



# **PLANNING COMMISSION AGENDA REPORT**

VI.4

MEETING DATE: FEBRUARY 25, 2008

ITEM NUMBER:

**SUBJECT: PLANNING APPLICATION PA-06-60 (TIME EXTENSION)  
224 KNOX STREET, COSTA MESA**

**DATE: FEBRUARY 14, 2008**

**FOR FURTHER INFORMATION CONTACT: MEL LEE, AICP, SENIOR PLANNER (714) 754-5611**

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## **DESCRIPTION**

The applicant is requesting an extension of time for approval of a new two-unit, two-story, detached residential common interest development.

## **APPLICANT**

The applicants are Keith and Donna Ray, who are also the owners of the property.

## **RECOMMENDATION**

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

MEL LEE, AICP  
Senior Planner

KIMBERLY BRANDT, AICP  
Asst. Development Services Director

## **BACKGROUND/DISCUSSION**

On January 22, 2007, Planning Commission approved Planning Application PA-06-60. The project consists of a new two-unit, two-story, detached, residential common interest development. The original staff report is attached.

Code Section 13-29(k)(2) allows the Commission to approve successive one-year time extensions upon showing good cause by the applicant. Although the project has been submitted to the Building Safety Division for plan check, the applicant was not able to obtain building permits prior to the expiration of PA-06-60. Unlike the recent code revisions for residential common interest development conversions, the zoning code as it pertains to new residential common interest developments has not changed since the project's original approval.

On January 28, 2008, the applicant submitted Parcel Map PM-07-237 to facilitate the subdivision of the project into a common interest development, which will be scheduled for a future Planning Commission hearing.

## **ALTERNATIVES**

If the extension were not approved, the applicant would not be able to obtain building permits to proceed with construction of the project.

## **GENERAL PLAN CONFORMITY**

Approval of the time extension will have no effect on the City's General Plan.

## **ENVIRONMENTAL DETERMINATION**

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.

## **CONCLUSION**

Approval of the extension will allow the previously approved project to proceed.

Attachments:           Draft PC Resolution  
                              Exhibit "A" – Draft Findings  
                              Exhibit "B" – Draft Conditions of Approval  
                              Extension Request  
                              Meeting Minutes  
                              Staff Report for PA-06-60 and Resolution  
                              Zoning/Location Map  
                              Plans

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

Keith and Donna Ray  
2019 Yacht Resolute  
Newport Beach, CA 92660

Arne Valenti  
158 N. Glassell Street, Suite 203  
Orange, CA 92866

File: 022508PA0660EXT	Date: 021208	Time: 8:15 a.m.
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**RESOLUTION NO. 08-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF COSTA MESA APPROVING A TIME EXTENSION  
FOR PLANNING APPLICATION PA-06-60**

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

WHEREAS, a request for a one-year extension of time for PA-06-60 was requested filed by Keith and Donna Ray with respect to the real property located at 224 Knox Street, for a design review to construct a two-unit, two-story, detached residential common interest development; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on February 25, 2008.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", subject to the conditions in Exhibit "B," the Planning Commission hereby **APPROVES** the extension of time for Planning Application PA-06-60, to expire on **JANUARY 22, 2009**, 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-06-60 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 25th day of February, 2008.**

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Donn Hall, Chair  
Costa Mesa Planning Commission



**EXHIBIT "A"**

**FINDINGS**

- A. 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 on site as well as those on surrounding properties.
  - b. Safety and compatibility of the design of the building and other site features, including functional aspects of the site development, have been considered.
  - c. The project is consistent with the General Plan designation of Medium Density Residential. Under this designation two dwelling units are allowed on the subject property and two dwelling units are proposed. Approval of the condominiums will also satisfy General Plan Goal LU-1A.4 that encourages additional home ownership opportunities in 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.
- B. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(14) in that the proposed development is substantially compatible and harmonious with existing and/or anticipated development on surrounding properties. This includes site planning, landscaping, appearances, scale of structures, location of windows, and any other applicable features relative to a compatible and attractive development. Specifically, the project is consistent with the City's General Plan and Zoning Code, and the City's Residential Design Guidelines. The project is of a character and scale compatible with the neighborhood. The buildings incorporate multiple building planes and offsets, and elevations with stepping forms both horizontally and vertically to provide architectural interest. The second story windows are also placed so as to minimize privacy impacts and direct views into windows of adjacent residences. Approval of the condominium units will also provide additional home ownership opportunities in the City.
- 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 15303 for New Construction.
- 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. The applicant is reminded that all conditions of approval, code requirements, and special district requirements, of Planning Application PA-06-60 shall be complied with.

Keith and Donna Ray  
2019 Yacht Resolute  
Newport Beach, CA 92660

RECEIVED  
CITY OF COSTA MESA  
DEVELOPMENT SERVICES DEPARTMENT

DEC 14 2007

December 13, 2007

City of Costa Mesa  
Building Department

Subject:

Extension of the Plan Check process for 224 Knox Street

Re: BC07-00032 & BC07-00033

*PA-06-60*

Mr. Burt Morgan  
Chief Plans Examiner  
City of Costa Mesa Building Dept.

Dear Mr. Morgan,

We are requesting the extension of our plan check process for the subject property at 224 Knox Street. We have been delayed due to market conditions and financing and are hopeful that we will be able to start construction after the first of the year.

At present status of plan check is waiting resubmittal.

We appreciate your assistance in this matter

Regards



Keith and Donna Ray

The motion carried by the following roll call vote:

Ayes: Chair Bill Perkins, Commissioner Eleanor Egan, and  
Commissioner James Fisler

Noes: Vice Chair Donn Hall

Absent: None.

In response to the Chair's question of when this item would go to City Council, Planning Commission Secretary Mike Robinson said February 20.



5. **Planning Application PA-06-60, for Arne Valenti, authorized agent for Jim Stern, for a design review to construct a 2-unit, 2-story common interest development which includes a front unit that does not comply with the recommended 10-foot average second-story side setback (9-foot average proposed), located at 224 Knox Street, in an R2-MD zone. Environmental determination: exempt.**

Associate Planner Wendy Shih gave a presentation.

Arne Valenti, applicant, Orange, agreed to the conditions. There were no public comments, so the Chair closed the public hearing.

**MOTION: Approve Planning Application PA-06-60, by adoption of Planning Commission Resolution PC-07-09, based on evidence in the record and findings contained in Exhibit "A", subject to conditions in Exhibit "B".**

**Moved by Commissioner Eleanor Egan, seconded by Commissioner James Fisler.**

The motion carried by the following roll call vote:

Ayes: Chair Bill Perkins, Vice Chair Donn Hall, Commissioner Eleanor Egan, and Commissioner James Fisler

Noes: None.

Absent: None.

6. **Planning Application PA-06-63, for Corrie Kates, authorized agent for Hope Leon, for a conditional use permit for off-site parking and storage located on an industrially-zoned property containing two non-conforming residential units, located at 843 W. 17th Street, in an MG zone. Environmental determination: exempt.**

The Chair confirmed with Principal Planner Willa Bouwens-Killeen that the applicant requested a continuance on this item. The Chair asked if



# **PLANNING COMMISSION AGENDA REPORT**

**VII.5**

MEETING DATE: JANUARY 22, 2007

ITEM NUMBER:

SUBJECT: PLANNING APPLICATION PA-06-60  
224 KNOX STREET

DATE: JANUARY 11, 2007

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

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## **DESCRIPTION**

Design review to construct two, two-story condominium units.

## **APPLICANT**

Arne Valenti is the authorized agent for property owner, Jim Stern.

## **RECOMMENDATION**

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

Handwritten signature of Wendy Shih in black ink, written over a horizontal line.

WENDY SHIH  
Associate Planner

Handwritten signature of R. Michael Robinson in black ink, written over a horizontal line.

R. MICHAEL ROBINSON, AICP  
Asst. Development Services Director

**PLANNING APPLICATION SUMMARY**

Location: 224 Knox Street Application: PA-06-47

Request: Design review to construct two, two-story condominium units.

**SUBJECT PROPERTY:**

**SURROUNDING PROPERTY:**

Zone:	<u>R2-MD</u>	North:	<u>Surrounding properties</u>
General Plan:	<u>Medium Density Residential</u>	South:	<u>are all R2-MD</u>
Lot Dimensions:	<u>50 ft. x 130.08 ft.</u>	East:	<u>residentially zoned</u>
Lot Area:	<u>6,504 sq.ft.</u>	West:	<u>and developed.</u>
Existing Development:	<u>Single-family residence and detached garage (to be demolished).</u>		

**DEVELOPMENT STANDARD COMPARISON**

<u>Development Standard</u>	<u>Required/Allowed</u>		<u>Proposed/Provided</u>	
<b>Lot Size:</b>				
Lot Width	100 ft.		50 ft. <sup>1</sup>	
Lot Area	12,000 sq. ft.		6,504 sq.ft. <sup>1</sup>	
<b>Density:</b>				
Zone/General Plan	1 du/3,630 sq.ft. (Legal lot before March 1992)		1 du/3,252 sq.ft. <sup>2</sup>	
<b>Building Coverage:</b>				
Buildings	N/A		47% (3,095 sq.ft.)	
Paving	N/A		11% (688 sq.ft.)	
Open Space	Minimum 40% (2,601 sq. ft.)		42% (2,721 sq.ft.)	
TOTAL	100%		100%	
Private Open Space:	Minimum 10 ft.		Minimum 10 ft.	
Building Height:	2 stories/27 ft.		2 stories/25 ft.	
Ratio of 2 <sup>nd</sup> floor to 1 <sup>st</sup> floor <sup>3</sup> :	Front Unit 1,250 sq.ft.	Rear Unit 1,226 sq.ft.	Front Unit 80% (1,248 sq.ft.)	Rear Unit 80% (1,226 sq.ft.)
<b>Setbacks:</b>				
Front (Knox Street)	20 ft.		20 ft.	
1 <sup>st</sup> Floor Side (left/right)	5 ft./5 ft.		5 ft./5 ft.	
2 <sup>nd</sup> Floor Side <sup>3</sup> (left/right)	10 ft. average		Front Unit 9 ft./10 ft. average	Rear Unit 10 ft./10 ft. average
Rear (alley)	5 ft.		6 ft.	
<b>Parking:</b>				
Covered	4		4	
Open	4		4	
TOTAL	8 Spaces		8 spaces	
CEQA Status	Exempt, Class 3			
Final Action	Planning Commission			

- 1 Existing, nonconforming.
- 2 Two units permitted because lot existed prior to March 12, 1992.
- 3 Residential design guidelines.

## **PROJECT DESCRIPTION**

The subject property is located mid-block between Orange Avenue and Westminster Avenue, on the north side of Knox Street. It is surrounded by R2-MD (Multiple-Family Residential, Medium Density) zoned properties. The applicant proposes to construct two, two-story condominium units on the lot.

A parcel map to facilitate the condominium project will be required to be processed and recorded before construction of the units can begin. If the project is approved, the applicant will submit a parcel map application at a later date.

## **ANALYSIS**

New residential common interest development projects (condominiums) are subject to a design review, which requires Planning Commission consideration. This allows review of the structures' scale, site planning, landscaping, appearance, and any other applicable features relative to a compatible and attractive development.

The exterior elevations of the proposed homes will consist of stucco finish, window trims, stone veneers, decorative lighting, stained wood sectional garage doors, and clay roof tiles.

To minimize second story mass, the City's residential design guidelines recommend that the second floor not exceed 80% of the first floor area and the second story be set back an average of 10 feet from the side property lines. The proposed second floor to first floor ratios are 80% for both units. With exception of the front left elevation (9-foot average setback for second floor), all other second floor side elevations satisfy the design guidelines with a 10-foot average side setback. It is staff's opinion the buildings incorporate variation in depth of floor plans, rooflines, multiple building planes, and offsets to provide architectural interest and visual relief from off-site. The second floor windows are placed so as to minimize privacy impacts and direct views into windows on the adjacent properties.

## **GENERAL PLAN CONFORMITY**

The property has a General Plan designation of Medium Density Residential. Under this designation two dwelling unit are allowed on the subject property. Therefore, the proposal is consistent with the use and density allowed by the City's General Plan. Approval of the condominiums will also satisfy General Plan Goal LU-1A.4 that encourages additional home ownership opportunities in the City.

## **ALTERNATIVES**

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

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

**ENVIRONMENTAL DETERMINATION**

The project is exempt from the provisions of the California Environmental Quality Act under Section 15303 for New Construction.

**CONCLUSION**

The proposed development satisfies all applicable Code requirements and the intent of the residential design guidelines. Approval of the project will allow redevelopment of the lot and provide additional home ownership opportunities in the City.

Attachments:       Draft Planning Commission Resolution  
                          Exhibit "A" - Draft Findings  
                          Exhibit "B" - Draft Conditions of Approval  
                          Applicant's Project Description and Justification  
                          Zoning/Location Map  
                          Plans

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

Jim Stern  
181 Possum Hollow  
Anaheim Hills, CA 92808

Arne Valenti  
158 North Glassell St., Ste. 203  
Orange, CA 92866

File: 012207PA0660	Date: 010907	Time: 8:00 a.m.
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RESOLUTION NO. PC-07- 09

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF COSTA MESA APPROVING PLANNING  
APPLICATION PA-06-60**

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

WHEREAS, an application was filed by Arne Valenti, authorized agent for property owner Jim Stern, with respect to the real property located at 244 Knox Street, requesting approval of a design review to construct two, two-story condominium units in the R2-MD zone; and

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

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", and subject to the conditions contained in Exhibit "B", the Planning Commission hereby **APPROVES** Planning Application PA-06-60 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-06-60 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B". Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

**PASSED AND ADOPTED this 22<sup>nd</sup> day of January 2007.**



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Bill Perkins, Chair  
Costa Mesa Planning Commission



## EXHIBIT "A"

**FINDINGS**

- A. 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 on site as well as those on surrounding properties.
  - b. Safety and compatibility of the design of the building and other site features, including functional aspects of the site development, have been considered.
  - c. The project is consistent with the General Plan designation of Medium Density Residential. Under this designation two dwelling units are allowed on the subject property and two dwelling units are proposed. Approval of the condominiums will also satisfy General Plan Goal LU-1A.4 that encourages additional home ownership opportunities in the City.
  - d. The planning application is for a project-specific case and does not establish a precedent for future development.
- B. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(14) in that the proposed development is substantially compatible and harmonious with existing and/or anticipated development on surrounding properties. This includes site planning, landscaping, appearances, scale of structures, location of windows, and any other applicable features relative to a compatible and attractive development. Specifically, the project is consistent with the City's General Plan and Zoning Code, and the City's Residential Design Guidelines. The project is of a character and scale compatible with the neighborhood. The buildings incorporate multiple building planes and offsets, and elevations with stepping forms both horizontally and vertically to provide architectural interest. The second story windows are also placed so as to minimize privacy impacts and direct views into windows of adjacent residences. Approval of the condominium units will also provide additional home ownership opportunities in the City.
- C. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City's environmental procedures, and has been found to be exempt from CEQA under Section 15303 for New Construction.
- 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. The approved address of individual units (A and B) shall be blueprinted on the site plan and on all floor plans in the working drawings as part of the plan check submittal package.
  2. Prior to issuance of building permits, applicant shall contact the US Postal Service with regard to location and design of mail delivery facilities. Such facilities shall be shown on the site plan, landscape plan, and/or floor plan.
  3. The subject property's ultimate finished grade level may not be filled/raised in excess of 30" above the finished grade of any abutting property. If additional fill dirt is needed to provide acceptable onsite stormwater flow to a public street, an alternative means of accommodating that drainage shall be approved by the City's Building Official prior to issuance of any grading or building permits. Such alternatives may include subsurface tie-in to public stormwater facilities, subsurface drainage collection systems and/or sumps with mechanical pump discharge in-lieu of gravity flow. If mechanical pump method is determined appropriate, said mechanical pump(s) shall continuously be maintained in working order. In any case, development of subject property shall preserve or improve the existing pattern of drainage on abutting properties.
  4. 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.
  5. The site plan submitted with initial working drawings shall contain a notation specifying the project is a 2-unit, common interest (condominium) development.
  6. The applicant shall contact the current cable company prior to issuance of building permits to arrange for pre-wiring for future cable communication service.
  7. Show method of screening for all ground-mounted equipment (backflow prevention devices, Fire Department connections, electrical transformers, etc.). Ground-mounted equipment shall not be located in any landscaped setback visible from the street, except when required by applicable uniform codes, and shall be screened from view, under the direction of Planning staff.
  8. Homeowners Association CC&Rs shall include a requirement that residents park in garages.
  9. 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.
  10. Applicant shall provide proof of establishment of a homeowner's association prior to release of any utilities.
  11. The conditions of approval, code requirements, and special district requirements of Planning Application PA-06-60 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
  12. The applicant shall contact the Planning Division to arrange for an

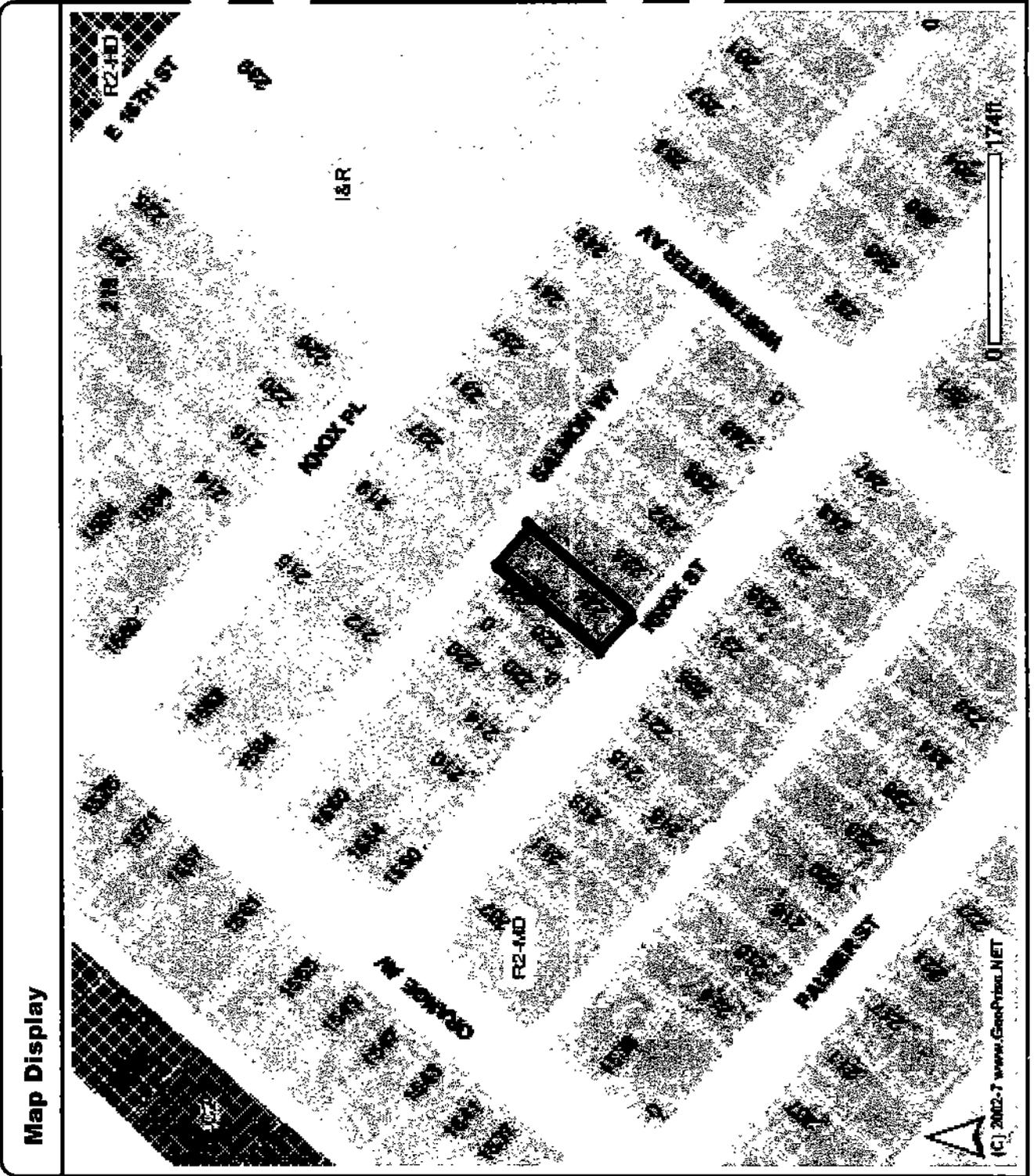
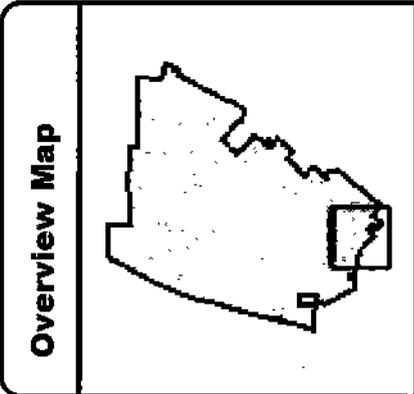
inspection of the site prior to the release of utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.

13. Grading, materials delivery, equipment operation, and other construction-related activity shall be limited to between the hours of 7 a.m. and 8 p.m., Monday through Friday, and 8 a.m. to 6 p.m. Saturday. Construction is prohibited on Sundays and federal holidays. Exceptions may be made for activities that will not generate noise audible from off-site, such as painting and other quiet interior work.
14. No modification(s) of the approved building elevations including, but not limited to, changes that increase the building height, additional second story windows, removal of building articulation, or a change of the finish material(s), shall be made during construction without prior Planning Division written approval. Failure to obtain prior Planning Division approval of the modification could result in the requirement of the applicant to (re)process the modification through a discretionary review process such as a design review or a variance, or in the requirement to modify the construction to reflect the approved plans.
15. 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.

Eng.

**City of Costa Mesa**

224 KNOX STREET - [Created: 1/2/2007 4:56:08 PM] [Scale: 173.61] [Page: 8.5 x 11 / Landscape]

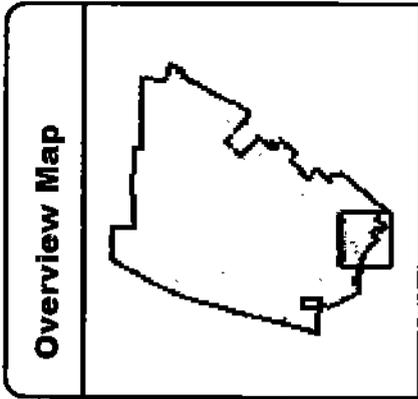


**Legend**

Address Medium	■	C1-S
Street Names	■	C2
Parcel Lines	■	CL
City Boundary	■	I&R
Boundary	■	I&R-S
Zoning	■	MG
AP	■	MP
C1	■	P
(cont)	■	PDC
	■	POI
	■	PDR-HD
	■	PDR-LD
	■	PDR-MD
	■	PDR-NCM
	■	RT
	■	(cont)

**City of Costa Mesa**

CITY OF COSTA MESA - [Created: 10/17/2006 9:25:32 AM] [Scale: 51.47] [Page: 8.5 x 11 / Landscape]



**Legend**

Address Large	Primary Secondary Waterway Lines	Hydrology Channels	Street Names
Address Points	Freeway Roads	Collector Freeway Major	Newspout BLVD (cont.)









