



PLANNING COMMISSION AGENDA REPORT

VI.1

MEETING DATE: MAY 27, 2008

ITEM NUMBER

SUBJECT: TRACT MAP T-17248 FOR A 7-UNIT RESIDENTIAL COMMON-INTEREST DEVELOPMENT AT 616 CENTER ST. AND 613 PLUMER ST.

DATE: MAY 3, 2008

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

DESCRIPTION

This subdivision application was continued from the Planning Commission meeting of April 14, 2008. Planning Commission approved Master Plan PA-07-31 for the Coastal Heights project. Tentative Tract Map T-17248 involves the subdivision of the property for condominium purposes.

APPLICANT

Justin McMillen of InHabitation Design is the authorized agent.

RECOMMENDATION

Adopt resolution for approval of Tentative Tract Map T-17248.

Claire L. Flynn

CLAIRE L. FLYNN, AICP
Principal Planner

Kimberly Brandt

KIMBERLY BRANDT, AICP
Assistant Dev. Svs. Director

BACKGROUND

On March 24, 2008, the Planning Commission approved Master Plan PA-07-31 for a proposed 7-unit development in the Mesa West Residential Ownership Urban Plan area. Revisions to the proposed master plan were made to address many of the Planning Commission's and community's concerns. The revisions related to:

- Modification of the project to reduce bulk/scale/massing of the building to be congruous with the surrounding neighborhood.
- Increased side setbacks of the building to enhance sense of space with abutting neighbors to the right and left.
- Compliance with Code-required parking.

The tentative tract map was continued to allow the applicant sufficient time to address the necessary changes to the tract map as a result of the recent revisions to the proposed project.

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.

Project Description

The proposed tentative tract made involves subdivision of the property into a common-interest development for condominium purposes. The tract map would allow an airspace subdivision of the property into seven units (maximum). The recordation of the map allows these units to be sold individually as condominiums, and park fees in the amount of \$96,803 would be remitted to the City prior to final map approval.

The recordation of the tract map is required to construct the Coastal Heights development because it was approved as a common-interest development.

GENERAL PLAN CONFORMITY

The proposed subdivision affects only how the units may be sold; as a result, there will be no effect on the City's General Plan.

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 options:

1. Approve Tentative Tract Map. Staff finds the tentative map in substantial compliance with the Subdivision Map Act and Zoning Code. The subdivision would allow the seven units to be sold as condominiums and establishment of a homeowner's association.
2. Deny Tentative Tract Map. This denial would result in the following: Denial of the Tract Map will constitute a denial of the previously-approved Master Plan. The 7-unit Master Plan project was contingent upon the project being subdivided and sold as airspace condominiums. A denial of the condominium map would make it necessary for the applicant to resubmit another Master Plan for consideration.

CONCLUSION

The approval of the tentative tract map would achieve an important objective for homeownership in the Mesa West Bluffs Residential Ownership Urban Plan area. Staff does not anticipate any land use impacts as a result of the subdivision map. Approval of the tentative map will allow the legal subdivision for individual ownership purposes.

Attachments: 1 Planning Commission resolution (for approval and denial)
2 Tentative Tract Map

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

RESOLUTION NO. PC-08-_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING 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), maximum size of residential loft areas, and side setbacks (5 feet required, 0 to 4 feet proposed);

WHEREAS, a duly noticed public hearing was held by the Planning Commission on May 27, 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, on March 24, 2008, Planning Commission approved Master Plan PA-07-31 on a 5-0 vote;

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;

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** 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 reports 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 27TH day of May 2008.

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 May 27, 2008 by the following votes:

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

Secretary, Costa Mesa
Planning Commission

EXHIBIT "A"**FINDINGS**

- A. The subdivision complies with Costa Mesa Municipal Code Section 13-29 (e) because:
 - a. The subdivision is consistent with the General Plan.
 - b. The planning application is for a project-specific case and does not establish a precedent for future development.
- B. 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 15315.
- C. 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.
- D. 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. The proposed subdivision of the property for residential condominiums is consistent with the City's General Plan and Zoning Code.
- E. 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.
- F. 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.
- G. The design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision, as required by Government Code Section 66473.1.
- 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.

EXHIBIT "B"

CONDITIONS OF APPROVAL

- PIng. 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. Applicant shall provide proof of establishment of a homeowner's association prior to release of any utilities.
- Eng. 3. 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.
- 4. Applicant shall comply with all of the requirements as set forth in the City Engineer's letter attached.
- 5. Applicant shall detain on-site a Q25 (the maximum storm event in a 25 year period) for 24 hours. This is a condition for the development.
- Bldg. 6. Applicant shall contact the Building Safety Division, prior to recordation of the final tract map, to provide proof that the Uniform Building Code requirements for condominiums have been satisfied.



CITY OF COSTA MESA

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

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 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.

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WHEREAS, an application was filed by Justin McMillen of InHabitat 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, a duly noticed public hearing was held by the Planning Commission on May 27, 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;

BE IT RESOLVED that, based on the evidence in the record, and findings provided as Exhibit "A1," the Planning Commission **HEREBY DENIES** Tentative Tract Map T-17248;

PASSED AND ADOPTED this 27TH day of May 2008.

DONN HALL, Chair
Costa Mesa Planning Commission

**Exhibit A1
FINDINGS**

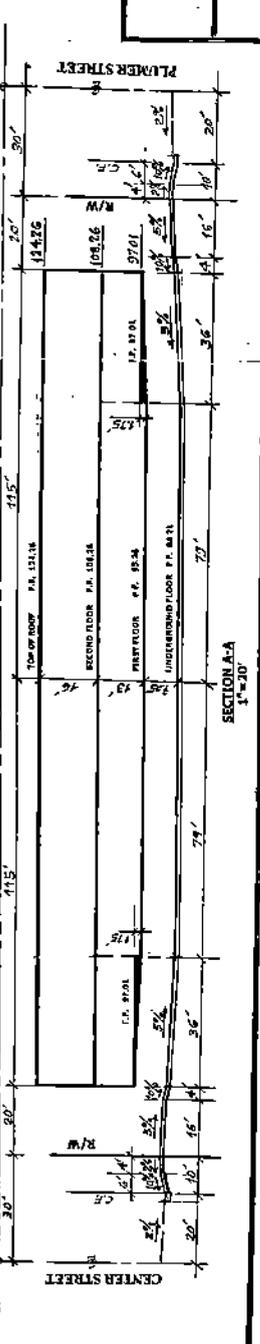
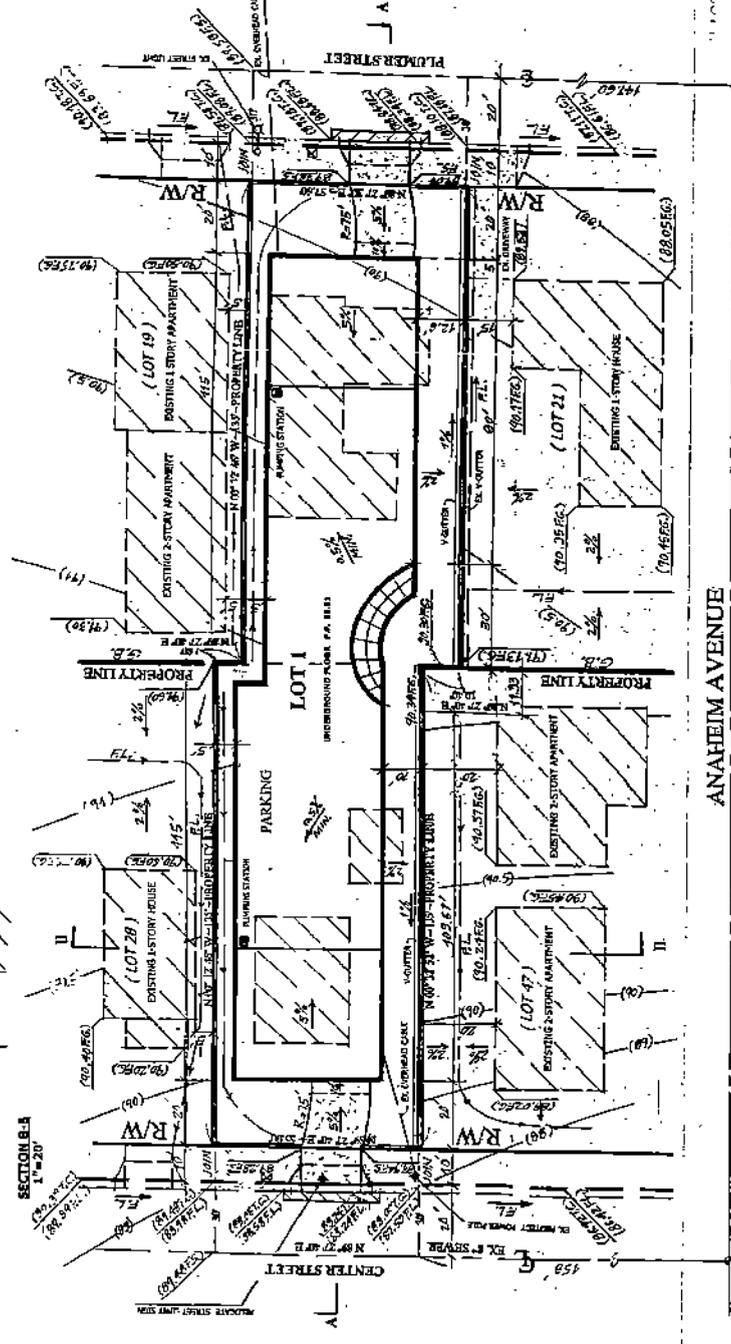
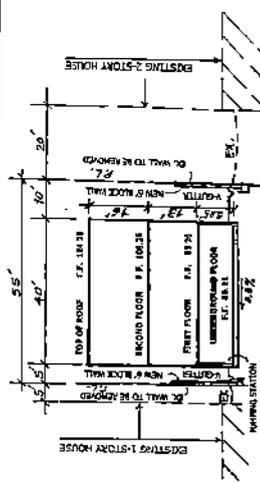
- A. The proposed use of the subdivision is not compatible with the objectives, policies, general plan land use designation, and programs specified in the City of Costa Mesa 2000 General Plan.
- B. The project proposes a maximum density of 20 dwelling units per acre as allowed by the General Plan and overlay zone. Pursuant to Section 13-29(g)(13) of the Municipal Code, the subject property is not physically suitable to accommodate Tentative Tract Map T-17248 in terms of type, design and density of development.

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.



PROPERTY OWNER: INHABITATION DESIGN INC.
616 CENTER STREET
COSTA MESA, CA 92627
ATTN: JUSTIN D. MCKILLEN

PROPERTY ADDRESS: 616 CENTER STREET & 613 PLUMER STREET
COSTA MESA, CA 92627

ASSESSOR'S MAP: LOT 27 (APN. 424-212-27)
LOT 20 (APN. 424-212-20)
BOOK 424, PAGE 212 IN ORANGE COUNTY

ENGINEER: C.N. ASSOCIATES
33 PRAIRIE FALCON
ALISO VIEJO, CA 92656
(949) 830-5440

LEGAL DESCRIPTION: NEWPORT MESA TRACT, LOT 402 E 55 FT W 173 FT S, 165 FT 710 S 17
NEWPORT MESA TRACT, LOT 402 WLY 57.60 FT ELY 203.20 FT
EASLY 154 FT & NLY 30 FT 78 S 17
NEWPORT MESA TRACT, LOT 408 (M.M. 5-1)

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

WATER AND SEWER: WATER: MESA CONSOLIDATED WATER DISTRICT
SEWER: COSTA MESA SANITARY DISTRICT

DRAINAGE: NO CROSS LOT DRAINAGE OCCURS INTO THE SITE OR FROM THE SITE INTO ADJACENT PROPERTIES.
NO EXISTING WATERCOURSES CROSS THE PROPERTIES.

FLOOD ZONE: ZONE X, CITY OF COSTA MESA ID 060216
(AREA OF 0.26% ANNUAL CHANCE FLOOD)

AREA: GROSS: 18,597 S.F. (0.42 A.C.)
NET: 15,201 S.F. (0.35 A.C.)

PLANNING DIVISION - COMMUNITY DEVELOPMENT DEPARTMENT
CITY OF COSTA MESA

TENTATIVE TRACT MAP 17248
PROJECT ADDRESS: 616 CENTER STREET & 613 PLUMER STREET,
CITY OF COSTA MESA, CA 92627

C.N. & ASSOCIATES
31 PRAIRIE FALCON
ALISO VIEJO, CA 92656
TEL: (949) 830-5440, (949) 300-2001

LAN M. PHAM, P.E.
REGISTERED PROFESSIONAL ENGINEER
DATE: 4/22/08



APR 24 2008