18. Street lighting shall be provided as required by the Public Services Department, Transportation Services Division.
19. Prior to recordation of a Final Tract Map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Sub article 12, Section 7-9-337 of the Orange County Subdivision Code.

20. Prior to recordation of a Final Tract Map, the surveyor/engineer preparing the map shall submit to the County Surveyor a digital-graphics file of said map in a manner described in Sub article 12, Section 7-9-337 of the Orange County Subdivision Code.
21. Survey monuments shall be preserved and referenced before construction and replaced after construction, pursuant to Section 8771 of the Business and Profession Code.
22. The elevations shown on all plans shall be on Orange County benchmark datum.
23. Prior to recordation of a Final Tract Map, submit required cash deposit or surety bond to guarantee monumentation. Deposit amount to be determined by the City Engineer.
24. Prior to occupancy on the Tract, the surveyor/engineer shall submit to the City Engineer a Digital Graphic File of the recorded Tract Map & As-Built of the off-site plans, reproducible mylar of the recorded Tract Map and seven copies of the recorded Tract Map.

Sincerely,



Ernesto Munoz, P. E.  
City Engineer

/ch (Engr. 2007/Planning Commission Tract 17176)

**Attachment 4**

**City Council Meeting Minutes**

agenda.

Business Improvement Area (BIA) Executive Director Diane Pritchett and Costa Mesa Conference & Visitor Bureau President Thomas Smalley presented the 2007-2008 Annual Report. Mr. Smalley acknowledged the Bureau's Board of Directors, thanked the Council for the continued support, and announced the Bureau's new web address at [www.travelcostamesa.com](http://www.travelcostamesa.com).

The City Manager in response to Council Member Leece's observation of the absence of Costa Mesa on the freeway signage informed the Council of staff's efforts to elicit support for Cal Trans to change the signage as they are to be replaced to add Costa Mesa.

Warner Esher, representative of South Coast Plaza and C.J. Segerstrom & Sons, commented on the history of the 55 Freeway which was at onetime called the Newport Beach Freeway.

**MOTION: Approve annual report for the Business Improvement Area (BIA) for Fiscal Year 2007-2008.**

**Moved by Mayor Allan Mansoor, seconded by Council Member Katrina Foley.**

The motion carried by the following roll call vote:

Ayes: Mayor Allan Mansoor, Council Member Linda Dixon, Council Member Katrina Foley, Council Member Wendy Leece

Noes: None.

Absent: Mayor Pro Tem Eric Bever

**MOTION: Adopt Resolution No. 07-48; approved BIA Budget; and set a Public Hearing for June 19, 2007, at 7:00 p.m.**

**Moved by Mayor Allan Mansoor, seconded by Council Member Katrina Foley.**

The motion carried by the following roll call vote:

Ayes: Mayor Allan Mansoor, Council Member Linda Dixon, Council Member Katrina Foley, Council Member Wendy Leece

Noes: None.

Absent: Mayor Pro Tem Eric Bever

2. GPS-07-01 General Plan Screening request for 351 West Bay Street.

Development Services Director Donald Lamm briefed the agenda report.

Garrett Calacci, representative for applicants John and Richard Dick, thanked the Council for their consideration and responded to questions from the Council.

**MOTION: Accept proposed General Plan amendment screening**

**request contingent upon the processing of a development project for home ownership.**

**Moved by Mayor Allan Mansoor, seconded by Council Member Linda Dixon.**

The motion carried by the following roll call vote:

Ayes: Mayor Allan Mansoor, Council Member Linda Dixon, Council Member Katrina Foley, Council Member Wendy Leece

Noes: None.

Absent: Mayor Pro Tem Eric Bever

**X. REPORTS**

The City Manager announced the Preliminary Fiscal Year 2007-2008 Operating Budget is available and posted on the City's website.

**XI. ADJOURNMENT - The Mayor declared the meeting adjourned at 8:34 p.m. The next Regular City Council Meeting would be held on June 5, 2007.**

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Mayor of the City of Costa Mesa

ATTEST:

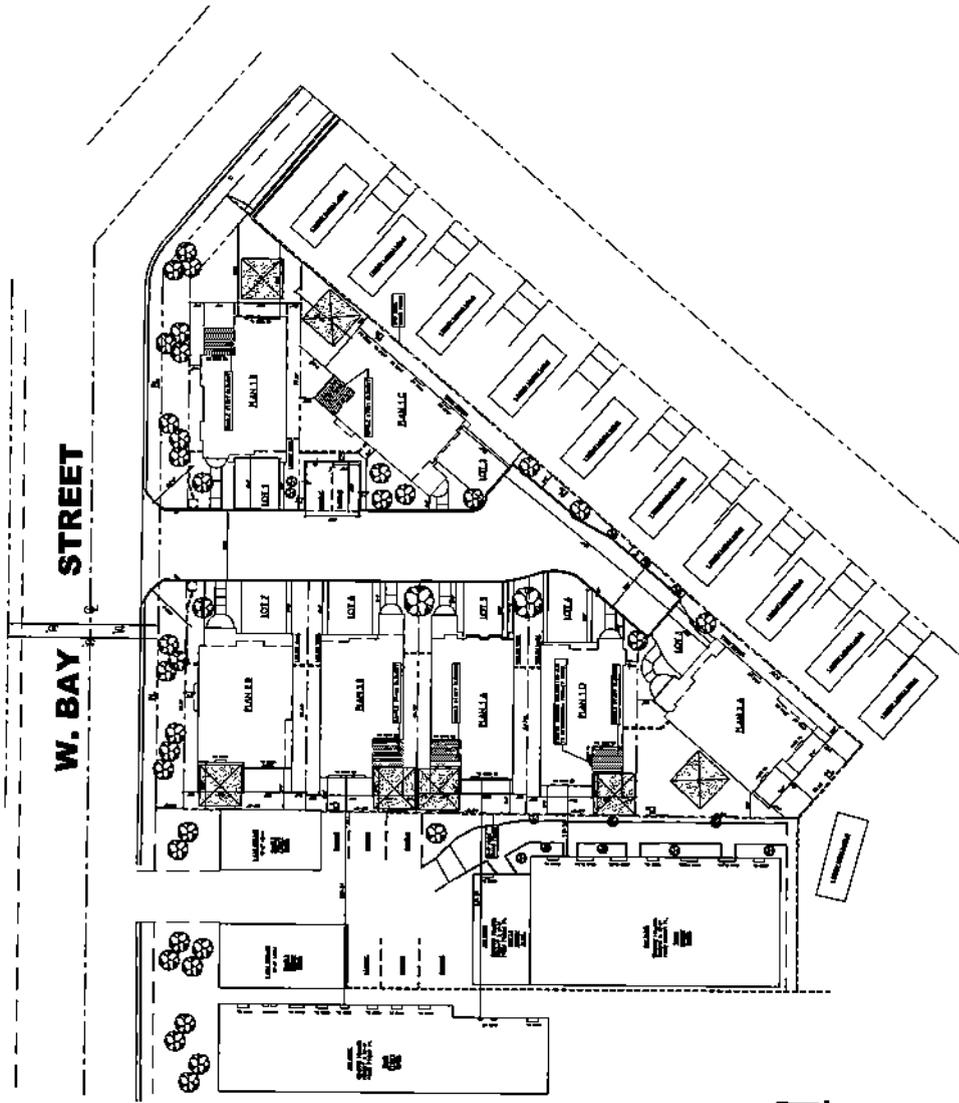
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City Clerk of the City of Costa Mesa

# **Attachment 5**

## **Site Plan/Elevations/Floor Plans**

**W. BAY STREET**



**SITE PLAN**

SCALE: 1/32" = 1'-0"

**BAY STREET**

SINGLE FAMILY DETACHED  
COSTA MESA, CALIFORNIA

**WATERPOINTE DEVELOPMENT COMPANY**

**PROJECT SUMMARY**

**DEVELOPMENT**

LOT SIZE	3,677 SF
LOT AREA (INCL. LOT AREA COMMON AREA)	3,677 SF
LOT #1	3,677 SF
LOT #2	3,677 SF
LOT #3	3,677 SF
LOT #4	3,677 SF
LOT #5	3,677 SF
LOT #6	3,677 SF
LOT #7	3,677 SF
AVERAGE	3,677 SF

**OPEN SPACE (INDIVIDUAL LOTS)**

LOT #1	2,083 SF (567)
LOT #2	1,984 SF (540)
LOT #3	2,028 SF (550)
LOT #4	1,979 SF (540)
LOT #5	1,979 SF (540)
LOT #6	1,979 SF (540)
LOT #7	1,979 SF (540)
AVERAGE	1,979 SF (540)

**BUILDING COVERAGE**

BUILDING FOOTPRINTS	7,171 SF (195)
PARKING	7,291 SF (197)
OPEN SPACE	14,871 SF (402)
TOTAL	29,333 SF (792)































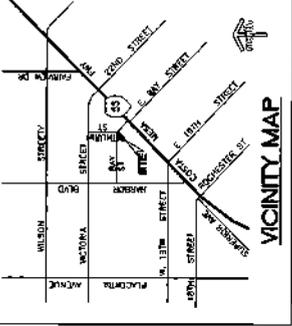
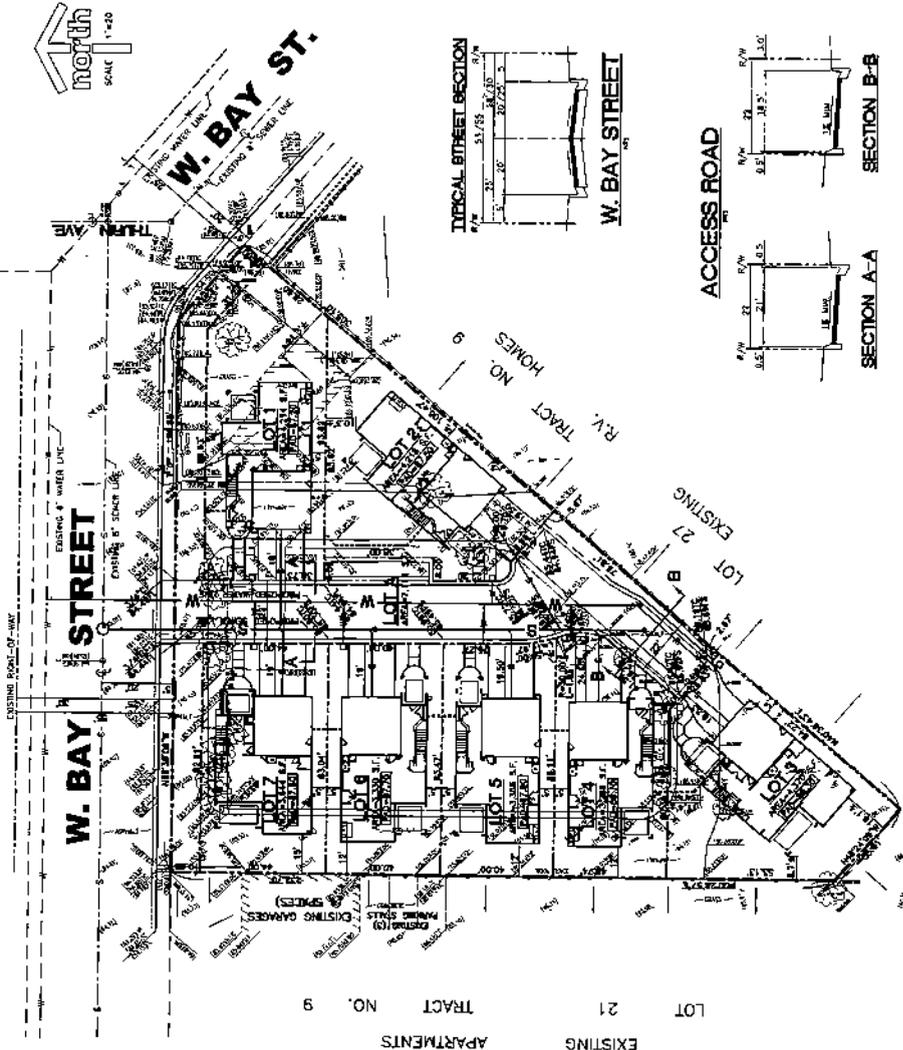
# TENTATIVE TRACT NO. 17176

THAT PORTION OF LOT 27 OF TRACT NO. 9, IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK NO. 2304, PAGE 1182, OF THE PUBLIC RECORDS OF SAID COUNTY.

DATE OF PREPARATION  
FEBRUARY 2007

RECEIVED  
CITY OF COSTA MESA

AUG 22 2007



**ENGINEER:**  
ROBIN B. HAMERS AND ASSOC., INC.  
234 E. 12TH STREET, SUITE 205  
COSTA MESA, CA 92627  
(949) 548-1182

**PROPOSED USE:**  
7 SINGLE-FAMILY HOMES

**EASEMENTS:**  
NONE

**LEGEND:**  
- - - - - PROPOSED LINE  
- - - - - EXISTING LINE  
- - - - - PROPERTY LINE  
- - - - - STREET CENTERLINE  
- - - - - SHOT BOUNDARY OF WAY  
- - - - - TOP OF FINISHED GRADE  
- - - - - TOP OF CURB ELEVATION  
- - - - - FINISHED SURFACE  
- - - - - PROPOSED FLOOR ELEVATION  
- - - - - FINISHED FLOOR  
- - - - - BACK OF FINISHED FLOOR  
- - - - - BACKFLOW PREVENTER

**AREA SUMMARY (ACRES)**

LOT 1	4,274 SF (0.098)
LOT 2	4,320 SF (0.098)
LOT 3	4,320 SF (0.098)
LOT 4	3,268 SF (0.075)
LOT 5	3,356 SF (0.077)
LOT 6	3,330 SF (0.076)
LOT 7	3,644 SF (0.083)
LOT 8	3,727 SF (0.085)
LOT 9	3,727 SF (0.085)
TOTAL	32,727 SF (0.751)

(AREA AT 31% SLOPE)

**ASSESSOR'S PARCEL NUMBER:**  
APN 419-221-02

**SETBACK REQUIREMENTS:**  
FRONT SETBACK: 20 FEET  
SIDE SETBACK: 5 FEET  
REAR SETBACK: 20 FEET

**LEGAL DESCRIPTION:**  
THAT PORTION OF LOT 27 OF TRACT NO. 9, IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK NO. 2304, PAGE 1182, OF THE PUBLIC RECORDS OF SAID COUNTY.

**BASIS OF BEARING:**  
THE BEARINGS SHOWN HEREON ARE BASED UPON THE BEARING OF THE 1/4 SECTION 16, T12N, R12E, S12E, CALIFORNIA AND SECTION 01S, HORIZONTAL CONTROL STATION DPS NO. 6021 AND STATION DPS NO. 6204 BEING NORTH 27°02'25" WEST PER RECORDS ON FILE IN THE OFFICE OF THE COUNTY SURVEYOR.

**OWNER AND SUBDIVIDER:**  
RICHARD BICK & ASSOCIATES  
159 HIGHWAY CENTER DRIVE, SUITE 220  
SAN ANTONIO, TEXAS 78204  
(849) 843-6515

**SITE ADDRESS:**  
351 WEST BAY STREET  
COSTA MESA, CA 92627

**FLOOD ZONE:**  
ZONE X, OUTSIDE THE 100 YEAR FLOOD BOUNDARIES

PREPARED BY  
ROBIN B. HAMERS & ASSOC., INC.  
CIVIL ENGINEERS  
234 E. 12TH STREET, SUITE 205  
COSTA MESA, CA 92627  
(949) 548-1182

DATE: 08/22/07

PROFESSIONAL ENGINEER WINDOR CHAN  
NO. 91720  
EXP. 11/25/2008  
CIVIL

**TENTATIVE TRACT NO. 17176**  
351 W. BAY STREET  
COSTA MESA, CALIFORNIA

NO. DATE DESCRIPTION BY

REVISIONS