



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: FEBRUARY 11, 2008

VI.9

ITEM NUMBER:

SUBJECT: PLANNING APPLICATION PA-07-56
550 BERNARD STREET, UNITS A AND B

DATE: JANUARY 31, 2008

FOR FURTHER INFORMATION CONTACT: WILLA BOUWENS-KILLEEN, AICP
PRINCIPAL PLANNER – 714.754.5153

DESCRIPTION

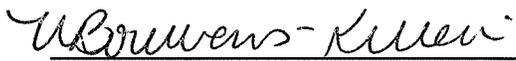
The applicant proposes to convert an existing duplex into condominiums.

APPLICANT

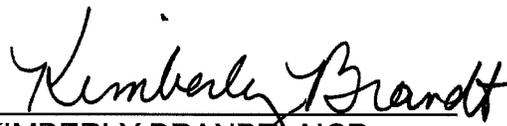
126 Properties LLC, is the property owner and applicant for this project.

RECOMMENDATION

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



WILLA BOUWENS-KILLEEN, AICP
Principal Planner



KIMBERLY BRANDT, AICP
Asst. Development Services Director

PLANNING APPLICATION SUMMARY

Location: 550 Bernard Street, Units A and B Application: PA-07-56

Request: Conversion of an existing duplex into condominiums.

SUBJECT PROPERTY:

SURROUNDING PROPERTY:

Zone: <u>R2-HD</u>	North: <u>R3, apartments</u>
General Plan: <u>High Density Residential</u>	South: <u>Surrounding properties</u>
Lot Dimensions: <u>57 ft. x 85 ft.</u>	East: <u>are all R2-HD zoned</u>
Lot Area: <u>4,895 sq. ft.</u>	West: <u>and developed with apartments.</u>
Existing Development: <u>Single-story duplex and a detached 2-car garage behind a single-story, single-family residence and the Huscroft House. Planning Application PA-03-02 and Parcel Map PM-04-294 were approved for subdivision of the lot into three parcels. The duplex is located on the rear parcel.</u>	

DEVELOPMENT STANDARD COMPARISON

<u>Development Standard</u>	<u>Required/Allowed</u>	<u>Proposed/Provided</u>
Lot Size:		
Lot Width	100 ft.	57 ft. ¹
Lot Area	12,000 sq. ft.	4,895 sq.ft. ²
Density:		
Zone/General Plan	1:3,000 sq.ft./1:2,178 sq.ft.	1: 2,447.5 sq.ft. ²
Building Coverage:		
Buildings	N/A	46% (2,229 sq.ft.)
Paving	N/A	21% (1,056 sq.ft.)
Open Space	40% (1,958 sq. ft.)	33% (1,610 sq.ft.) ²
TOTAL	100% (4,895 sq.ft.)	100% (4,895 sq.ft.)
Private Open Space:	10 ft. x 10 ft. min.	11 ft. minimum
Building Height:	2 stories/27 ft.	1 story/11 ft.
Setbacks:		
Front (interior property line) Main structure/Detached Garage	5 ft./6 ft. separation	3 ft. ² /6 ft. separation
Side – Main Bldg. (left alley/right)	5 ft./5 ft.	19 ft./5 ft.
Side – Detached Garage (left/right)	0 ft./0 ft.	27 ft./10 ft.
Rear - Main bldg./Detached Garage	6 ft. separation/0 ft.	6 ft. separation/1 ft.
Parking:		
Covered	2	2
Open	3	2
Guest	1	1
TOTAL	6 Spaces	5 spaces³

CEQA Status	<u>Exempt, Class 1</u>
Final Action	<u>Planning Commission</u>

1 Legal, nonconforming.
 2 Subdivision with variances approved under PA-03-02 and PM-04-294.
 3 PA-03-02 approved for shared parking between the 3 lots (9 spaces required; 10 spaces provided).

BACKGROUND

The subject property contains the historic Huscroft House, a single-story residence, and single-story duplex with a detached two car garage. It was originally part of a four-unit apartment complex built in the 1950's and 1960's. On June 9, 2003, Planning Commission considered Planning Application PA-03-02 to replace the front apartment unit with the Huscroft House, which was relocated to this site, in conjunction with a master plan and a minor design review. Also included with the request were variances and an administrative adjustment from open space, parking, minimum lot area, street frontage, and setback requirements, as well as a conditional use permit for shared parking to facilitate subdivision of the property into three lots. Planning Commission approved the master plan and a minor design review but denied the variances, administrative adjustment, and conditional use permit to allow individual lots.

On July 7, 2003, on appeal by the property owner, City Council approved all of the entitlements associated with the projects. On June 27, 2005, Parcel Map PM-04-294 was approved to facilitate the subdivision of the property into three independent lots.

The property owner proposes to convert the duplex into condominiums. This request was originally approved by Planning Commission under Planning Application PA-06-45 on August 14, 2006. However, due to financial constraints, the applicant was unable to file the parcel map and complete the conversion thus the conversion approval expired.

A parcel map will be required to be processed and recorded before the units can be sold independent of one another. The applicant is aware of this requirement. However, since Parcel Map PM-04-294, which subdivides the overall property into three lots, has not yet been recorded, a condition is included requiring proof of recordation of the parcel map before the new, subsequent condominium map for the duplex is submitted for Planning Commission review. (This allows pertinent information from PM-04-294 to be included on the new map.)

ANALYSIS

Common interest projects must comply with additional development standards above those applicable to apartments. These additional development standards include provision of a minimum 10-foot by 10-foot private open space for each unit and provision of on-site lighting. The project already complies with the common interest development requirements. The project is also in compliance with all applicable residential development standards, or has received a variance and/or administrative adjustment to deviate from Code.

Since the last time this conversion was approved, new standards have been adopted for the processing of residential common interest development conversions. The new code requirements address amount of parking spaces, minimum open space, and the need for reports describing the condition of the units. However, variances from minimum parking and open space requirements were already approved for this site under PA-03-02. Additionally, the duplex has just undergone a major remodel, with building permits finalized on December 10, 2007 and the units are currently unoccupied. Consequently, it is

Planning staff's opinion that the conversion is consistent with the intent of the new conversion ordinance.

GENERAL PLAN CONFORMITY

Approval of the conversion will satisfy General Plan Goal LU-1A.4 that encourages additional home ownership opportunities in the City. The units, whether utilized as apartments or condominiums, are consistent with the current High Density Residential General Plan land use designation.

ALTERNATIVES

The units could be rented if the applicant's request is denied.

ENVIRONMENTAL DETERMINATION

The project is exempt from the provisions of the California Environmental Quality Act under Section 15301 for Existing Facilities.

CONCLUSION

All on-site improvements were approved under Planning Application PA-03-02. The project is in compliance with all common interest development requirements. The units have been recently remodeled and were finalized approximately two months ago. Conversion of the apartments will result in additional home ownership opportunities within the City.

Attachments: Draft Planning Commission Resolution with Exhibits
 Applicant's Project Description and Justification
 Location Map
 Plans

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

John Moreheart
126 Properties, LLC
126 East 16th Street
Costa Mesa, CA 92627

File: 021108PA0756	Date: 013108	Time: 8:30 a.m.
--------------------	--------------	-----------------

RESOLUTION NO. PC-08-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA APPROVING PLANNING
APPLICATION PA-07-56**

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

WHEREAS, an application was filed by 126 Properties, LLC, property owner with respect to the real property located at 550 Bernard Street, Units A and B, requesting approval of the conversion of the duplex to a common interest development (condominiums), in the R2-HD zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on February 11, 2008.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", and subject to the conditions contained in Exhibit "B", the Planning Commission hereby **APPROVES** Planning Application PA-07-56 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the Staff Report for Planning Application PA-06-45 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B", as well as with compliance of all applicable federal, state, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

PASSED AND ADOPTED this 11th day of February, 2008.

Donn Hall, Chair
Costa Mesa Planning Commission

EXHIBIT "A"**FINDINGS**

- A. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29 (1) in that the proposed conversion project conforms to adopted General Plan policies. The establishment, maintenance, and operation of the project will not be detrimental to the health, safety, and general welfare of persons residing in the surrounding neighborhood, nor will the project be detrimental or injurious to the property and improvements in the neighborhood of the general welfare of the City. The overall design and physical condition of the proposed conversion project achieves a high standard of appearance, quality, and safety. The proposed conversion project conforms to the Costa Mesa Zoning Code requirements. The proposed conversion project, due to its proportion and scale, design elements, and relationship to the surrounding neighborhood, is of continued value to the community and it contributes to defining and improving the community as a whole.
- B. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(e) in that:
- a. The project is compatible and harmonious with existing development and uses in the general neighborhood.
 - b. Safety and compatibility of the design of buildings, parking areas, landscaping, luminaries and other site features, which includes functional aspect of the site development such as automobile and pedestrian circulation, have been considered.
 - c. The project is consistent with the General Plan in that the conversion will satisfy General Plan goals that encourage additional home ownership opportunities and to improve the balance between rental and ownership housing opportunities within the City.
 - d. The planning application is for a project-specific case and is not to be construed to be setting a precedent for future development.
- C. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA under Section 15301 for Existing Facilities.
- D. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT "B"

CONDITIONS OF APPROVAL

- Plng.
1. Applicant shall contact the Building Safety Division, prior to recordation of the future parcel map, to provide proof that applicable building code requirements for condominiums have been satisfied, to obtain a change of occupancy permit, and to complete any additional requirements created through this conversion.
 2. All conditions of approval and Code requirements of Planning Application PA-03-02 shall still be complied with.
 3. The CC&R's shall require that garage spaces be used for parking only. Any changes made to this provision require prior review and approval by the City of Costa Mesa.
 4. The applicant shall show proof of compliance with all applicable conditions of approval and code requirements prior to recordation of the final map. This condition shall be completed under the direction of the Planning Staff.
 5. The CC&Rs shall include a provision mandating binding arbitration in the event of any dispute between the two property owners relating to the homeowner's association.
 6. Proof of recordation of Parcel Map PM-04-294 shall be provided prior to the submittal of the parcel map required for this application for Planning Commission review.

November 16, 2006

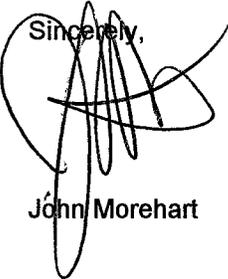
City of Costa Mesa
Development Services Department
77 Fair Drive
Costa Mesa, Ca

Re: Re-Application for Common Interest Development
Property : 550 Bernard Street

We had approval from the City of Costa Mesa to convert the existing duplex at 550 Bernard Street to a Common Interest Development under planning application PA-06-45. We understood that Parcel Map # 2004-294 was to serve as the parcel map for this application. Later we were informed that a separate Parcel Map for the Condominium Conversion was required. The original application expired. In an effort to create owner occupied homes rather than rental units, we are remaking this application for a common interest development for the duplex at 550 Bernard Street. We know the neighborhood would be better served by owner occupied homes. We have successfully transformed the duplex, with close supervision of Pete Tenaci of the Costa Mesa building department, using construction details consistent with the look and quality of the Huscroft House.

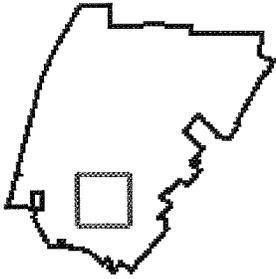
We appreciate your kind consideration of this re-application.

Sincerely,



John Morehart

Overview Map



Legend

Address
Large

Address
Points

Roads

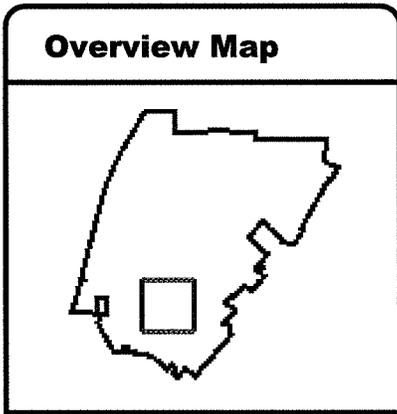
Major
Newport BLVD
Primary
(cont)

Freeway

Collector
Freeway
(cont)

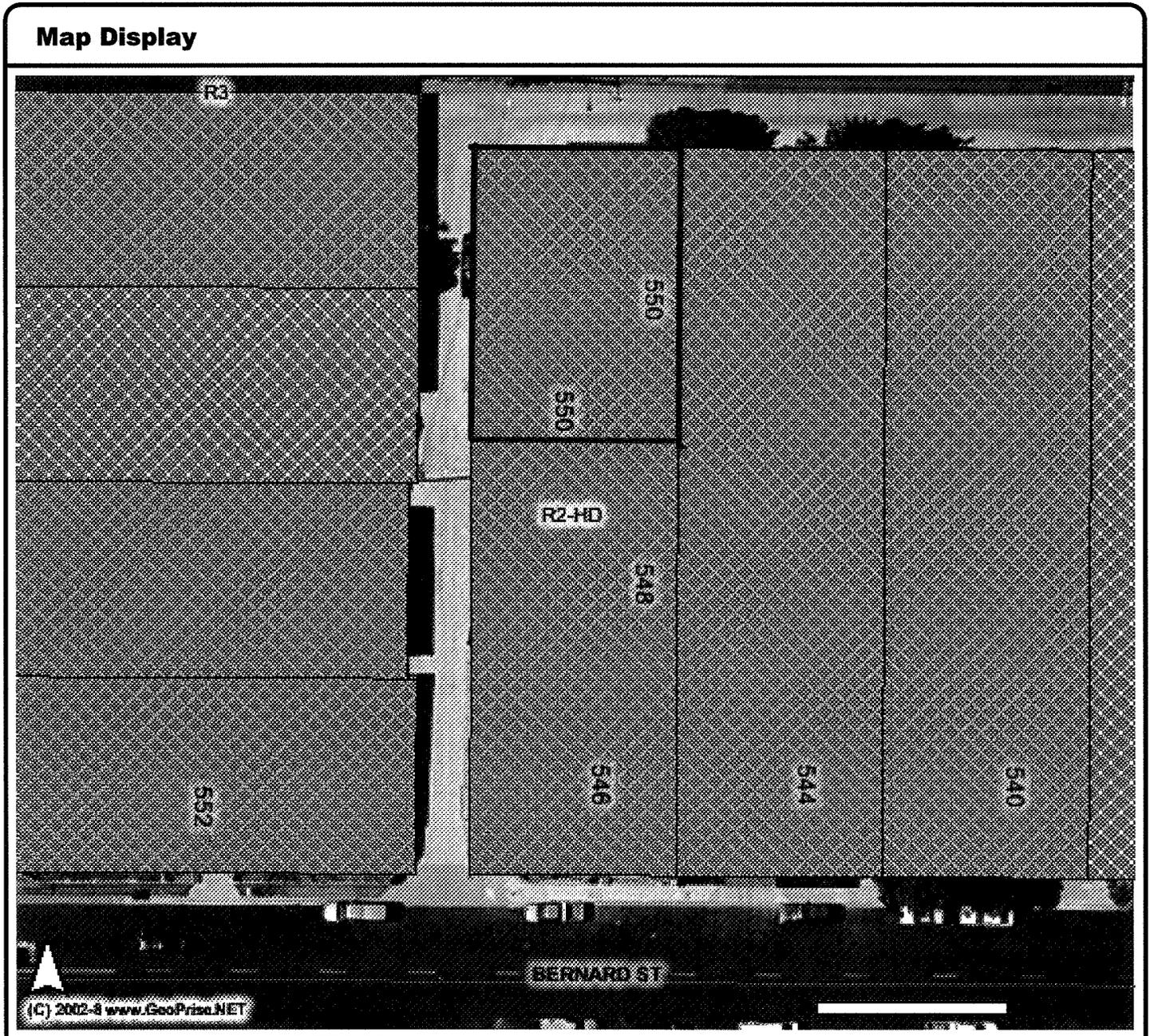
Map Display

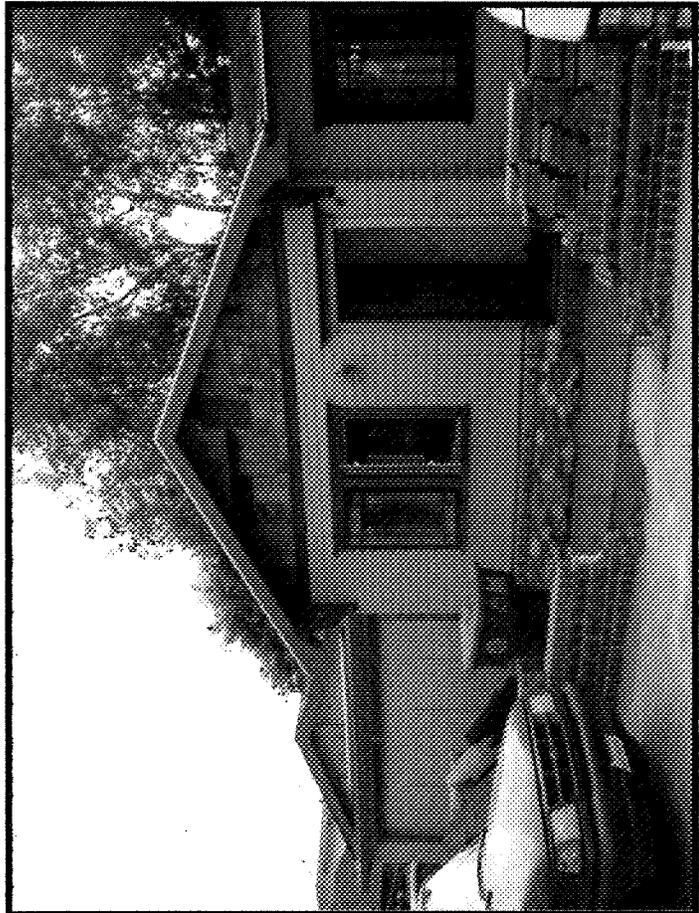
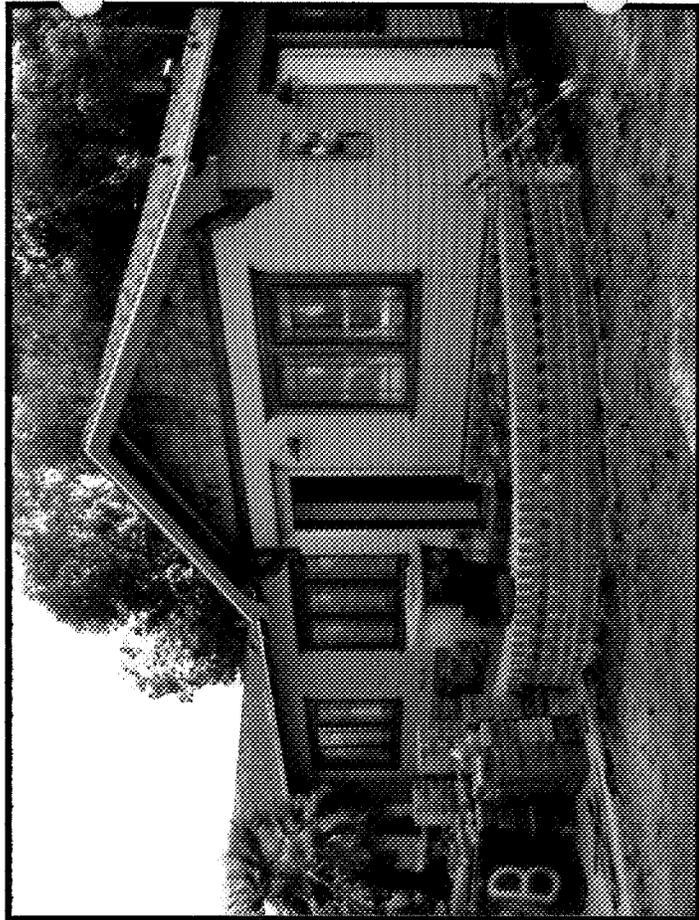




Legend

Address Large	Freeway	Newport BLVD Primary	Hydrology Channels
Address Points	Roads	SECONDARY Waterway Lines	Street Names
	Collector Freeway Major (cont)		Street Centerlines





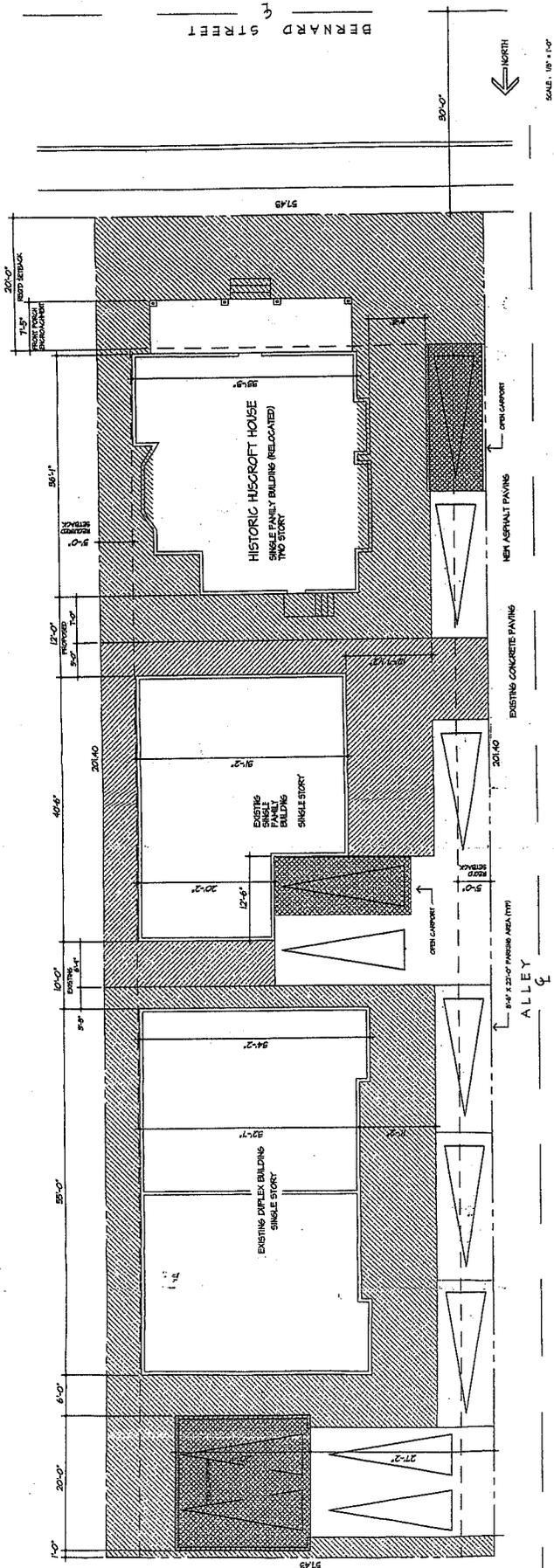
OWNER
126 Properties, L.L.C.
126 East 16th Street
Costa Mesa, California

SHEET TITLE
Site Plan
Proposed Lot Split

ARCHITECT
Barry Walker, Architect
P.O. Box 11668
Newport Beach, California 92658
949.246.4085 Fax 714.549.1495

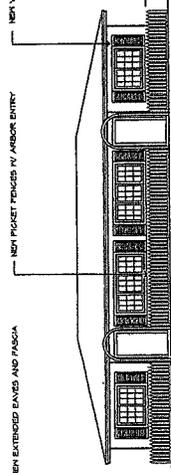
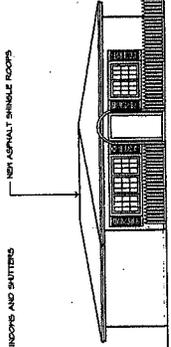
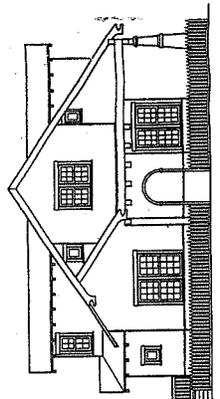


1
SHEET



PARKING PROVIDED = 12 SPACES
4 COVERED SPACES AND 8 OPEN SPACES

CURRENT LOT SIZE: 11,565.30 SF
TOTAL LOT SIZE / REQ'D OPEN SPACE
11,565.30 X 40% = 4,626.15 SF
PROVIDED: 4,700.90 SF



ELEVATION OF REMODELED EXISTING STRUCTURES WITH HUSCROFT HOUSE SCALE: 1/8" = 1'-0"

PA-07-56
File

CONDOMINIUM PLAN FOR 548 BERNARD ST.

Units 1 & 2 in Parcel 3 of Parcel Map 2004-294
In the City of Costa Mesa, California

UNIT NUMBERING PLAN

SHEET 10 OF 16 SHEETS

NOT TO SCALE

