



PLANNING COMMISSION AGENDA REPORT

VI.4

MEETING DATE: JUNE 9, 2008

ITEM NUMBER:

**SUBJECT: PLANNING APPLICATION PA-07-55 AND PARCEL MAP PM-08-101
2246 ELDEN AVENUE**

DATE: MAY 29, 2008

FOR FURTHER INFORMATION CONTACT: WENDY SHIH, ASSOCIATE PLANNER (714)754.5136

DESCRIPTION

The applicant is proposing to construct a two-unit, two-story condominium project with a parcel map to allow the two homes to be sold independent of one another.

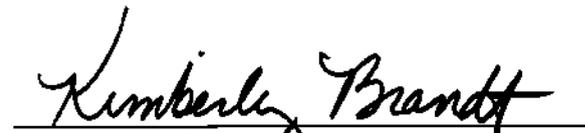
APPLICANT

Nanci Glass is the authorized agent for property owner, Frank DiFerdinando.

RECOMMENDATION

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


WENDY SHIH
Associate Planner


KIMBERLY BRANDT, AICP
Asst. Development Services Director

PLANNING APPLICATION SUMMARY

Location: 2246 Elden Avenue Application: PA-07-55/PM-08-101

Request: Design review to construct a two-unit, two-story condominium project that does not meet the Residential Design Guidelines with a minor modification to encroach four feet into the required 20-foot rear setback for a second-floor bedroom and a parcel map to facilitate the subdivision.

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>Corner lot</u>	East:	<u>residentially zoned</u>
Lot Area:	<u>7,244 SF</u>	West:	<u>and developed.</u>
Existing Development:	<u>Single-family residence (to be demolished).</u>		

DEVELOPMENT STANDARD COMPARISON

<u>Development Standard</u>	<u>Required/Allowed</u>	<u>Proposed/Provided</u>	
Lot Size:			
Lot Width	100 FT	60 FT ¹	
Lot Area	12,000 SF	7,244 SF ¹	
Density:			
Zone/General Plan	1 du/3,630 SF	1 du/3,622 SF	
Building Coverage:			
Buildings	N/A	47% (3,425 SF)	
Paving	N/A	10% (748 SF)	
Open Space	Minimum 40% (2,897 SF)	42% (3,071 SF)	
TOTAL	100%	100%	
Private Open Space:	Minimum 10 FT dimension	Minimum 10 FT dimension	
Building Height:	2 stories/27 FT	2 stories/27 FT	
Ratio of 2 nd floor to 1 st floor ² :	80% (2,740 SF)	74% (2,524 SF)	
Setbacks:			
Front	20 FT	20 FT	
1 st Floor Side (left/right)	10 FT/5 FT	10 FT/5 FT	
2 nd Floor Side ² (right)	10 FT average	Front Unit 12 FT average	Rear Unit 8.6 FT average
Rear (1 st floor/2 nd floor)	10 FT/20 FT	10FT/16FT ³	
Rear Yard Coverage:	25% (300 SF) maximum	255 SF	
Parking:			
Covered	4	4	
Open	4	4	
TOTAL	8 Spaces	8 spaces	
CEQA Status	Exempt, Class 3		
Final Action	Planning Commission		

- 1 Existing, nonconforming.
- 2 Residential design guidelines.
- 3 Minor modification requested.

PROJECT DESCRIPTION

The property is located in the Eastside, on the southeast corner of Cecil Place and Elden Avenue. The area is developed with a mix of single- and multi-family residences constructed in the 1920's to the 1970's. The lot contains a single-family residence. The applicant proposes to demolish the residence and to construct two attached, two-story condominium units with a parcel map that would allow the homes to be sold independent of one another.

ANALYSIS

Design Review

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.

To minimize second story mass, the City's residential design guidelines recommend that the second floor not exceed 80 percent of the first floor area and the second story be set back an average of 10 feet from the interior (right) side property line. The proposed second- to first- floor ratio is 74 percent. The second floors of the two units are detached. The front unit provides an average side setback of 12 feet; however, the rear unit has an average of 8.6 feet. Staff believes that the building meets the intent of the design guidelines because it incorporates variation in depth of floor plans, rooflines, multiple building planes, and offsets to provide architectural interest and visual relief from offsite.

Staff has conducted a field inspection and believes that the proposed development would not negatively impact the surrounding properties or aesthetics of the neighborhood. There are several two-story residences in the area so it would not appear out of place or obtrusive. The second-floor windows are also placed so as to minimize privacy impacts and direct views into windows on the adjacent properties.

Minor Modification

The applicant requests approval of a minor modification to encroach four feet (20 percent) into the required 20-foot rear setback for a second-floor bedroom. The encroachment is for a 16-foot section of the 43-foot second-floor elevation. Staff believes the 16-foot section breaks up the second-floor wall plane and results in visual interest. Since, the second-floor overlooks a single-story residence on the adjacent lot, staff believes the minor encroachment would not create a negative impact on that property.

Parcel Map

The applicant proposes a parcel map to allow each unit to be sold separately. The map is consistent with City Codes and the State Subdivision Map Act. A condition is

included requiring a provision in the CC&Rs for the use of garages for parking purposes only.

GENERAL PLAN CONFORMITY

The property has a General Plan designation of High Density Residential. Under this designation two dwelling units are allowed on the 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

With exception of the minor modification for the second-floor rear setback, staff believes the proposed construction 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
 Zoning/Location Map
 Plans

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

Frank Diferdinando
P.O. Box 10715
Newport Beach, CA 92658

Nanci Glass
1421 N. Wanda Rd., #160
Orange, CA 92867

File: 060908PA0755PM08101	Date: 052908	Time: 9:45 a.m.
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RESOLUTION NO. PC-08-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA APPROVING PLANNING
APPLICATION PA-07-55 AND PARCEL MAP PM-08-101**

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

WHEREAS, an application was filed by Nanci Glass, authorized agent for property owner Frank DiFerdinando, with respect to the real property located at 2246 Elden Avenue, requesting approval of a design review to construct two, two-story condominium units with a minor modification to encroach four feet into the required 20-foot rear setback for a second-floor bedroom and a parcel map to facilitate the subdivision, in the R2-MD zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on June 9, 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-07-55 and Parcel Map PM-08-101 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-07-55 and Parcel Map PM-08-101 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 9th day of June 2008.

Donn Hall, Chair
Costa Mesa Planning Commission

EXHIBIT "A"**FINDINGS (approval)**

- 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 section 13-29(g)(6) of the Costa Mesa Municipal Code in that the four-foot encroachment into the required 20-foot rear setback for a second-floor bedroom will not be materially detrimental to the health, safety and general welfare of persons residing or working within the immediate vicinity of the project or to property and improvements within the neighborhood. The improvement is compatible and enhances the architecture and design of the existing and anticipated development in the vicinity. This includes the appearance and scale of the structure and any other features relative to a compatible and attractive development.
- C. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(14) in that the proposed development, as conditioned, 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.
- D. The proposed subdivision is consistent with the City's General Plan and Zoning Ordinances.
- E. The subject property is physically suitable to accommodate PM-08-101 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.

- F. 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.
- G. The subdivision and development of the property will not unreasonably interfere with the free and complete exercise of the public entry and/or public utility rights-of-way and/or easements within the tract.
- H. The discharge of sewage from this subdivision into the public sewer system will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000 of the Water Code).
- I. 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.
- J. 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 two-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-07-55 and Parcel Map PM-08-101 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. The project is subject to compliance with all applicable federal, state, and local laws. A copy of the applicable Costa Mesa Municipal Code requirements has been forwarded to the Applicant and, where applicable, the Authorized Agent, for reference.
16. 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.

RESOLUTION NO. PC-08-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA DENYING PLANNING APPLICATION
PA-07-55 AND PARCEL MAP PM-08-101**

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

WHEREAS, an application was filed by Nanci Glass, authorized agent for property owner Frank DiFerdinando, with respect to the real property located at 150 2246 Elden Avenue, requesting approval of a design review to construct two, two-story condominium units with a minor modification to encroach four feet into the required 20-foot rear setback for a second-floor bedroom and a parcel map to facilitate the subdivision, in the R2-MD zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on June 9, 2008.

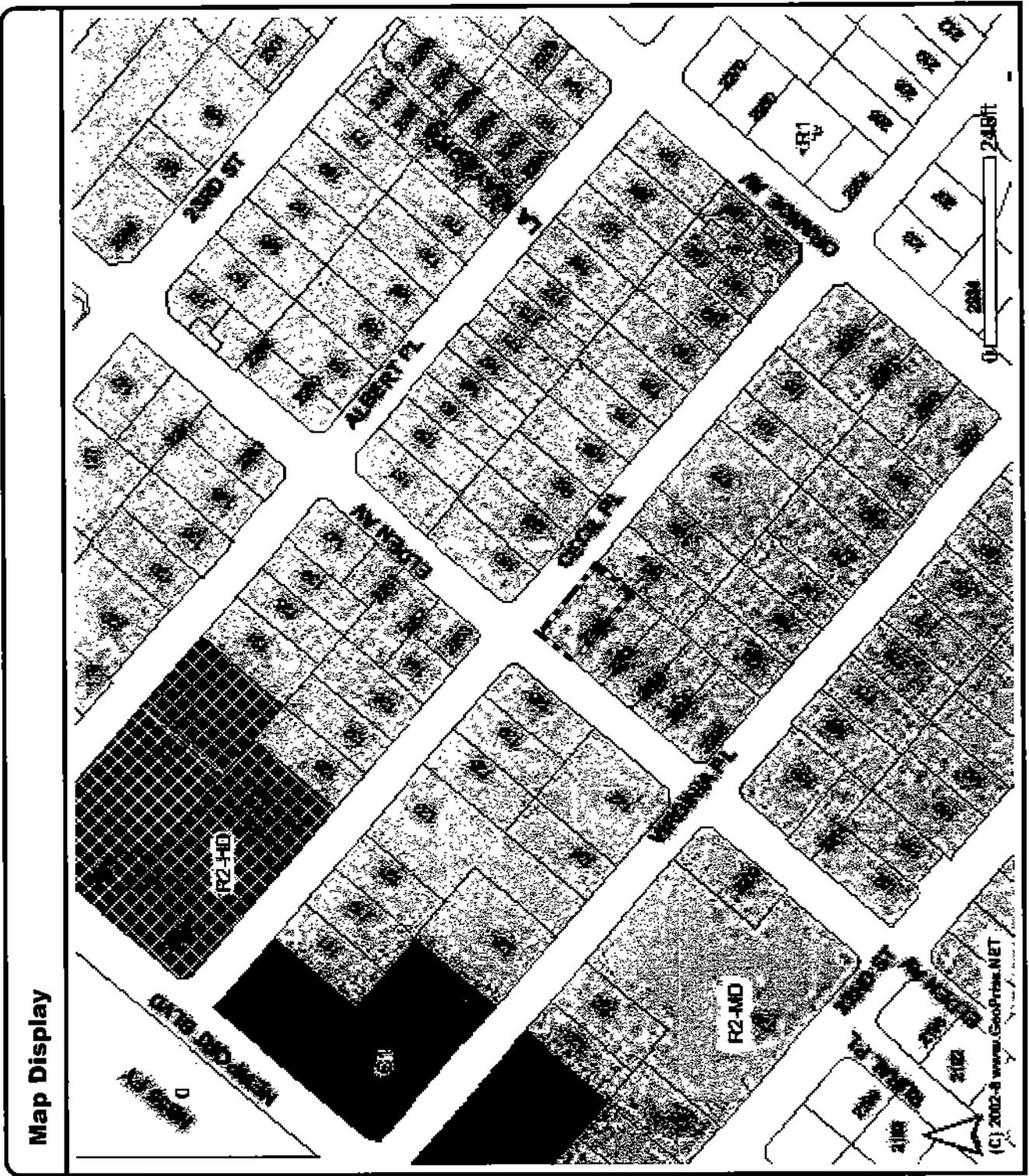
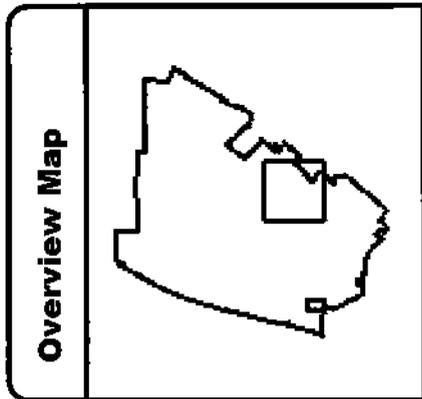
BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", the Planning Commission hereby **DENIES** Planning Application PA-07-55 and Parcel Map PM-08-101 with respect to the property described above.

PASSED AND ADOPTED this 9th day of June 2008.

Donn Hall, Chair
Costa Mesa Planning Commission

EXHIBIT "A"**FINDINGS (denial)**

- A. The proposed project does not comply with Costa Mesa Municipal Code Section 13-29 (e) because:
- a. The proposed development and use is not 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 not consistent with the General Plan designation of Medium Density Residential.
 - d. The planning application is for a project-specific case and does not establish a precedent for future development.
- B. The information presented does not comply with section 13-29(g)(6) of the Costa Mesa Municipal Code in that the four-foot encroachment into the required 20-foot rear setback for a second-floor bedroom will be materially detrimental to the health, safety and general welfare of persons residing or working within the immediate vicinity of the project or to property and improvements within the neighborhood. The improvement is not compatible and does not enhance the architecture and design of the existing and anticipated development in the vicinity.
- C. The information presented does not comply with Costa Mesa Municipal Code Section 13-29(14) in that the proposed development is not 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. The project is not consistent with the City's General Plan and the Residential Design Guidelines.
- D. 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.
- E. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

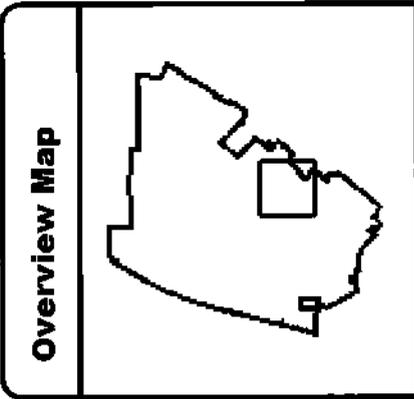


Legend

Address Small	Parcel Lines	City Boundary	Water Ways	Zoning
Waterway Lines	Hydrology Channel-5	Street Names	AP	C1
			C1-S	C1-S (cont)

City of Costa Mesa

2246 ELDEN AVENUE - [Created: 5/25/2008 1:54:34 PM] [Scale: 133.9] [Page: 8.5 x 11 / Landscape]



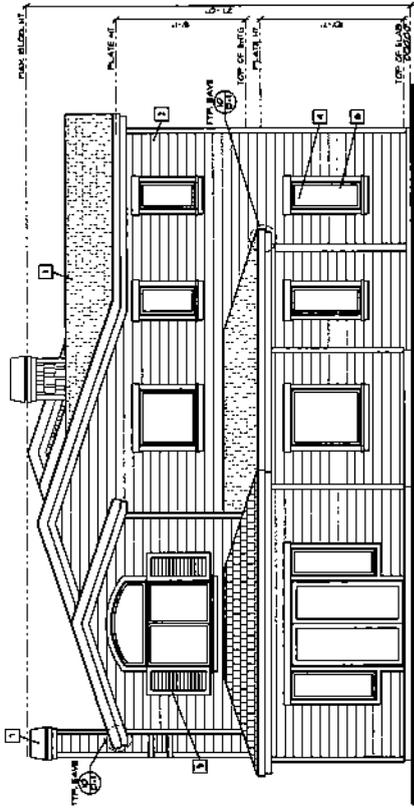
Legend

Address Medium	Parcel Lines
Waterway Lines	City Boundary
Hydrology Channels	Water Ways
Street Names	Level 1 Ortho Photo
	Ortho Photography

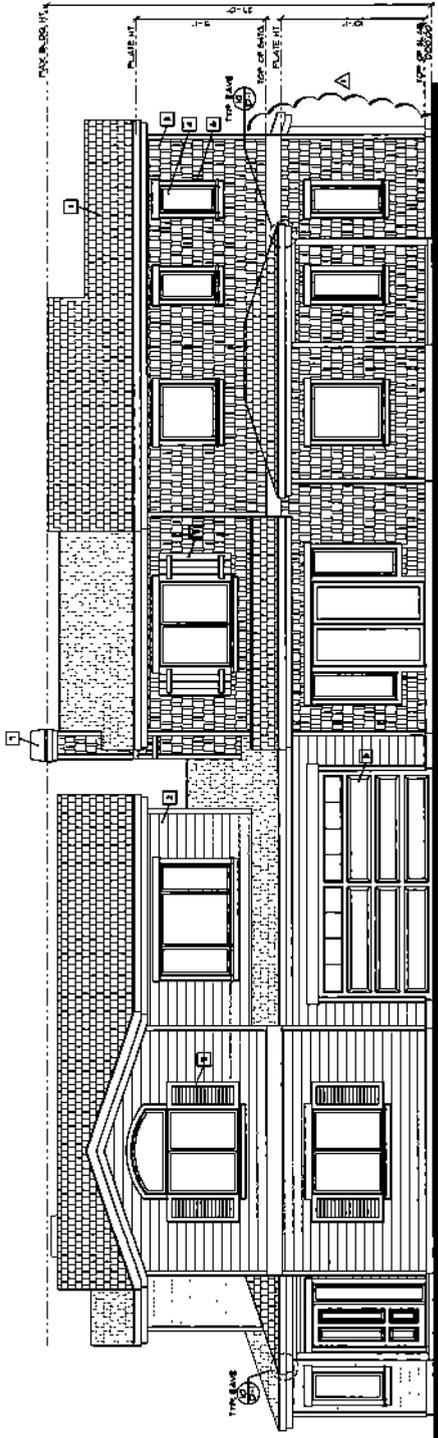
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EXTERIOR ELEVATION NOTES:

- 1. CONVENTIONAL ROOFING OF 30# BUILDING PAPER MANUFACTURED BY FAYATVILLE CORPORATION
- 2. METAL CLAP DOORS & WINDOWS TYPICAL
- 3. MANUFACTURED BY JAMES HARDIE BUILDING PRODUCTS INC.
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- 6. MANUFACTURED BY JAMES HARDIE BUILDING PRODUCTS INC.
- 7. METAL CLAP DOORS & WINDOWS TYPICAL
- 8. METAL CLAP DOORS & WINDOWS TYPICAL
- 9. PAINTED WOOD SHUTTERS & DOORS & WINDOWS TYPICAL
- 10. CURTAIN W/ APPROVED SHADE, ANTI-FOG
- 11. STREET ADDRESS PER PERMITS SUBMITTED
- 12. WOOD SHUTTERS
- 13. DECORATIVE CEILING VENT



EAST ELEVATION
 1/4" = 1'-0"

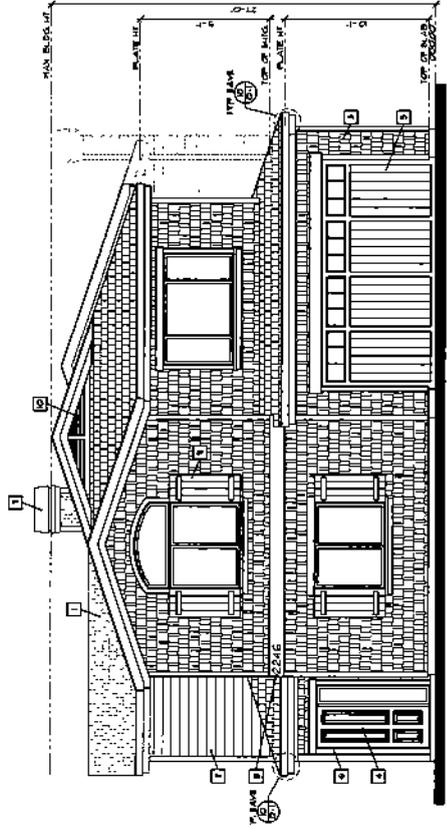


NORTH ELEVATION
 1/4" = 1'-0"

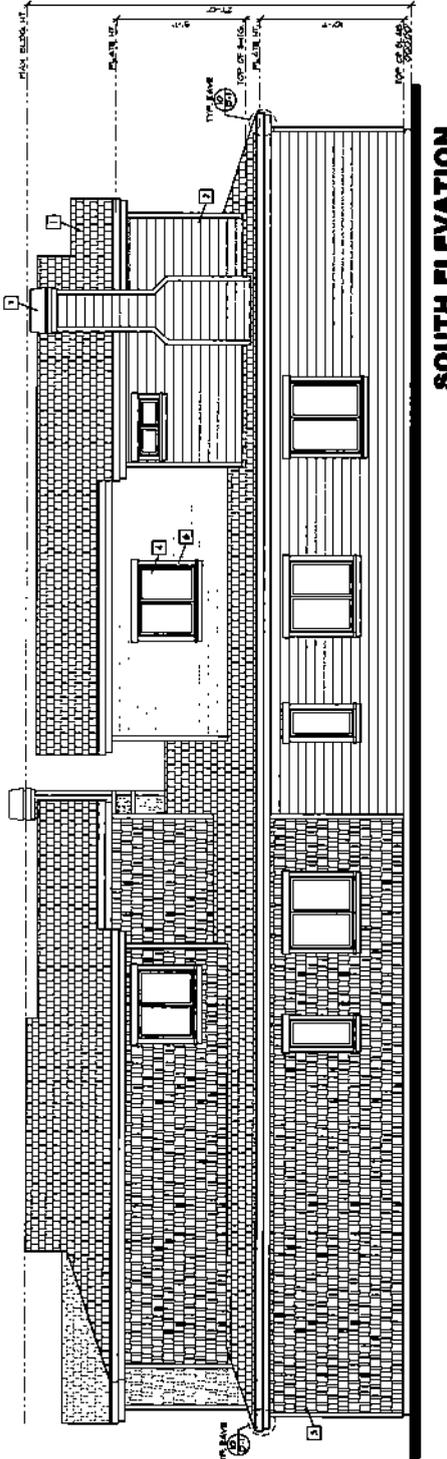
SYMBOL LEGEND:

- 1. METAL CLAP DOORS
- 2. METAL CLAP WINDOWS
- 3. DECORATIVE CEILING VENT

- EXTERIOR ELEVATION KEYNOTES**
- 1. CONSTRUCTION DETAILS ON NOT SHOWN PAPER
 - 2. MANUFACTURER OR MATERIALS CORPORATION
 - 3. FINISHES TO BE USED AS SHOWN OR IN ACCORDANCE WITH
 - 4. MANUFACTURER'S INSTALLATION INSTRUCTIONS
 - 5. MANUFACTURER'S INSTALLATION INSTRUCTIONS
 - 6. MANUFACTURER'S INSTALLATION INSTRUCTIONS
 - 7. MANUFACTURER'S INSTALLATION INSTRUCTIONS
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 - 17. MANUFACTURER'S INSTALLATION INSTRUCTIONS
 - 18. MANUFACTURER'S INSTALLATION INSTRUCTIONS
 - 19. MANUFACTURER'S INSTALLATION INSTRUCTIONS
 - 20. MANUFACTURER'S INSTALLATION INSTRUCTIONS



WEST ELEVATION
1/8" = 1'-0"



SOUTH ELEVATION
1/8" = 1'-0"

