



# **PLANNING COMMISSION**

## **AGENDA REPORT**

VI.5

MEETING DATE: JANUARY 28, 2008

ITEM NUMBER

**SUBJECT: PLANNING APPLICATION PA-07-31 AND TRACT MAP T-17248 FOR A 7-UNIT RESIDENTIAL COMMON-INTEREST DEVELOPMENT AT 616 CENTER ST. AND 613 PLUMER ST.**

**DATE: JANUARY 15, 2008**

**FOR FURTHER INFORMATION CONTACT: CLAIRE FLYNN, AICP, PRINCIPAL PLANNER  
(714) 754-5278**

### **DESCRIPTION**

The proposed project consists of the following:

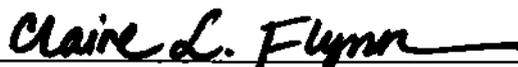
1. **Master Plan PA-07-31** for "Coastal Heights," a 7-unit, 3-story multifamily attached, common interest residential development project in the Mesa West Residential Ownership Urban Plan area. The Master Plan includes the following:
  - (a) 25 percent density bonus, or two additional units, as allowed per the Urban Plan (5 units allowed, 7 units proposed).
  - (b) Deviation from residential development standards:
    - Minimum lot size (one acre required; 0.35 acre proposed)
    - Minimum open space (40% required; 5% proposed)
    - Maximum lot coverage (60% maximum; 95 % proposed)
    - Front setback (20 feet required; 3 feet proposed from concrete deck)
    - Parking requirements (23 spaces required, 21 spaces proposed)
    - Maximum size of residential loft areas.
2. **Tentative Tract Map T-17248** to subdivide the property for condominium purposes.

### **APPLICANT**

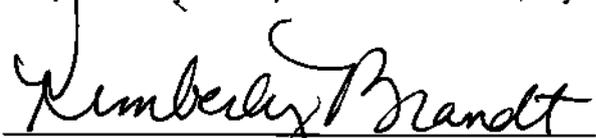
Justin McMillen is the authorized agent for property owners Andre Ferreira and Sam Ranca.

### **RECOMMENDATION**

Approve Planning Application PA-07-31 and Tentative Tract Map T-17248, which includes the Master Plan and deviations from specified development standards, by adoption of attached resolution.



CLAIRE L. FLYNN, AICP  
Principal Planner



KIMBERLY BRANDT, AICP  
Assistant Dev. Svs. Director

**PLANNING APPLICATION SUMMARY**

Location: 616 Center St. / 613 Plumer St. APN: 424-212-20 424-212-27 Application: PA-07-31 / T-17248  
 Request: Master Plan application to construct a three-story, 7-unit attached residential common interest development in the Mesa West Residential Ownership Urban Plan area; Deviations from development standards shown below by \*\*.

**SUBJECT PROPERTY:**

Zone: R2-HD / Residential Ownership Overlay  
 General Plan: High Density Residential  
 Lot Dimensions: 57' x 270' (approx.)  
 Lot Area: 15,201 sq.ft.  
 Existing Development: Existing single-family house and 2-unit complex to be demolished

**SURROUNDING PROPERTY:**

North: Plumer St. / Multi-Family Residential  
 South: Center St. / Multi-Family Residential  
 East: 10-unit apartment complex  
 West: Single family residence / 2-unit complex

**DEVELOPMENT STANDARD COMPARISON**

Development Standard	R2-HD Zone/Com. Interest Developmt	Overlay Zone	Proposed/Provided
<b>Density:</b>			
General Plan	About 15 units per acre Max. 5 Units 1 du: 3,000 sf	20 units per acre Max. 7 Units 1 du: 2,178 sf	20 units per acre Max. 7 Units 1 du: 2,172 sf <sup>1</sup>
<b>Lot Size:</b>			
Entire Development	Min. 12,000 sf	1 Acre/43,560 sf	0.35 acre/15,201 sf <sup>2</sup>
<b>Building Coverage:</b>			
Building (including staircase)			90.8% (13,799 sf)
Paving – driveway/parking			4.2% (762 sf)
Total	Max. 60% of development lot (9,121 sf)	•	95%** (14,439sf) <sup>3</sup>
<b>Open Space:</b>			
Entire Development	Min. 40% (6,080 sf)	•	Min. 5% (762 sf) <sup>4</sup>
Common Open Space	No minimum size required	•	Approx. 762 sf
Individual Unit – private patio	Min. 10 ft. X 10 ft.	•	Min. 10 ft. X 10 ft.
Rear yard coverage	Max. 25%	•	NA
Building Height	Max. 2 stories/27 ft.	Max. 3 stories/ 45 ft.	Max. 3 stories/ 45 ft.
<b>Bulk/Massing: [design guideline]*</b>			
Ratio of 2 <sup>nd</sup> to 1 <sup>st</sup> floor	Max. 80% of first floor	•	> 100% of first floor <sup>5</sup>
Ratio of 3 <sup>rd</sup> to 1 <sup>st</sup> floor	N/A	•	> 100% of first floor <sup>6</sup>
Building Separation	Min. 10 ft.	•	NA
<b>Setbacks (from ultimate property line) – Development Lot:</b>			
Front	Min. 20 ft.	•	20 ft. to main building 4 ft. to stepped platform
Side (left/right) – 1 <sup>st</sup> story	Min. 5 ft./5 ft.	•	1 ft./1 ft.
Side (left/right) – 2 <sup>nd</sup> story*	Min. 10 ft. avg./10 ft. avg.*	•	1 ft./1 ft. <sup>7</sup>
Side (left/right) – 3 <sup>rd</sup> story	N/A	•	3 ft./3 ft. <sup>8</sup>
Rear	10 ft. for 1 <sup>st</sup> story 20 ft. for 2 <sup>nd</sup> story	•	NA
<b>Parking:</b>			
Covered	7	•	7
Open	12	•	14
Guest	4	•	(open/unassigned)
TOTAL	23	•	21 <sup>9</sup>
Backup Distance	25 ft.	•	25 ft.
Parkway Landscape	10 ft. combined width/ 3 ft. min. on one side/ 5 ft. min. on other	•	10 ft. combined width/ 3 ft. min. on one side/ 5 ft. min. on other
Driveway Width	16 ft.	NA	16 ft.
<b>NOTE:</b> This table only depicts the development standards/design guidelines in the R2-HD zone and Overlay Zone which are applicable to this Mesa West Residential Urban Plan project. The Overlay Zone development standards supersede those in the base R2-HD zone.			
• = No requirement specified other than compliance with base zoning standards. * Residential Design Guideline			
<sup>1</sup> 25 percent density bonus requested (5 units allowed, 7 units proposed in overlay zone); <sup>2</sup> Deviation from min. lot size requirement; <sup>3</sup> Deviation from max. lot coverage; <sup>4</sup> Deviation from min. open space; <sup>5-8</sup> Residential Design Guidelines; <sup>9</sup> Deviation from parking requirements.			
CEQA Status	Categorical Exemption, Class 32, Infill Development		
Final Application	Planning Commission		

## **BACKGROUND**

On April 4, 2006, the City Council adopted the Mesa West Residential Ownership Urban Plan. The purpose of the Urban Plan was to encourage development of new owner-occupied residential development by creating a high-density residential overlay zone. Flexible development standards were included as additional incentives to promote ownership housing.

On December 5, 2006, City Council completed a master plan screening of the proposed project. Council gave positive feedback regarding the green building elements and cutting edge design and expressed concerns regarding the five foot setbacks of the three-story structure and the additional density. (Council Meeting Minutes, Attachment 6).

## **ANALYSIS**

### ***Project Location***

The project site consists of two parcels (.35 acre total) located at 613 Plumer and 616 Center Street. The neighborhood is characterized by multi-family and single-family residential uses. Each property has a single-family, single-story structure (two units total). A 10-unit apartment complex abuts the property to the east. Single and multi-family uses abut the property to the west. The property is located in the R2-HD zone and Mesa West Residential Ownership Urban Plan area. (Vicinity Map/SitePhotos, Attachments 1-2).

### ***Planning Application PA-07-31***

The proposed "Coastal Heights" master plan involves the following:

- Seven units, attached, three-story residences consisting of four two-bedroom executive units, and three three-bedroom family units.
- The executive units will face the streets, and the family units will be placed in the middle of the property to give them more seclusion and privacy.
- Total building height is a maximum of three stories/45 feet in height.
- 21 parking spaces in an at-grade parking garage.
- Zen courtyard provides focal point for the common space.
- Energy conservation measures include solar panel system and a green rooftop terrace to provide natural insulation.

(Site Plan/Floor Plans/Elevations, Attachment 7).

**Table 1 – Unit Summary**

Unit	Square Footage
Center Street Loft 1	1,931 sq.ft.
Sunset Loft 2	1,973 sq.ft.
Courtyard Loft 3	3,134 sq.ft.
Courtyard Loft 4	2,955 sq.ft.
Courtyard Loft 5	2,964 sq.ft.
Plumer Street Loft 6	1,822 sq.ft.
Plumer Street Loft 7	1,822 sq.ft.
<i>Estimated at \$675,000 to \$950,000</i>	

**Master Plan**

The following analysis summarizes the master plan’s consistency with the following: 1) Mesa West Residential Ownership Urban Plan, 2) Zoning requirements for common-interest developments, and 3) Residential Design Guidelines.

- “Green” project is designed in the spirit of the Urban Plan. The Coastal Heights project is designed to be a “green” project which features a green rooftop terrace, solar panels system, and a recycled/reclaimed water system for conservation purposes. The rooftop terrace has extensive, drought tolerant landscaping (i.e. agave plants, horsetail reed bamboo, succulents) that will minimize the stormwater runoff from the project site and, the greendeck will serve as a natural insulator to promote energy conservation. Solar panels will wrap around the perimeter of the building and serve as an electrical resource for the residential lofts. It is anticipated that the solar panels may provide up to 50 percent of the electricity demands for the project. If all of the green technology is implemented, this project will represent the most prominent green building constructed in the City to date, preceded only by the The CAMP.
- 25 Percent Density Bonus is allowed in Overlay Zone. The mixed-use overlay zone allows high-density residential development up to 20 dwelling units per acre. Current zoning allows 5 units on the property. However, the 25 percent density bonus relates to a 2-unit increase that would not result in adverse traffic impacts or deterioration of levels of service. It should be noted that, while the resulting density is 1 dwelling unit per 1,272 square feet, the density bonus for residential condominium purposes meets the spirit and intent of the Mesa West Residential Ownership Urban Plan.
- Architecture promotes design excellence and compatibility. The Coastal Heights development is a new type of urban housing in the area and complies with these important objectives. The Asian-influenced architecture, massing of the building and green technology will make this structure among the first of its kind in Costa Mesa. The commercial buildings at The CAMP are similar in concept to the proposed project; however the proposal is a strong contrast to traditional residential construction in the Westside. (Visual Simulations, Attachment 3).

## ***Deviations from Development Standards***

### ***Intent of Urban Plan***

The intent of the Residential Ownership Urban Plan is to provide a framework for private market reinvestment in the Westside. The Residential Ownership Urban Plan has three primary objectives:

- 1) Promote Westside revitalization through homeownership.
- 2) Encourage owner-occupied housing.
- 3) Apply flexible development standards to stimulate ownership housing.

When Council adopted the Urban Plan, Council considered the importance of allowing flexible development standards as additional incentives to the developer to produce ownership housing in multiple-family zones. Furthermore, Section 13-83.52(d) of the Zoning Code, Mixed-Use Overlay Zone, allows deviations from development standards based on the merits of a proposed project.

### ***Requested Deviations***

At the urban plan screening meeting, City Council gave mixed reviews on the proposed project. Staff's support of this project is largely based on the fact that green technology is an integral component.

Given that Council generally supported redevelopment of the property, justifications can be made in support of supporting flexible development standards:

- *Deviations from open space and lot coverage may be compensated by an extensive green rooftop terrace.* The applicant requests deviations from:
  - Lot coverage (maximum 60% allowed, 95% proposed)
  - Open space (minimum 40% required, 5% proposed)

To compensate for the lack of open space at grade, an extensive green roof-top terrace is proposed (7,166 square feet). The rooftop deck features ironwood rails to delineate private areas for individual residents. Each residence will have access to approximately 1,300 to 1,500 square feet of private open space areas including patio, deck, and green terrace areas. An outdoor amphitheater is located along the east side of the building. The total square footage of open space areas available to the residents exceed the City's minimum requirements of 100 square feet of private open space per dwelling unit.

- *Deviations from building setbacks may be compensated by additional landscape to address privacy concerns.* Deviations from the following setbacks are requested for the proposed and stepped platform, as follows:
  - Front setbacks (20 feet required, 4 feet proposed)
  - Side setbacks (5 feet required, 1 foot proposed)

A stepped platform is proposed, beginning in the front yard about 4 feet from the front property line, and it will continue along the east and west elevations of the building. Proposed is a 1 to 3 foot setback between this raised platform/staircase and the side property line. A condition of approval requires that landscape screening be provided in the form of bamboo or 12-foot tall trees be planted along the side property line to obstruct the view of the outdoor staircase from the neighboring property.

The upper story balconies of Lofts 1, 2, 4, 7, and 6 are within one foot of the side property lines. Council expressed concerns with the minimal side setbacks of the proposed structure, especially on the left side given the neighboring single-family residence.

*Condition of approval:* Therefore, a condition of approval requires that the plans be revised to increase the side setback distance to a minimum of five feet. The upper floor balconies/decks shall be setback a minimum of 5 feet away from the side property lines, unless a minor modification is approved for minor encroachments. This is to provide adequate distance between the proposed building and the neighboring properties.

- *Deviation from parking requirements may be justified by undersized lot area.* Deviations from parking requirements are as follows: 23 parking spaces required, 21 spaces proposed.

The project is two parking spaces short of this requirement. However, given that the project includes a density bonus of two units, the 15,201 square-foot lot is smaller in size than the 21,000 square-foot lot that would have been required for a 7-unit development in the base R2-HD zone. Due to the constrained lot size, the proposed parking garage maximizes the space available to create 21 standard parking stalls. No additional parking spaces compliant with the City's parking design standards could be provided in the proposed garage.

The Urban Plan allows deviations from parking requirements provided that additional amenities are incorporated into the project. Staff believes that the strict application of the parking requirements creates a practical difficulty in a development intended for a nontraditional buyer. The applicant proposes to target market the lofts to ecologically-sensitive users rather than traditional households with multiple cars. These users may have a lifestyle preference to use electric vehicles, bicycle to work, or carpool instead of owning multiple vehicles.

*Condition of Approval:* While the applicant is willing to commit to marketing these units to a nontraditional buyer, staff has applied a condition of approval which requires that a minimum of four electric vehicle charging stations be provided in the parking garage. This condition would help target those individuals who are interested in alternative housing and transportation choices.

Commission could consider a one-unit reduction or restricting six of the seven units to be two bedroom units. These changes would result in a project that would comply with parking requirements.

- Deviation from maximum size of residential loft areas. The proposed project includes a mezzanine loft above the third floor master bedroom. Code requires that lofts area be no greater than one third of the room in which it is located. The proposed mezzanine lofts are greater than one half of the master bedroom in which they are located. Given that the size of the lofts would have no bearing on the overall height and massing of the structure, a deviation from the residential loft size requirements can be supported.

### **Other Issues**

Following is analysis of other issues related to the design of the proposed project.

- Departure from residential guidelines (bulk/massing) is compensated by enhanced architectural treatment. The contemporary architecture and varied use of building materials create visual interest that may compensate for the lack of articulation of the structure. The applicant proposes textured concrete facing, natural ironwood rails/panels, metal elements, and wood paneling throughout the structure. These features provide for improved building definition.

*Conditions of Approval:* A condition of approval requires that approved enhancements must be implemented per plan, unless changes are approved in advance by the Planning Division, prior to release of the first certificate of occupancy.

Additionally, the applicant expressed that the project would likely be redesigned to have lower ceiling heights. Thus, a condition of approval requires that the applicant reduce the overall building height to less than the currently proposed 45 feet. Finally, another condition of approval requires that the stepped concrete walkways be set back a minimum of three feet from the property line to allow for landscaping areas between the block wall and the concrete steps.

- Three-story building height is analyzed in shade/shadow analysis. The Residential Ownership Urban Plan allows additional height limit of up to three stories/45 feet in the overlay zone. The structure is currently proposed at the maximum height limit. The residential design guidelines indicate that consideration be given to the effect of proposed development on the light, air, and privacy of adjacent properties. As a three-story structure, shade/shadow effects will primarily occur on the neighboring property to the north/northeast in the wintertime. Minimal to no shade/shadow effects will occur during the rest of the year (summer, fall, spring). Given that these shade/shadow effects would still occur with a two-story structure, although the length of shadows would be comparatively shorter, these impacts are not considered significant. Furthermore, since the Urban Plan area has been identified as a revitalization area, this new type of three-story, "urban village"

concept is considered consistent with the plan vision. (Shade/Shadow Simulations, Attachment 6).

### ***Subdivision Map for Condominium Purposes***

Tentative Tract Map T-17248 involves a one-lot airspace subdivision for common-interest development purposes. The applicant is proposing the tract map to facilitate the condominium development, allowing the individual units to be sold independent of one another. In contrast to a traditional small-lot residential common interest development project, the airspace within the building structures will be owned by the new residents, and the outdoor yard areas will be held in common by the homeowner's association, with exclusive rights over certain yard areas by the individual property owner.

Covenants, Conditions, and Restrictions (CC&Rs) are required to be recorded to ensure proper maintenance of the common areas. Given the project site was previously developed with residential uses, the existing sewer facilities are expected to adequately serve the proposed project. The map complies with City Code and the State Subdivision Map Act. (Tentative Map, Attachment 8).

### **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.

### **ALTERNATIVES CONSIDERED**

The Planning Commission has the following alternatives:

1. Approve Master Plan/Tentative Tract Map, with any modifications to the proposed project. Staff support of the proposed project is largely based the green building design and Council's emphasis on development flexibility for projects in the urban plan areas. If Planning Commission has concerns with the extent of flexibility applied to any of the requested deviations, or any aspect relating to interpretation of the Urban Plan vision, the Commission may require modifications to the Master Plan.
2. Approve Master Plan/Tract Map with one-unit reduction or limiting number of bedrooms. A one-unit reduction **OR** restricting six of the seven units to be 2-bedroom units will result in the project's compliance with parking requirements, and it may also create flexibility to reduce the overall bulk/massing of the project to comply with setback standards.

3. Deny Master Plan/Tract Map. A similar proposal could not be considered by the Planning Commission until six months after this action is taken. A project that features increased side setbacks on the second and third floors would conform

**CONCLUSION**

Staff is supportive of the approval of this project. However, the foundation of this support is upon the Council's direction to exercise flexibility and "out-of-the-box" thinking for development projects in the Mesa West Residential Ownership Urban Plan. While justifications can be made to approve deviations, staff has concerns with the extent of the deviations requested, especially the 95 percent lot coverage, parking deviation, and overall massing of the three-story structure. At the same time, overriding considerations for these deviations can be made due to the ambitious incorporation of green building technology into the project.

If Planning Commission has concerns with the extent of flexibility applied to any of the requested deviations, or any aspect relating to interpretation of the Urban Plan vision, the Commission may require modifications to the Master Plan or deny the proposed project.

- Attachments:
1. Vicinity Map
  2. Site Photos
  3. Visual Simulations
  4. Shade/Shadow Exhibits
  5. Planning Commission Resolutions for approval & denial
  6. Council Meeting Minutes from July 5, 2006
  7. Site Plans/Elevations/Floor Plans
  8. Tentative Tract Map

Documents available on City website at [www.ci.costa-mesa.ca.us](http://www.ci.costa-mesa.ca.us):

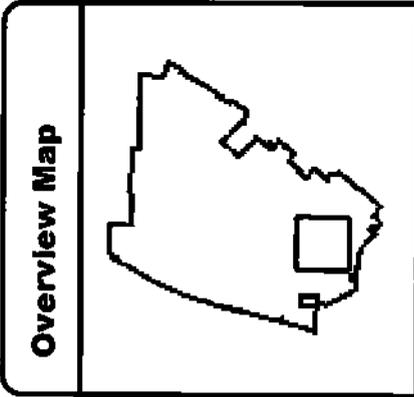
- A. Mesa West Residential Ownership Urban Plan

Distribution:

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

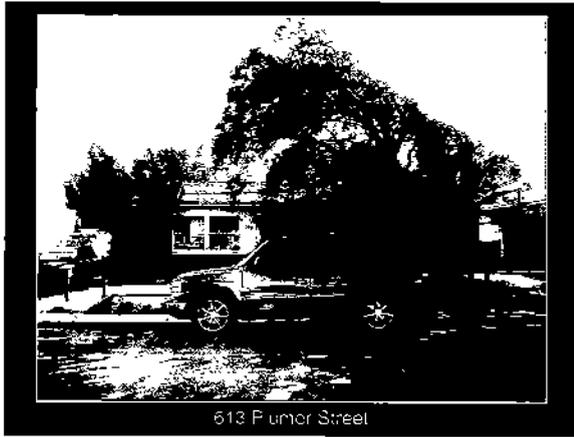
Justin McMillen/Andre Ferreira  
 616 Center Street  
 Costa Mesa, CA 92627

Sam Ranca  
 613 Plumer Street  
 Costa Mesa, CA 92627



**Legend**

Address Large	Primary	Secondary Waterway Lines	Hydrology Channels	Street Names
Address Points	Freeway	Roads	Collector Freeway	Major
Freeway	Collector Freeway	Major	Newport Blvd (cont)	



613 Plumer Street



613 Center Street



632 Center Street (Center Street Apartments)



609 Plumer Street



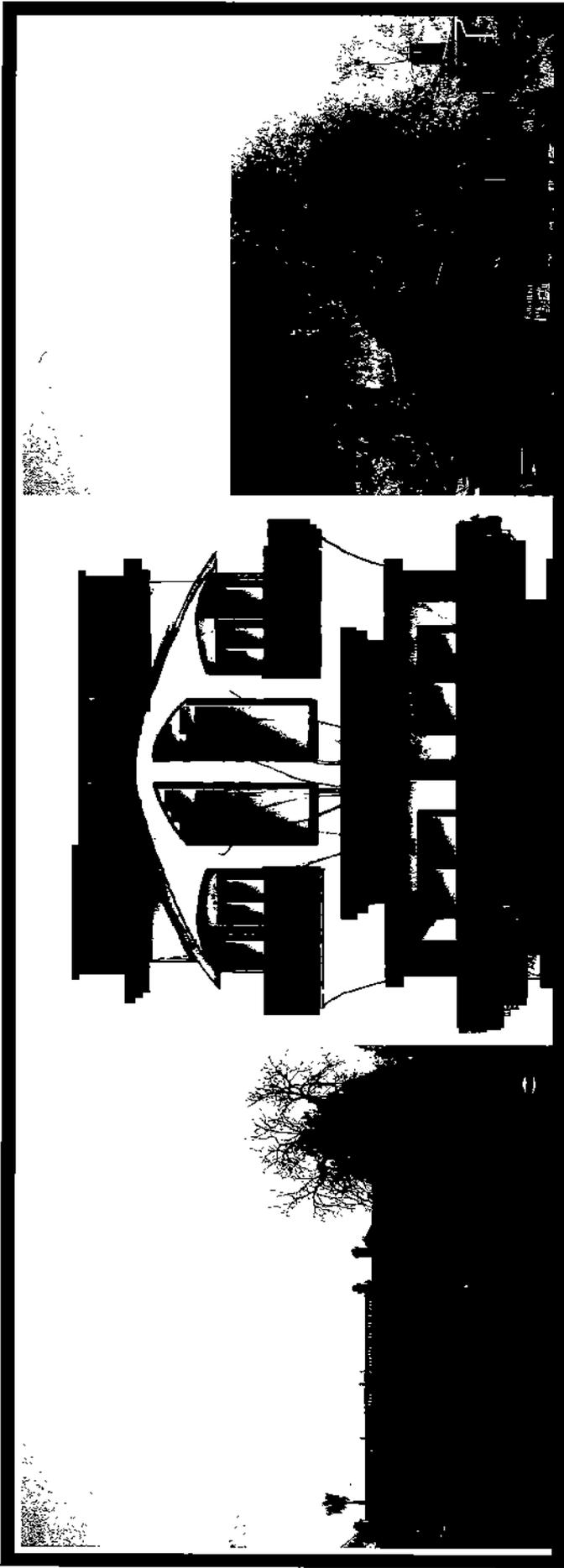
619 Plumer Street



620 Center Street



Visual Simulation from Center Street



Visual Simulation of Plumer Street Frontage



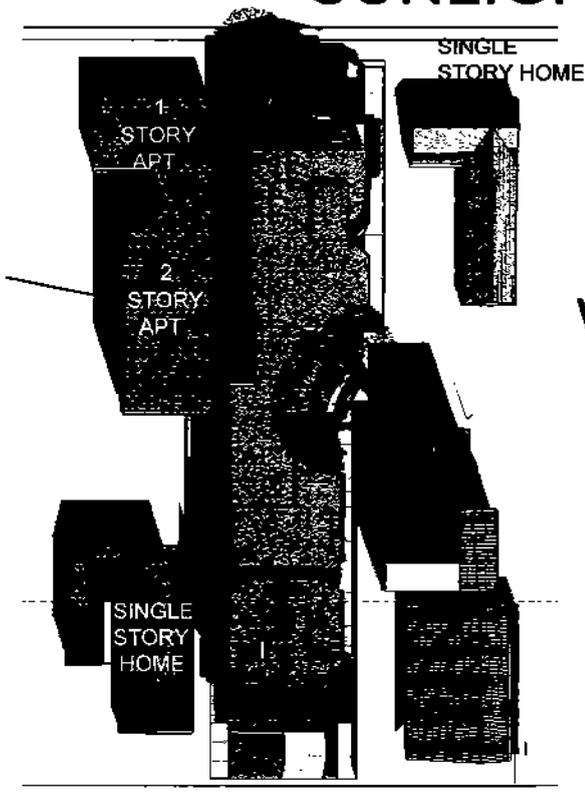
VIEW OF WEST ELEVATION

COASTAL HEIGHTS

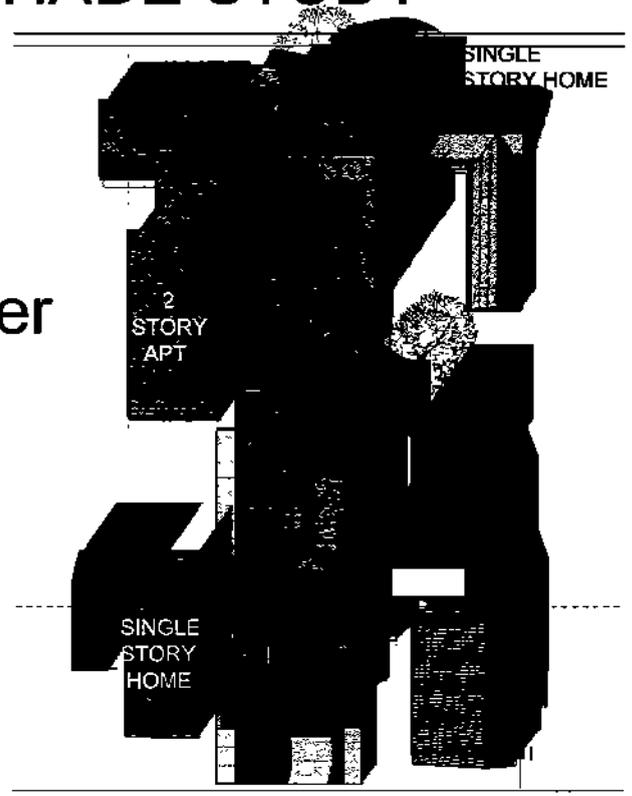


WEST ELEVATION

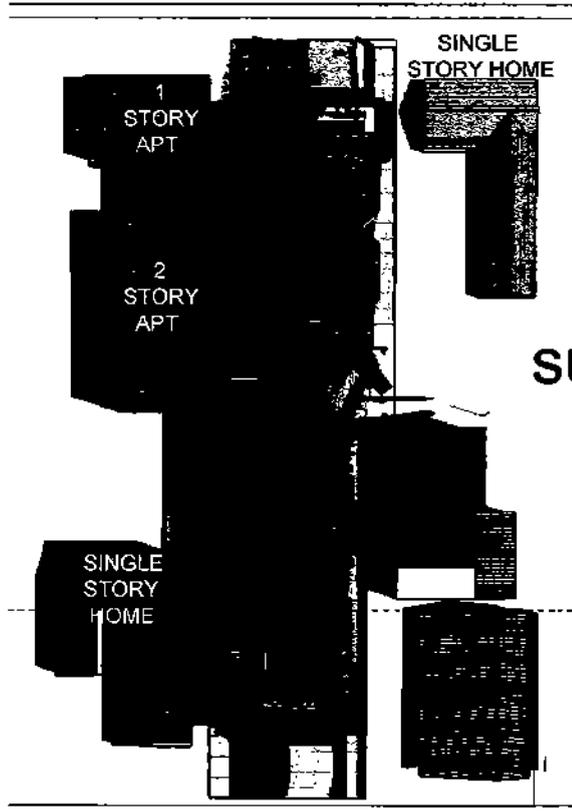
# SUNLIGHT/SHADE STUDY



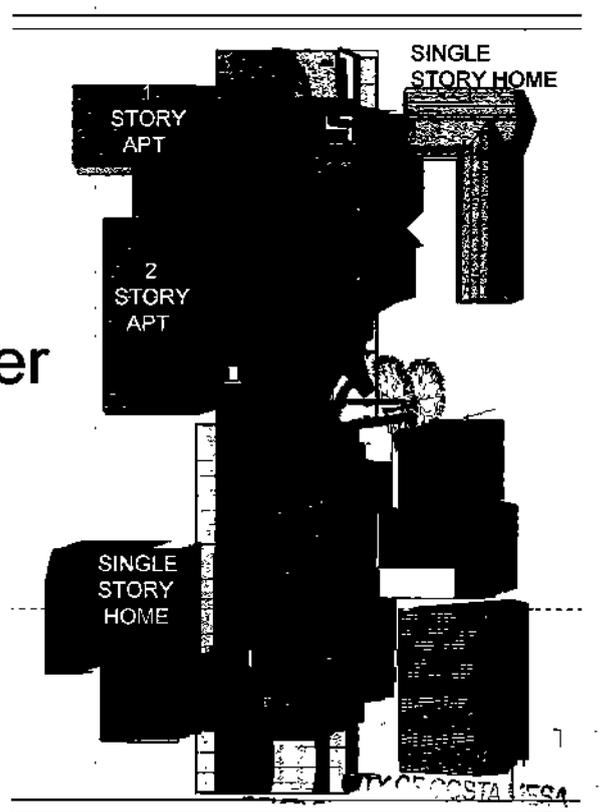
10:00 AM Feb 14



2:00 PM Feb 14



10:00 AM July 15



2:00 PM July 15, 2007

16

RESOLUTION NO. PC-08-\_\_\_\_\_

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING THE FOLLOWING: (1) PLANNING APPLICATION PA-07-31, INCLUDING MASTER PLAN FOR A 3-STORY, 7-UNIT, RESIDENTIAL COMMON-INTEREST DEVELOPMENT AND SPECIFIED DEVIATIONS FROM DEVELOPMENT STANDARDS; AND (2) TENTATIVE TRACT MAP T-17248, FOR A 0.35 ACRE PROPERTY LOCATED IN THE MESA WEST RESIDENTIAL OWNERSHIP URBAN PLAN AT 613 PLUMER ST. AND 616 CENTER ST. IN AN R2-HD ZONE AND MIXED-USE OVERLAY ZONE.**

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

WHEREAS, City Council adopted the Mesa West Residential Ownership Urban Plan in April 2006 which set forth development regulations and flexible development standards for three-story residential common interest developments at a maximum density of 20 dwelling units per acre in a specified mixed-use overlay zone;

WHEREAS, an application was filed by Justin McMillen of InHabitation Design for Planning Application PA-07-31 and Tentative Tract Map T-17248 with respect to the real property located at 613 Plumer Street and 616 Center Street;

WHEREAS, the proposed project involves the following: (1) Master Plan PA-07-31 for "Coastal Heights," a 7-unit, 3-story multi-family attached, common interest residential development project in the Mesa West Residential Ownership Urban Plan area; and (2) Tentative Tract Map T-17248 to subdivide the property for condominium purposes;

WHEREAS, Master Plan PA-07-31 includes the following: (a) 25 percent density bonus, or two additional units, at an approximate density of 20 dwelling units per acre; and (b) Deviations from residential development standards for minimum lot size (one acre required; 0.35 acre proposed), minimum open space (40% required; 5% proposed); maximum lot coverage (60% maximum; 95% proposed), minimum front

setback (20 feet required; 3 feet proposed from steps of concrete deck), maximum size of residential loft areas, and parking requirements (23 spaces required, 21 spaces proposed);

WHEREAS, a duly noticed public hearing was held by the Planning Commission on January 28, 2008 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, based on the evidence in the record and the findings contained in Exhibit "A", subject to the conditions contained in Exhibit "B", the Planning Commission **HEREBY APPROVES** Planning Application PA-07-31 and Tentative Tract Map T-17248;

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 Planning Application PA-07-31/T-17248 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B" and any 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 28<sup>TH</sup> day of January 2008.**

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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 January 28, 2008 by the following votes:

AYES: COMMISSIONERS:  
NOES: COMMISSIONERS:  
ABSENT: COMMISSIONERS:  
ABSTAIN: COMMISSIONERS:

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Secretary, Costa Mesa  
Planning Commission

EXHIBIT "A"

FINDINGS

- A. Planning Application PA-07-31/T-17248 is consistent with the goals, policies, objectives, and/or regulations of the General Plan, Zoning Code, and Mesa West Residential Ownership Urban Plan. The proposed three-story, seven-unit, condominium development is a new type of urban housing in the area that complies with the important objectives of the Residential Ownership Urban Plan: to promote Westside revitalization through homeownership, encourage owner-occupied housing, and apply flexible development standards to stimulate ownership housing.

The project meets the purpose and intent of the mixed-use overlay district, and the stated policies of the Mesa West Residential Ownership Urban Plan. The proposed 7-unit residential condominium project will meet the central objectives of Urban Plan to revitalize the Westside and create new homeownership opportunities. The proposed 25 percent density bonus allows two additional units to be constructed, for a total of seven units at about 20 dwelling units per acre, as allowed in the General Plan and Urban Plan.

- B. The proposed project complies with Title 13, Section 13-83.52(c), Mixed-Use Overlay District, of the Municipal Code because the Master Plan is found to exhibit excellence in design, site planning, integration of uses and structures and protection of the integrity of neighboring development. The proposed project complies with the Urban Plan to provide additional amenities or innovation in exchange for flexible development standards. The project includes adequate resident-serving amenities in the outdoor amphitheater area and the rooftop terrace. Overall the proposed master plan emphasizes green building technology (i.e. energy efficiency and water conservation) and represents a desirable product type in conformance with the City's policy documents.
- C. The proposed project complies with Title 13, Section 13-83.52(d), Mixed-Use Overlay District, of the Municipal Code because:
- a) The strict interpretation and application of the Zoning Code's development standards would result in practical difficulty inconsistent with the purpose and intent of the General Plan and Mesa West Residential Ownership Urban Plan. The proposed master plan does not strictly conform to the following development standards, and therefore, deviations are requested for the following: minimum one-acre lot size, open space, lot coverage, front/side setbacks, parking requirements, and maximum size of residential loft areas. However, the Urban Plan allows deviations from these requirements because the proposed project better achieves the purposes and intent of the General Plan and Urban Plan. Deviation from development standards would still result in a well-designed housing project that is considered compatible with the neighborhood.

- b) The granting of these deviations results in a common interest development which exhibits excellence in design, site planning, integration of uses and structures, and compatibility standards for residential development.

To compensate for the lack of open space and lot coverage deviations, an extensive green roof-top terrace is proposed (7,166 square feet). The total square footage of open space areas available to the residents exceed the City's minimum requirements of 100 square feet of private open space per dwelling unit.

To compensate for the front/side setback deviations, a condition of approval requires that landscape screening be provided in the form of bamboo or 12-foot tall trees be planted along the side property line to obstruct the view of the outdoor staircase from the neighboring property. Additionally, the upper floor balconies/decks shall be setback a minimum of 5 feet away from the side property lines, unless a minor modification is approved for minor encroachments. This is to provide adequate distance between the proposed building and the neighboring properties.

To compensate for the parking deviation, the development will provide amenities for a nontraditional buyer, including a minimum of four electric vehicle charging stations be provided in the parking garage. This condition would help target those individuals who are interested in alternative housing and transportation choices.

Given that the size of the lofts would have no bearing on the overall height and massing of the structure, a deviation from the residential loft size requirements is not considered significant.

- c) The granting of these deviations will not be detrimental to the public health, safety, or welfare, or be materially injurious to properties or improvements in the vicinity. No adverse impacts from implementation of the proposed project are identified.
- d) The long-term vision of the Mesa West Residential Ownership Urban Plan is to encourage marginal residential properties to be redeveloped into ownership housing. The strict application of code requirements for residential development standards would discourage redevelopment of this new type of urban housing and thereby deprive the property owner of special privileges afforded in the Urban Plan area. The requests for specified deviations are considered reasonable and would result in implementation of a residential ownership project supportive of the Urban Plan vision.

- D. The proposed project complies with Title 13, Section 13-29(e), of the Municipal Code 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 high-density residential development will redevelop a marginal residential property. New 6-foot tall perimeter block walls will provide noise attenuation and privacy from the adjacent residential properties. The outdoor amphitheater and rooftop greendeck are important amenities which provide useable open spaces for the homeowners.
  - 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 planning application is for a project-specific case and does not establish a precedent for future development in the overlay zone.
  - c) The cumulative effects of Planning Application PA-07-31, including approval of requested deviations, and Tentative Tract Map T-17248 have been considered.
- E. The project meets the purpose and intent of the Mesa West Residential Ownership Plan related to an aesthetic analysis. An aesthetic analysis of the interface and compatibility between adjacent residential uses related to shade/shadow impacts, neighborhood character, and privacy, demonstrated the project's shadow/shadow impacts on surrounding residential uses. Given that shade/shadow effects would still occur with a two-story structure, although the length of shadows would be comparatively shorter, these impacts are not considered significant. Furthermore, since the Urban Plan area has been identified as a revitalization area, this new type of three-story, "urban village" concept is within the height limit allowed, and deemed compatible surrounding residential uses in the overlay zone.
- F. 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.
- G. The proposed building is an excessive distance from the street necessitating fire apparatus access and provisions of an on-site fire hydrant(s) as required by the Costa Mesa Fire Department. The City's Fire Department has required the installation of an automatic fire sprinkler system pursuant to NFPA 13 requirements within the parking structure and in all seven units.

- H. 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. The design of the subdivision shall provide, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision, as required by Government Code Section 66473.1.
- I. The future discharge of sewage from this future 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). Given the project site was previously developed with residential uses, the existing sewer facilities are expected to adequately serve the proposed project.
- J. 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 and Mesa West Residential Ownership Urban Plan.
- K. Pursuant to Section 13-29(g)(13) of the Municipal Code, the subject property is physically suitable to accommodate Tentative Tract Map T-17248 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. The applicant has requested deviations from development standards and conditions of approval have been applied to the project to compensate for specified deviations. Additionally, the project proposes a maximum density of 20 dwelling units per acre as allowed by the General Plan and overlay zone.
- L. 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.
- M. The proposed residential use of the subdivision is compatible with the General Plan. The approval of the subdivision will allow home ownership opportunities without impacting rental housing. This is consistent with the goals, objectives, and policies of the General Plan Land Use and Housing Element.
- N. The project, as conditioned, is consistent with Chapter XII, Article 3, Transportation System Management of Title 13 of the Municipal Code in that the project's traffic impacts will be mitigated at all affected intersections. Payment of a traffic impact fee is required.

**EXHIBIT "B"****CONDITIONS OF APPROVAL**

- Plng. 1. The conditions of approval or code provisions of Planning Application PA-07-31/T-17248 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.
2. The design and extent of the proposed green building features shall be implemented as part of the proposed project and identified on the building plans submitted for plancheck. Any modification or reduction in these proposed green components (including, but not limited to, rooftop terrace, perimeter solar panel system, intensive/extensive greenscape, and electric vehicle charging stations) shall require prior approval from the Development Services Director. Any major reduction to the green building features could result in the requirement of the applicant to (re)process the modification through the master plan review process, or in the requirement to modify the construction to reflect the approved plans.
3. Prior to submission of building plans for plancheck, developer shall modify the plans to lower the total building height to less than 45 feet, inclusive of the height of the proposed parapet wall.
4. Developer shall increase the setback distance between the stepped concrete walkways and perimeter block wall to be a minimum of three feet or greater, unless a minor modification is approved by the Development Services Director.
5. Developer shall indicate on the building plans submitted for plancheck that there are a minimum of four electric vehicle charging stations in the parking garage. These charging stations shall be fully functional prior to issuance of a final certificate of occupancy for the parking garage.
6. Developer shall submit a lighting plan to the Planning Division for review/approval prior to submission of building plans for plancheck. The lighting plan shall indicate minimal lighting on the rooftop terraces for privacy and security purposes. Light standards shall be a maximum height of 4 feet. The lighting plan shall maximize the use of recessed lighting within the parapet walls or lighted bollards.
7. Developer shall modify the plans to show minimum five foot setbacks along the east and west elevations of the building. Specifically, the second and third-floor balconies/decks shall be set back a minimum of five feet. In addition, upper floor decks/walkways shall also be set back a minimum of five feet from the side property lines. These minimum setbacks shall be provided unless a minor modification is approved by the Development Services Director.
8. 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.
9. 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.
  10. All residential units shall be "for sale" units. The site shall not be developed for apartments or other non owner-occupied units. Prior to issuance of building plans for plancheck, applicant must submit a subdivision application for processing. The subdivision map must be final and recorded prior to issuance of building permits.
  11. Street addresses shall be displayed on the front of each unit and on a complex identification sign visible from the street. 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.
  12. 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.
  13. To avoid an alley-like appearance, the private street shall not be entirely paved with asphalt and shall contain finished colored concrete as shown on approved driveway paving plan. Specifically, the lowest point (v-point) of the private driveway shall be comprised of colored concrete or other material as deemed acceptable by the Development Services Director to avoid an alley-like appearance. 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 Development Services Director prior to issuance of building permits.
  14. The site plan submitted with initial working drawings shall contain a notation specifying that the project is a "one-lot airspace common interest development" and shall specify the ultimate interior property lines.
  15. 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.
16. Prior to issuance of certificate of occupancy, the applicant shall construct a minimum 6-foot tall decorative block 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. A minimum of 6-foot high wood or block privacy walls shall be constructed between the townhouses.
  17. The developer shall contact the current cable service provider prior to issuance of building permits to arrange for pre-wiring for future cable communication service.
  18. Enhanced design elements and architectural treatment as shown in the approved color elevation drawings shall be implemented to the satisfaction of the Development Services Director. 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 the master plan review process, or in the requirement to modify the construction to reflect the approved plans.
  19. The proposed ironwood parapet along the perimeter of the rooftop terrace shall be a minimum 4-foot tall privacy screen. Applicant shall design the parapet to sustain the force of windshear/windload as required by the 2007 Uniform Building Code.
  20. The landscape plan shall feature 24-inch box trees as described in the City's landscaping standards to the satisfaction of the Development Services Director. The setback areas and the landscaped driveway parkway provided shall be landscaped with trees and vegetation. The landscape plan shall be approved prior to issuance of building permits and shall contain a greater percentage of 24-inch box trees than the minimum Code requirements to the satisfaction of the Development Services Director.
  21. If the project is constructed in phases, the decorative block wall, landscaping within the street setback areas and irrigation shall be installed prior to the release of utilities for the first phase.
  22. No exterior roof access ladders, roof drain scuppers, or roof drain downspouts shall be permitted.
  23. Applicant shall submit floor plans for all models, including reverse plan models, with the working drawings for plan check.
  24. There shall be minimal nighttime lighting, primarily for 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.
  25. 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.

26. 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.
27. 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.
28. Prior to submittal of working plans for plan check, applicant shall submit a written determination from the Sanitary District and/or any private trash hauler that trash collection service can be provided to each individual dwelling unit. This letter shall be remitted to the Planning Division prior to issuance of building permits.
29. 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.
30. Prior to issuance of a certificate of occupancy, the applicant shall provide a letter from a greendeck technology specialist/engineer certifying that the greendeck functionally meets industry standards in terms of water conservation, minimizing stormwater runoff, and low maintenance.
31. Applicant shall submit a buyer's notice to the City for approval prior to issuance of a final certificate of occupancy for the first unit. The buyer's notice shall describe the maintenance required for the green rooftop terrace and the estimated cost of maintenance over 10 years. The buyer's notice shall also indicate that the greenroof terrace must be maintained by the HOA in perpetuity, unless an amendment to the Master Plan is approved by the Planning Commission.
32. 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.

A. The CC&Rs shall contain provisions requiring that the HOA contract with a towing service to enforce the parking regulations.

B. The CC&Rs shall also contain provisions related to night-time lighting

and active use of the common recreational area and the rooftop terrace areas. These provisions shall prohibit amplified noise, loud parties/gatherings, night-time lighting other than for security purposes, or any other activities that may be disruptive to the quiet enjoyment of neighboring properties after sunset.

C. The CC&Rs shall also contain provisions related to preservation and maintenance of the common lot and common open space areas in perpetuity by the homeowner's association. Specifically, the green rooftop terrace shall be maintained as a viable and functional green deck to minimize stormwater runoff and as a landscaped area for recreational purposes. The CC&Rs shall also contain the buyer's notice (described in Condition No. 31) as an exhibit.

Any subsequent revisions to the CC&Rs related to these provisions must be reviewed and approved by the City Attorney's office and the Development Services Director before they become effective.

- 33. Applicant shall provide proof of establishment of a homeowner's association prior to release of any utilities.
- 34. Final tract map shall be approved and recorded prior to issuance of building permits.
- Trans. 35. Applicant shall close unused drive approach(es) with curb and gutter.
- 36. Developer shall widen entry aisle to align with far side of drive aisle to allow for adequate turning clearance to the first parking stalls.
- 37. Developer shall indicate on the parking garage plan compliance with the City's parking design standards and ramp/slope standards for all parking spaces, ramps, and drive aisles.
- 38. Developer shall correct site plan to accurately identify public parkway width and street width from the centerline to the property line.
- 39. Developer shall construct residential wide flare type II driveway approaches at locations specified on submitted site plan.
- 40. Developer shall collaborate with the immediate neighbor to the east on Plumer Street to reconstruct the existing shared drive approach on Plumer Street to provide a minimum 10-foot wide drive approach for the neighboring parcel.
- Eng. 41. 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.
- 42. Applicant shall comply with all of the requirements as set forth in the City Engineer's letter attached.
- Fire 43. All residential units shall be installed with fire sprinklers. Applicant shall provide an automatic fire sprinkler system according to NFPA 13R.
- 44. Applicant shall indicate on the construction plans all proposed and existing fire hydrants within 400 feet of the project.
- 45. A fire alarm system shall be required as part of the proposed project and specifications for this system shall be shown on the building plans submitted for plancheck.

- Bldg. 46. Applicant shall submit a soils report, grading and drainage plans, and erosion control plan for this project prior to issuance of grading permits. For the soils report, one boring shall be at least 15'-0" deep. Soils report recommendations shall be blueprinted on the plans.
47. Prior to submission of construction plans for plancheck, applicant shall work with Building Division staff to ensure that the greenroof terrace on the 4<sup>th</sup> level of the structure (roof level) complies with building code with regard to stairway access and exits.



# 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

October 25, 2007

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

**SUBJECT:** Tract No. 17248  
**LOCATION:** 616 Center and 613 Plumer Street

Dear Commissioners:

Tentative Tract Map No. 17248 as furnished by the Planning Division for review by the Public Services Department, consist of combining two-lots into a single lot residential common-interest development. Tentative Tract Map No. 17248 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 consistent with the Vesting Tentative Tract Map at the time of first submittal of the first phase of Final Tract Maps. 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 Center and Plumer Street shall be released and relinquished to the City of Costa Mesa except at approved access locations.

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8. Dedicate an ingress/egress easement to the City for emergency and public security vehicles purposes. Maintenance of easement shall be the sole responsibility of a Homeowners Association formed to conform to Section 13-41 (e) of the C.C.M.M.C.
9. The Subdivider shall submit a cash deposit of \$710 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.
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 unless the property owners involved are in agreement that cross lot drainage is acceptable.
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 the requirements of City of Costa Mesa Drainage Ordinance No. 06-19 prior to approval of the 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 approaches 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. Sewer improvements shall meet the approval of the Costa Mesa Sanitary District; call (949) 631-1731 for information.
17. Water system improvements shall meet the approval of Mesa Consolidated Water District; call (949) 631-1200 for information.
18. 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.

19. 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.
20. Survey monuments shall be preserved and referenced before construction and replaced after construction, pursuant to Section 8771 of the Business and Profession Code.
21. The elevations shown on all plans shall be on Orange County benchmark datum.
22. 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.
23. 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.
24. Comply with streetscape & median development standards. Remove existing fence and retaining curb 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".

Sincerely,



Ernesto Munoz, P. E.  
City Engineer

/ch (Engr. 2007/Planning Commission Tract 17248)

**RESOLUTION NO. PC-08-\_\_\_\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DENYING THE FOLLOWING: (1) PLANNING APPLICATION PA-07-31, INCLUDING MASTER PLAN FOR A 3-STORY, 7-UNIT, RESIDENTIAL COMMON-INTEREST DEVELOPMENT AND SPECIFIED DEVIATIONS FROM DEVELOPMENT STANDARDS; AND (2) TENTATIVE TRACT MAP T-17248, FOR A 0.35 ACRE PROPERTY LOCATED IN THE MESA WEST RESIDENTIAL OWNERSHIP URBAN PLAN AT 613 PLUMER ST. AND 616 CENTER ST. IN AN R2-HD ZONE AND MIXED-USE OVERLAY ZONE.**

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

WHEREAS, City Council adopted the Mesa West Residential Ownership Urban Plan in April 2006 which set forth development regulations and flexible development standards for three-story residential common interest developments at a maximum density of 20 dwelling units per acre in a specified mixed-use overlay zone;

WHEREAS, an application was filed by Justin McMillen of InHabitation Design for Planning Application PA-07-31 and Tentative Tract Map T-17248 with respect to the real property located at 613 Plumer Street and 616 Center Street;

WHEREAS, the proposed project involves the following: (1) Master Plan PA-07-31 for "Coastal Heights," a 7-unit, 3-story multi-family attached, common interest residential development project in the Mesa West Residential Ownership Urban Plan area; and (2) Tentative Tract Map T-17248 to subdivide the property for condominium purposes;

WHEREAS, Master Plan PA-07-31 includes the following: (a) 25 percent density bonus, or two additional units, at an approximate density of 20 dwelling units per acre; and (b) Deviations from residential development standards for minimum lot size (one acre required; 0.35 acre proposed), minimum open space (40% required; 5% proposed); maximum lot coverage (60% maximum; 95% proposed), minimum front

setback (20 feet required; 3 feet proposed from steps of concrete deck), maximum size of residential loft areas, and parking requirements (23 spaces required, 21 spaces proposed);

WHEREAS, a duly noticed public hearing was held by the Planning Commission on January 28, 2008 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, based on the evidence in the record and the findings contained in Exhibit "A", subject to the conditions contained in Exhibit "B", the Planning Commission **HEREBY DENIES** Planning Application PA-07-31 and Tentative Tract Map T-17248;

**PASSED AND ADOPTED this 28<sup>TH</sup> day of January 2008.**

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DONN HALL, Chair  
Costa Mesa Planning Commission

## Excerpt City Council Meeting Minutes

Noes: None.

Absent: None.

The Mayor adjourned the special meeting of the Public Finance Authority at 8:17p.m. and reconvened the regular City Council meeting.

### VII. PUBLIC HEARINGS

The City Clerk announced that this was the time and place set for a public hearing to consider:

1. **PUBLIC HEARING: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS RELATING TO THE SALE AND DELIVERY OF NOT TO EXCEED \$30,000,000 CITY OF COSTA MESA 2007 CERTIFICATES OF PARTICIPATION (POLICE FACILITY EXPANSION PROJECT), AND AUTHORIZING CERTAIN DOCUMENTS AND DIRECTING CERTAIN ACTIONS IN CONNECTION THEREWITH.**

The Affidavit of Mailing and Publication are on file in the City Clerk's Office.

The Finance Director identified for the Council that the resolution had been corrected to reflect the amount of \$30,205,000.

**MOTION: Adopted Resolution No. 06-102 as amended to reflect the corrected amount of \$30,205,000 in all references.**

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

The motion carried by the following roll call vote:

Ayes: Mayor Allan Mansoor, Mayor Pro Tem Eric Bever, Council Member Linda Dixon, Council Member Katrina Foley, Council Member Wendy Leece

Noes: None.

Absent: None.

### IX. OLD BUSINESS

No Old Business items scheduled.

### X. NEW BUSINESS

1. **Urban Master Plan Screening UMP-06-11 request for 616 Center Street and 613 Plumer Street within the Mesa West Residential Ownership Urban Plan area.**

Senior Planner Claire Flynn presented the report and responded to questions from the Council.

Justin McMillen and Andre Ferrer, In-Habitation Design, presented their proposal

for a three-story, seven-unit residential loft development, that would incorporate roof-top gardens and incorporating energy efficiency incentives that includes solar panels and a green roof terrace.

In reference to a question from Council Member Dixon, the landscaping includes two existing jumbo trees, over-sized Agave, built-in planters, and roof top gardens; advised the incorporation of energy efficient and solar energy designs; mentioned the expected unit price is between \$675,000 and \$950,000.

Mayor Pro Tem Bever expressed concern of a five-foot set back next to a single family home and suggested working with staff to increase that setback; concern was express for the suggested street-front parking and suggested parking within the structure, with perhaps, the reduction of one unit and favored additional streetscape landscaping.

Mayor Mansoor expressed concern of the set backs, a single driveway, additional density; and the removing of two single family homes that were not considered to be blighted.

Council Member Foley expressed interest in the proposed project, commenting it was cutting edge on its creative design. She suggested working with City staff on the set-backs, the parking, and a transitional zone with the adjacent properties.

**MOTION: Received and filed.**

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

The motion carried by the following roll call vote:

Ayes: Mayor Allan Mansoor, Mayor Pro Tem Eric Bever, Council Member Linda Dixon, Council Member Katrina Foley, Council Member Wendy Leece

Noes: None.

Absent: None.

**2. Request of Trinity Broadcasting Network (TBN) for approval of Film Permits.**

Management Analyst Carol Proctor briefed her staff report and responded to questions from the Council.

The Mayor commented that he was supportive of an permitting of an occassional filming permit at the discretion to the City Manager.

Council Member Dixon felt that as a courtesy that notification of the surrounding neighborhood should be made a requirement for all filming permits applied for. The City Attorney confirmed that on a case-by-case basis, pursuant to the City's Municipal Code, the City Manager could, under appropriate circumstances direct notification of neighbors, if the filming was to be potentially



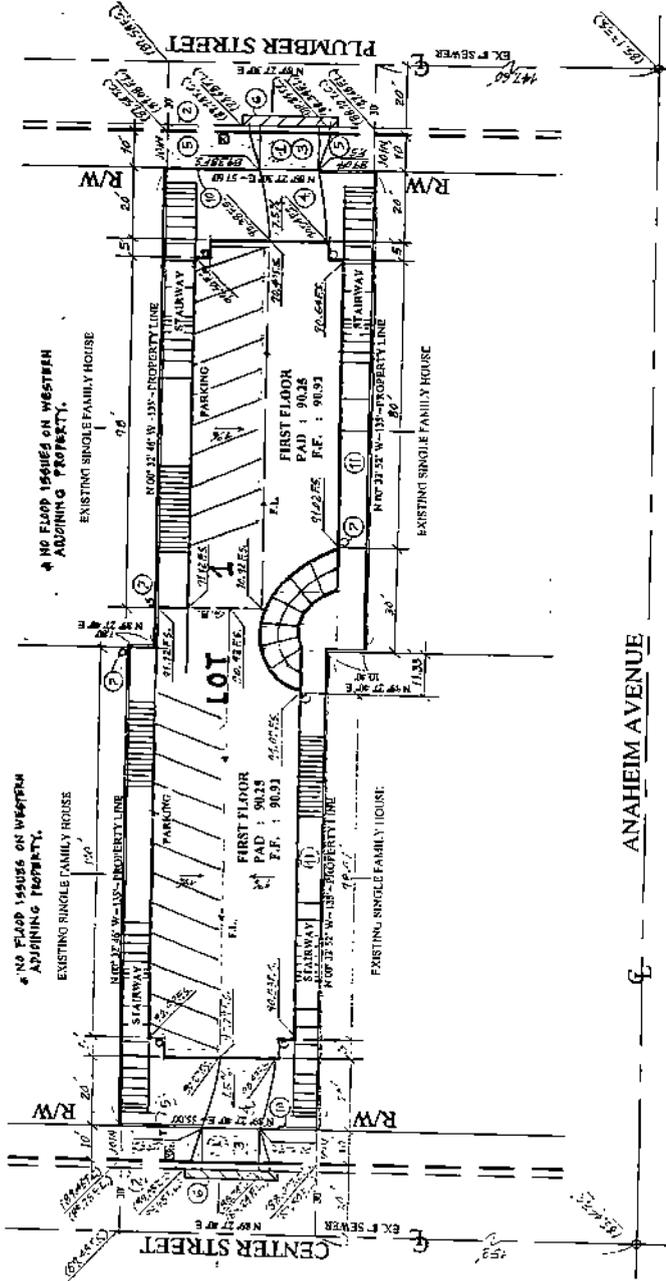
# TENTATIVE TRACT MAP 17248 IN THE CITY OF COSTA MESA, COUNTY OF ORANGE STATE OF CALIFORNIA

FOR CONDOMINIUM PURPOSES ONLY

BEING A SUBDIVISION OF A PORTION OF NEWPORT MESA TRACT, LOT 402 AS SHOWN ON MAPS RECORDED IN BOOK 5, PAGE 1 MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

RECEIVED  
CITY OF COSTA MESA  
PLANNING DEPARTMENT

JAN 16 2008



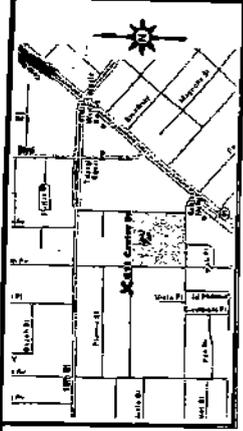
## PROPOSED 2-STORY CODOMINIUM DEVELOPMENT

RECEIVED  
CITY OF COSTA MESA  
PLANNING DEPARTMENT

JAN 16 2008



SCALE 1" = 20'



### VICINITY MAP N.T.S.

**PROPERTY OWNER:**

INHABITATION DESIGN INC.  
516 CENTER STREET  
COSTA MESA, CA 92627  
ATTN: JUSTIN B. NICMILLEN

**PROPERTY ADDRESS:**

618 CENTER STREET & 613 PLUMBER STREET  
COSTA MESA, CA 92627

**ASSESSOR'S MAP:**

LOT 37 (APN 404-012-17)  
LOT 30 (APN 404-012-30)  
BLOCK 424, PAGE 212 IN ORANGE COUNTY

**ENGINEER:**

C.N. ASSOCIATES  
43 PRIMAVERA FALCON  
ALISO VIEJO, CA 92656  
(949) 810-5440

**LEGAL DESCRIPTION:**

NEWPORT MESA TRACT, LOT 402 F. 51.71 W. 472 FT S 16411 TR 017  
NEWPORT MESA TRACT, LOT 402 WELY 57.60 FT ELY 208.50 FT  
EXSLY 165.71 FT & N 1.0 FT TR. S17  
NEWPORT MESA TRACT, LOT 402 (M.M. 5-1)

**CLASSIFICATION:**

EXISTING: SINGLE FAMILY RESIDENTIAL  
PROPOSED: MULTI-FAMILY RESIDENTIAL (CONDO)

**WATER AND SEWER:**

CITY OF COSTA MESA  
SHEETFLOW TO CENTER STREET AND PLUMBER STREET

**DRAINAGE:**

AREA:  
GROSS: 18,595 SF (0.43 AC.)  
NET: 15,201 SF (0.35 AC.)

**FLOOD ZONE:**

ZONE X, TANEL N 060590260H, COMM. ID 060216  
DATE: FEB-18-2004

PLANNING DEPARTMENT  
**C.N. & ASSOCIATES**  
33 PRIMAVERA FALCON  
ALISO VIEJO, CA 92656  
TEL: (949) 810-5440 (949) 810-5999  
FAX: (949) 810-5440  
DATE: 01/14/08

54

LAN N. PHAM, P.E.  
REGISTERED PROFESSIONAL ENGINEER  
CIVIL ENGINEER, EXP. 31404



**TENTATIVE TRACT MAP 17248**  
PROJECT ADDRESS: 618 CENTER STREET & 613 PLUMBER STREET,  
CITY OF COSTA MESA, CA 92627

PLANNING DIVISION - COMMUNITY DEVELOPMENT DEPARTMENT  
CITY OF COSTA MESA



# **CITY OF COSTA MESA**

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

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DEVELOPMENT SERVICES DEPARTMENT

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