



PLANNING COMMISSION AGENDA REPORT

VII.3

MEETING DATE: NOVEMBER 24, 2008

ITEM NUMBER:

**SUBJECT: PLANNING APPLICATION PA-07-15 (TIME EXTENSION)
2013 THROUGH 2029 ANAHEIM AVENUE**

DATE: NOVEMBER 13, 2008

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

DESCRIPTION

The applicant is requesting an extension of time for a master plan to construct a three story, 26-unit, condominium project ("Beachside Townhomes").

APPLICANT

The applicant is Al Mozayeni of ABCO Realty and Investment Inc., authorized agent for Beachside Properties LLC., the property owners.

RECOMMENDATION

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

Handwritten signature of Mel Lee in black ink.

MEL LEE, AICP
Senior Planner

Handwritten signature of Kimberly Brandt in black ink.

KIMBERLY BRANDT, AICP
Asst. Development Services Director

BACKGROUND/ANALYSIS

The property is 1.35 acres in size and is located in the City's Westside as well as the Mesa West Residential Ownership Urban Plan area. The property is zoned R3 and abuts multi-family zoned property on all sides; however, some of the immediate properties to the west contain single-family residences.

On October 8, 2007, Planning Commission, on a 5-0 vote, approved the master plan for the three-story, 26-unit, condominium project with the following deviations from the residential development standards:

- Tandem Parking (required to be provided in an open carport, proposed in an enclosed garage);
- Minimum open space (40% required; 37% proposed);
- Lot coverage (60% maximum; 63% proposed);
- Rear lot coverage (maximum 25% allowed; 40% proposed);
- Driveway parkway landscaping (10 feet required; less than 6 inches proposed);
- Front setback (20 feet required; 8 feet 4 inches proposed to the front entry trellis); and
- Rear setback (20 feet required; 15 feet proposed).

The Commission also approved Tentative Tract Map T-17198 to allow the residences to be sold independent of one another.

The Planning Staff Report and meeting minutes for PA-07-15 can be found on the City website at the links below:

Report:

<http://www.ci.costa-mesa.ca.us/council/planning/2007-10-8/100807PA0715T17198.pdf>

Minutes:

http://www.ci.costa-mesa.ca.us/council/planning/pm_071008.pdf

The applicant submitted plans to the Building Safety Division for plan check on May 20, 2008, however, he was not able to secure financing to obtain building permits and proceed with construction. The approval for Tentative Tract Map T-17198, which was processed concurrently with the master plan, does not need to be extended because map approvals are valid for three years.¹ Since the project as approved under the master plan cannot proceed without the tract map, and because the tract map will not expire for another two years, staff recommends that the time extension for the master plan approval expire on the same date as the tentative map approval (October 8, 2010).

¹ In July 2008, the two-year approval period for maps was automatically extended an additional year by the State Legislature.

ALTERNATIVES

If the extension is denied, the master plan approval will expire and the applicant will not be able to proceed with the project as proposed. The applicant could not file a similar request for six months.

CONCLUSION

The extension, if approved, would allow additional time for the applicant to obtain financing so the previously approved project can proceed. Therefore, staff supports the extension.

- Attachments:
1. Draft Planning Commission Resolutions and Exhibits
 2. Extension Request
 3. Location Map
 4. Plans

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

Al Mozayeni
ABCO Realty
18552 MacArthur Blvd., Suite 102
Irvine, CA 92612

File: 112408PA0715EXT	Date: 111308	Time: 8:30 a.m.
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ATTACHMENT 1

RESOLUTION NO. PC-08-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA APPROVING AN EXTENSION OF
TIME FOR PLANNING APPLICATION PA-07-15**

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

WHEREAS, on October 8, 2007, Planning Commission approved Planning Application PA-07-15 by adoption of Resolution No. PC-07-73, attached hereto as Exhibit "1"; and

WHEREAS, a request for an extension of time was filed by Al Mozayeni of ABCO Realty; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on November 24, 2008; and

WHEREAS, the time extension does not change the previously-adopted findings and conditions of approval for Planning Application PA-07-15, as specified in Exhibits "A" and "B" respectively, of Resolution No. PC-07-73. These findings and conditions of approval in their entirety are still applicable to the proposed project.

BE IT RESOLVED that, based on the evidence in the record, the Planning Commission hereby **APPROVES** an extension of time for Planning Application PA-07-15 to **October 8, 2010** 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-07-15. This action is also based on the evidence in the record and findings and subject to the applicant's compliance with each and all of the conditions as specified in Resolution No. PC-07-73.

PASSED AND ADOPTED this 24th day of November, 2008.

Donn Hall, Chair
Costa Mesa Planning Commission

EXHIBIT 1

RESOLUTION NO. PC-07-73

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING THE FOLLOWING: (1) PLANNING APPLICATION PA-07-15, INCLUDING MASTER PLAN FOR A 3-STORY, 26-UNIT, RESIDENTIAL COMMON-INTEREST DEVELOPMENT AND SPECIFIED DEVIATIONS FROM DEVELOPMENT STANDARDS; AND (2) VESTING TRACT MAP VT-17198, FOR A 1.35 ACRE PROPERTY LOCATED IN THE MESA WEST RESIDENTIAL OWNERSHIP URBAN PLAN AT 2013-2029 ANAHEIM AVENUE IN AN R3 ZONE AND MIXED-USE OVERLAY ZONE.

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

WHEREAS, an application was filed by Al Mozayeni of ABCO Realty for Planning Application PA-07-15 and Vesting Tentative Tract Map VT-17198 with respect to the real property located at 2013-2029 Anaheim Avenue;

WHEREAS, the proposed project involves the following: (1) Planning Application PA-07-15 for a Master Plan for a three-story, 26-unit, multi-family attached residential common interest development, with requested deviations from development standards including tandem parking (required to be provided in an open carport; proposed in an enclosed garage), lot coverage (60% maximum; 63.1% proposed), open space (40% required; 36.9% proposed), rear lot coverage (maximum 25% coverage allowed; 40% proposed), driveway parkway landscaping (10 feet required; less than 6 inches proposed), and front setback, (20 feet required; 8 feet 4 inches proposed to the front entry trellis), rear setback (20 feet required; 15 feet proposed); and (2) Vesting Tentative Tract Map VT-17198 to subdivide the property for common-interest development purposes;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on October 8, 2007 to allow for public comment on the proposed project and with all persons having been given the opportunity to be heard both for and against the proposed project;

WHEREAS, the proposed project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and is considered an exempt activity under CEQA Guidelines Section 15332, Class 32, related to infill development;

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", subject to the conditions contained in Exhibit "B", the Planning Commission hereby **APPROVES** (1) Planning Application PA-07-15 for a Master Plan for a three-story, 26-unit, multi-family attached residential common interest development and (2) Vesting Tentative Tract Map VT-17198 to subdivide the property for condominium purposes, at 2013-2029 Anaheim Avenue in the Mesa West Residential Ownership Urban Plan area.

BE IT FURTHER RESOLVED that the Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the Staff Report for Planning Application PA-07-15/VT-17198 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B" 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 8TH day of October, 2007.



DONN HALL
Chair, Costa Mesa
Planning Commission

EXHIBIT "A"**FINDINGS**

- A. Planning Application PA-07-15/VT-17198 is consistent with the goals, policies, objectives, and/or regulations of the General Plan, Zoning Code, and Mesa West Residential Ownership Urban Plan. The proposed three-story, condominium development is a new type of urban housing in the area that complies with the important objectives of the Residential Ownership Urban Plan: to promote Westside revitalization through homeownership, encourage owner-occupied housing, and apply flexible development standards to stimulate ownership housing. The project meets the purpose and intent of the mixed-use overlay district, and the stated policies of the Mesa West Residential Ownership Urban Plan. The proposed 26-unit residential condominium project will meet the central objectives of Urban Plan to revitalize the Westside and create new homeownership opportunities. The proposed density at 1 unit per 2,253 sq. ft. is within the density limits of 20 units per acre allowed in the General Plan and Urban Plan.
- B. The proposed project complies with Title 13, Section 13-83.52(c), Mixed-Use Overlay District, of the Municipal Code because the Master Plan is found to exhibit excellence in design, site planning, integration of uses and structures and protection of the integrity of neighboring development. The proposed project complies with the Urban Plan to provide additional amenities or innovation in exchange for flexible development standards. The project includes adequate resident-serving amenities in the common and private open space areas. Overall the proposed master plan represents a desirable product type in conformance with the City's policy documents.
- C. The proposed project complies with Title 13, Section 13-83.52(d), Mixed-Use Overlay District, of the Municipal Code because:
- a) The strict interpretation and application of the Zoning Code's development standards would result in practical difficulty inconsistent with the purpose and intent of the General Plan and Mesa West Residential Ownership Urban Plan. The proposed master plan does not strictly conform to development standard related to open space, lot coverage, rear yard coverage, front/rear setbacks, landscape parkway requirements, and tandem parking in enclosed garages. However, the Urban Plan allows deviations from these requirements because the proposed project better achieves the purposes and intent of the General Plan and Urban Plan. Deviation from development standards would still result in a well-designed housing project that is considered compatible with the neighborhood.
 - b) The granting of the deviation results in a common interest development which exhibits excellence in design, site planning, integration of uses and structures, and compatibility standards for residential development.
 - c) The granting of a deviation will not be detrimental to the public health, safety, or welfare, or be materially injurious to properties or improvements in the vicinity. No adverse impacts from implementation of the proposed project are identified.
 - d) The long-term vision of the Mesa West Residential Ownership Urban Plan is to encourage marginal residential properties to be redeveloped into ownership

housing. The strict application of code requirements for residential development standards would discourage redevelopment of this new type of urban housing and thereby deprive the property owner of special privileges afforded in the Urban Plan area. The requests for specified deviations are considered reasonable and would result in implementation of a residential ownership project supportive of the Urban Plan vision.

D. The proposed project complies with Title 13, Section 13-29(e), of the Municipal Code because:

- a) The proposed development and use is compatible and harmonious with uses both onsite as well as those on surrounding properties. Specifically, the proposed high-density residential development will replace existing residential apartments. New 6-foot tall perimeter block walls will provide noise attenuation and privacy from the adjacent residential properties. The recreational pool area, back yard areas, and private balconies are important amenities which provide useable open spaces for the homeowners.

Deviations from open space, lot coverage, and rear yard coverage are compensated by a combination of large backyards and balconies which exceed the minimum private open space requirements. Additionally, the project includes a common amenity area with landscaped areas and recreational facilities. Deviations from building setbacks are compensated by enhanced architectural treatment and varied building materials. A deviation from parkway landscape requirements is justified to allow for compliance with driveway design standards. A deviation for tandem parking within an enclosed garage is allowed subject to conditions that the tandem parking areas be used for vehicle parking only and not be obstructed by storage items.

- b) Safety and compatibility of the design of the buildings, parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered. The project shall provide two standard residential drive approaches from Anaheim Avenue that shall include a control call box at both entries. The drive approaches shall be a minimum of 20' from the property line to avoid vehicle queuing from the public street.
 - c) The planning application is for a project-specific case and does not establish a precedent for future development in the overlay zone.
 - d) The cumulative effects of Planning Application PA-07-15, including approval of requested deviations, and Vesting Tentative Tract Map VT-17198 have been considered.
- E. The project meets the purpose and intent of the Mesa West Residential Ownership Plan related to an aesthetic analysis. An aesthetic analysis of the interface and compatibility between adjacent residential uses related to shade/shadow impacts, neighborhood character, and privacy, concluded that the project was found to be compatible with surrounding residential uses. The three-story complex features 15-foot side and rear setbacks to its abutting neighbors. Given that shade/shadow effects would still occur with a two-story structure, although the length of shadows would be comparatively shorter, and the majority of the shadow is cast on the neighboring driveway, these impacts are not

considered significant. Furthermore, since the Urban Plan area has been identified as a revitalization area, this new type of three-story, "urban village" concept is within the height limit allowed, and deemed compatible with, uses in the overlay zone.

- F. The project meets the purpose and intent of the Residential Design Guidelines which are intended to promote design excellence in new residential construction, with consideration given to compatibility with the established residential community. The proposed architecture exhibits design excellence and compatibility with the neighboring properties. Specifically, the townhomes feature Mediterranean architecture and varied building materials/surface treatments. The earthtone color scheme and quality building materials reinforce the urban village concept. The development features two accent colors, stucco/stone/siding surfaces, and painted steel balconies. The windows have fiber-cement trim. Additionally, the stone borders and custom-made garage doors are unique enhancements to the buildings.
- G. In accordance with State Law, the project has been reviewed for compliance with the California Environmental Quality Act and is considered an exempt activity under CEQA Guidelines Section 15332, Class 32, related to infill development. Thus, the evidence presented in the record as a whole indicates that the project will not individually or cumulatively have an adverse effect on the environment.
- H. The proposed project complies with minimum requirements for emergency response access. Due to the 235-foot depth of the lot, the City's Fire Department has required the installation of residential sprinkler systems for all 26 dwelling units.
- I. 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.
- J. 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).
- K. 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.
- L. Pursuant to Section 13-29(g)(13) of the Municipal Code, the subject property is physically suitable to accommodate Vesting Tentative Tract Map VT-17198 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.
- M. The subdivision will not unreasonably interfere with the free and complete exercise of the public entity and/or public utility rights-of-way and/or easements within the subdivision.
- O. The proposed residential use of the subdivision is compatible with the General Plan. The

approval of the subdivision will allow home ownership opportunities without impacting rental housing. This is consistent with the goals, objectives, and policies of the General Plan Land Use and Housing Element.

- P. 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.

EXHIBIT "B"

CONDITIONS OF APPROVAL

- Plng. 1. Address assignment shall be requested from the Planning Division prior to submittal of working drawings for plan check. The approved address of individual units, suites, buildings, etc, shall be blueprinted on the site plan and on all floor plans in the working drawings.
2. Prior to issuance of building permits, applicant shall contact the U.S. Postal Service with regard to location and design of mail delivery facilities. Such facilities shall be shown on the site plan, landscape plan, and/or floor plan.
3. The conditions of approval or code provisions of Planning Application PA-07-15/VT-17198 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.
4. All residential units shall be "for sale" units. The site shall not be developed for apartments or other non owner-occupied units. Prior to issuance of building plans for plancheck, applicant must submit a subdivision application for processing. The subdivision map must be final and recorded prior to issuance of building permits.
5. Street addresses shall be displayed on the front of each unit and on a complex identification sign visible from the street. Street address numerals shall be a minimum 6 inches in height with not less than 1/2-inch stroke and shall contrast sharply with the background.
6. The subject property's ultimate finished grade level may not be filled/raised unless necessary to provide proper drainage, and in no case shall it be raised in excess of 30 inches above the finished grade of any abutting property. If additional fill dirt is needed to provide acceptable on-site storm water flow to a public street, an alternative means of accommodating that drainage shall be approved by the City's Building Official prior to issuance of any grading or building permits. Such alternatives may include subsurface tie-in to public stormwater facilities, subsurface drainage collection systems and/or sumps with mechanical pump discharge in-lieu of gravity flow. If mechanical pump method is determined appropriate, said mechanical pump(s) shall continuously be maintained in working order. In any case, development of subject property shall preserve or improve the existing pattern of drainage on abutting properties. No cross lot drainage to adjacent properties shall be allowed.
7. To avoid an alley-like appearance, the private street shall not be entirely paved with asphalt and shall contain finished colored concrete as shown on approved driveway paving plan. Specifically, the lowest point (v-point) of the private driveway shall be comprised of colored concrete or other material as deemed acceptable by the Development Services Director to avoid an alley-like appearance. The entry/exit drive of the private street shall be made of stamped concrete or pervious pavers. The final landscape concept plan shall indicate the landscape palette and the design/material of paved areas, and the landscape/hardscape plan shall be approved by the Development Services Director prior to issuance of building permits.
8. The site plan submitted with initial working drawings shall contain a notation specifying that the project is a "one-lot airspace common interest development" and shall specify the ultimate interior property lines.
9. The applicant shall contact the Planning Division to arrange Planning inspection

- of the site prior to the release of occupancy/utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
10. Prior to issuance of certificate of occupancy, the applicant shall construct a 6-foot tall decorative block wall around the perimeter of the project site. Where walls on adjacent properties already exist, the applicant shall work with the adjacent property owner(s) to prevent side-by-side walls with gaps in between them and/or provide adequate privacy screening by trees and landscaping. A minimum of 6-foot high wood or block privacy walls shall be constructed between the townhouses.
 11. The developer shall contact the current cable service provider prior to issuance of building permits to arrange for pre-wiring for future cable communication service.
 12. Enhanced design elements and architectural treatment as shown in the approved color elevation drawings shall be implemented to the satisfaction of the Development Services Director. No modification(s) of the approved building elevations including, but not limited to, changes that increase the building height, removal of building articulation, or a change of the finish material(s), shall be made during construction without prior Planning Division written approval. Failure to obtain prior Planning Division approval of the modification could result in the requirement of the applicant to (re)process the modification through the master plan review process, or in the requirement to modify the construction to reflect the approved plans.
 13. The roofing material shall be comprised of asphalt shingles with a striated color palette and not a monochrome palette to increase visual interest. Acceptable roofing materials will be determined by the Development Services Director.
 14. The landscape plan shall feature 24-inch box trees and 5-gallon shrubs as described in the City's landscaping standards to the satisfaction of the Development Services Director. The setback areas and the landscaped driveway parkway provided shall be landscaped with trees and vegetation to the fullest extent possible. The landscape plan shall be approved prior to issuance of building permits and shall contain a greater percentage of 24-inch box trees than the minimum Code requirements to the satisfaction of the Development Services Director.
 15. If the project is constructed in phases, the decorative block wall, landscaping within the street setback areas and irrigation shall be installed prior to the release of utilities for the first phase.
 16. No exterior roof access ladders, roof drain scuppers, or roof drain downspouts shall be permitted.
 17. Applicant shall submit floor plans for all models, including reverse plan models, with the working drawings for plan check.
 18. There shall be minimal nighttime lighting, primarily for security purposes, of the common areas. Any lighting under the control of the applicant shall be directed in such a manner so as to not unreasonably interfere with the quiet enjoyment of the nearby residences abutting the project site.
 19. 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.
 20. All backflow prevention devices, transformers, and other utility or ground-mounted equipment shall not be located in any landscaped setback visible

from the street, except when required by applicable uniform codes, and shall be screened from view, under the direction of Planning Staff. The applicant shall show method of screening for all ground-mounted equipment (backflow prevention devices, Fire Department connections, electrical transformers, etc.) on the initial working plans.

21. The project site shall be graded in a manner to eliminate the necessity of retaining walls within the project site to the maximum extent feasible. This condition excludes the proposed perimeter retaining walls along the development lot lines.
22. Prior to submittal of working plans for plan check, applicant shall submit a written determination from the Sanitary District and/or any private trash hauler that trash collection service can be provided to each individual dwelling unit. This letter shall be remitted to the Planning Division prior to issuance of building permits.
23. Construction, grading, materials delivery, equipment operation or other noise-generating activity shall be limited to between the hours of 7 a.m. and 8 p.m., Monday through Friday, and between the hours of 8 a.m. and 6 p.m. on Saturday. Construction is prohibited on Sundays and Federal holidays. Exceptions may be made for activities that will not generate noise audible from off-site, such as painting and other quiet interior work.
24. Prior to issuance of building permits, the applicant shall provide the Conditions, Covenants, and Restrictions (CC&Rs) to the Development Services Director and City Attorney's office for review. The CC&Rs must be in a form and substance acceptable to, and shall be approved by the Development Services Director and City Attorney's office.

A. The CC&Rs shall contain provisions that effectively implement the following parking-related requirements: (1) require that the homeowner's association (HOA) require homeowners to maintain a 20' x 20' unobstructed area or 36' X 10' for tandem garages in their enclosed garages to allow parking of two vehicles instead of any other purpose (e.g. storage) and (2) require that the HOA contract with a towing service to enforce the parking regulations.

B. The CC&Rs shall also contain provisions related to night-time lighting and active use of the common recreational area. These provisions shall prohibit amplified noise, loud parties/gatherings, night-time lighting other than for security purposes, or any other activities that may be disruptive to the quiet enjoyment of neighboring properties after sunset.

C. The CC&Rs shall also contain provisions related to preservation and maintenance of the common lot and common open space areas in perpetuity by the homeowner's association.

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

25. Applicant shall provide proof of establishment of a homeowner's association prior to release of any utilities.
26. Garages for individuals units shall be equipped with automatic garage door openers and roll-up garage doors. Tandem garages shall contain custom windows.
27. Final tract map shall be approved and recorded prior to issuance of building

permits.

- Trans. 28. Applicant shall close unused drive approach(es) with curb and gutter.
- 29. Prior to submission of plans for plancheck, applicant shall revise the plan to show control call boxes at both vehicle entry/security gates.
- 30. The residential driveway approach (Type II driveway approach) shall be constructed to suit approved entry design to the satisfaction of the Transportation Manager. Drive aisles, parking stall configurations, and turning radius must comply with the City's parking design standards.
- 31. New gates on Anaheim Avenue shall be a minimum of 20 feet from the property line to allow vehicles to clear the public sidewalk before stopping at the gate. Revise site plan to indicate how guests access parking spaces and to identify public parkway width and street width from the centerline to property line.
- Eng. 32. 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.
- 33. Applicant shall comply with all of the requirements as set forth in the City Engineer's letter dated August 20, 2007.
- Fire 34. All residential units shall be sprinklered. Applicant shall provide an automatic fire sprinkler system according to NFPA 13R.
- Bldg 35. Applicant shall submit a soils report and erosion control plan in conjunction with submission of grading plans for plan check.

RESOLUTION NO. PC-08-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA DENYING AN EXTENSION OF TIME
FOR PLANNING APPLICATION PA-07-15**

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

WHEREAS, on October 8, 2007, Planning Commission approved Planning
Application PA-07-15 by adoption of Resolution No. PC-07-73; and

WHEREAS, a request for an extension of time was filed by Al Mozayeni of ABCO
Realty; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on
November 24, 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-07-15 with respect to the property described above.

PASSED AND ADOPTED this 24th day of November, 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:
 - 1. A compatible and harmonious relationship does not exist between the proposed use and existing buildings, site development, and uses on surrounding properties.
 - 2. The proposed use is not consistent with the General Plan.
- B. The information presented does not comply with Costa Mesa Municipal Code Section 13-29(g)(5) with regard to the master plan because the project does not meet the broader goals of the General Plan and the Zoning Code.
- C. The Costa Mesa Planning Commission has denied Planning Application PA-07-15. Pursuant to Public Resources Code Section 21080(b)(5) and CEQA Guidelines Section 15270(a) CEQA does not apply to this project because it has been rejected and will not be carried out.
- D. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.



ABCO REALTY & INVESTMENTS, INC.

18552 MacArthur Blvd. • Suite 102 • Irvine, CA 92612 • (949) 833-8917 • FAX (949) 833-8927

October 7, 2008

City of Costa Mesa
Planning Department & Planning Commission

Re: Planning Application PA-07-15
Tentative Tract Map T-17198

RECEIVED
CITY OF COSTA MESA
DEVELOPMENT & PLANNING DEPARTMENT

OCT 08 2008

Dear Planning Commission:

We would like to request an extension of the above referenced Planning Application to be valid until October 8th 2010 to coincide with the Tentative Tract Map. We have been informed by Senior Planner Claire Flynn that the Tentative Tract Map is valid until October 8th, 2010.

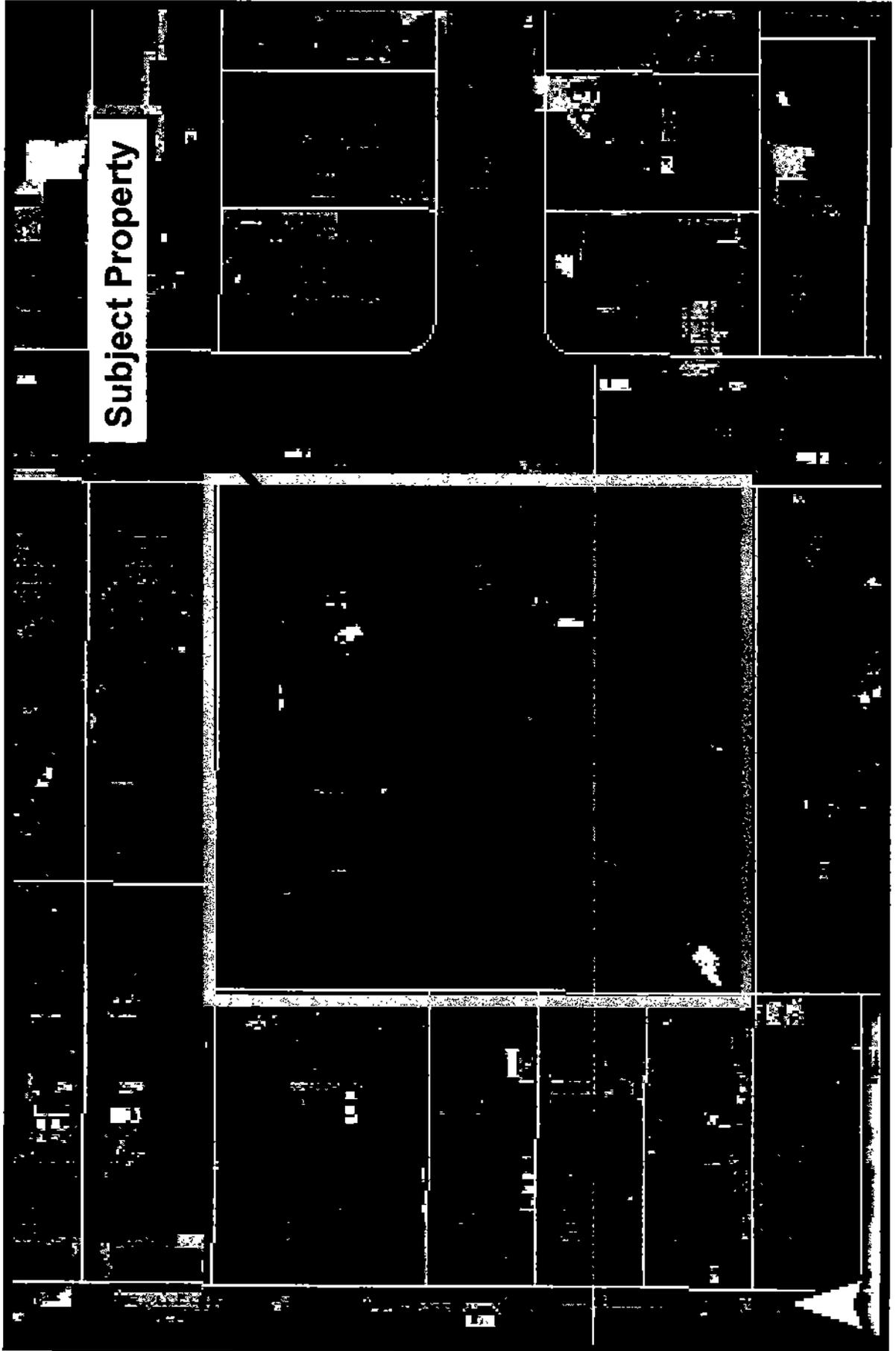
As you know, the condo market is incredibly weak and construction lending on these projects is almost nonexistent. Due to the economic and housing crisis that we are faced with, we are unable to start the project. However, we are very optimistic about this project long term and plan moving forward when we feel the market can absorb the units and construction financing for condos is more readily available. Please contact me with any question or comments at: 949-833-8917 x13. We appreciate your consideration.

Sincerely,


Al Mozayeni

Vicinity Map

2013-2029 Anaheim Avenue



TOWNHOUSE PROJECT
BEACHSIDE TOWNHOMES
2013 - 2029 ANAHEIM AVENUE, COSTA MESA, CA 92627

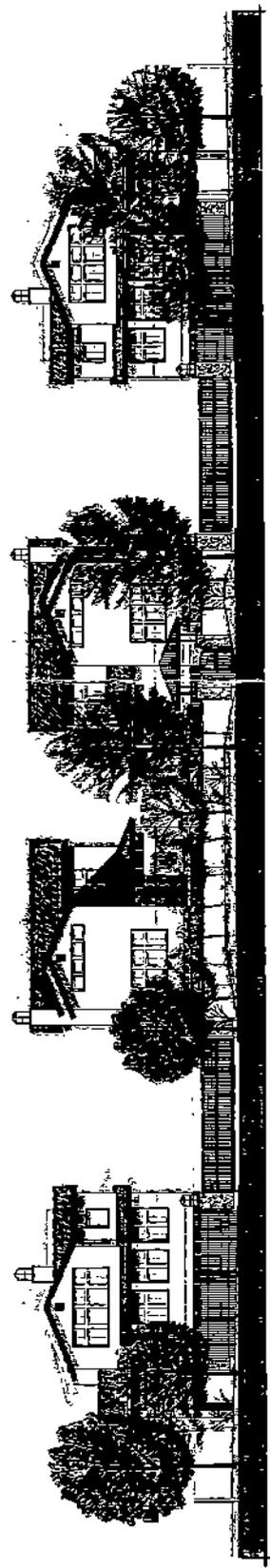


DWG. NO. 001007
DATE: 11-11-07
SCALE: 1/8" = 1'-0"
PROJECT: 000000_PRES010



8

12



STREET ELEVATION



TOWNHOUSE PROJECT
BEACHSIDE TOWNHOMES
2013 - 2029 ANAHEIM AVENUE, COSTA MESA, CA 92627

M.A. ARCHITECT
1475 S. T. ST.
COSTA MESA, CALIF. 92627
TEL: 714.440.1111

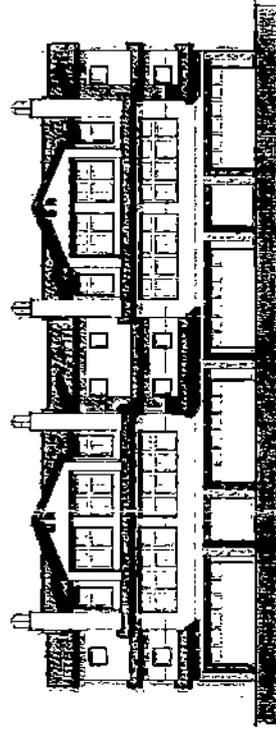


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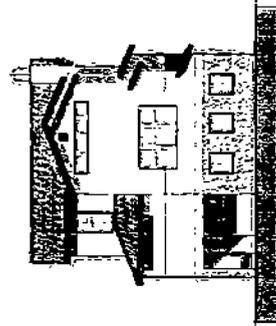
BUILDING TYPE 1 / YARD ELEVATION



BUILDING TYPE 1 / DRIVEWAY ELEVATION



BUILDING TYPE 1 / EAST ELEVATION



BUILDING TYPE 1 / WEST ELEVATION

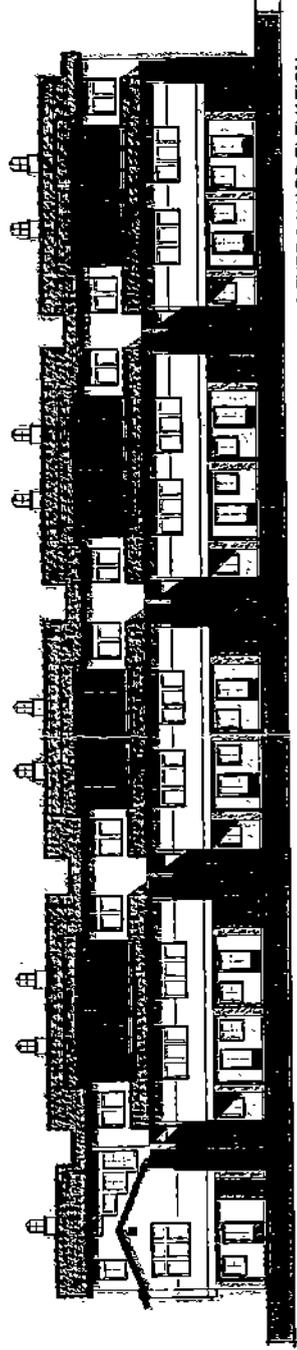


TOWNHOUSE PROJECT
 BEACHSIDE TOWNHOMES
 2013 - 2029 ANAHEIM AVENUE, COSTA MESA, CA 92627

DATE: 02/25/2007
 1/8" = 1'-0"
 14 FEBRUARY
 0803E_PRESENT



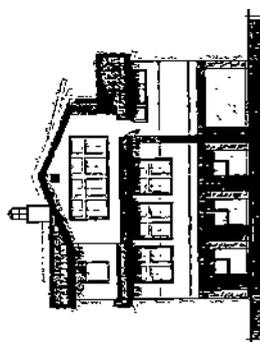
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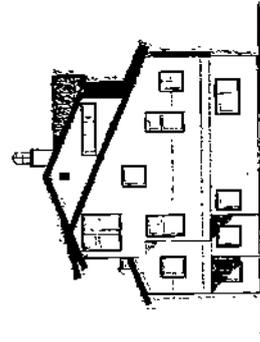
BUILDING TYPE 2 / YARD ELEVATION



BUILDING TYPE 2 / DRIVEWAY ELEVATION



BUILDING TYPE 2 / EAST ELEVATION



BUILDING TYPE 2 / WEST ELEVATION

23

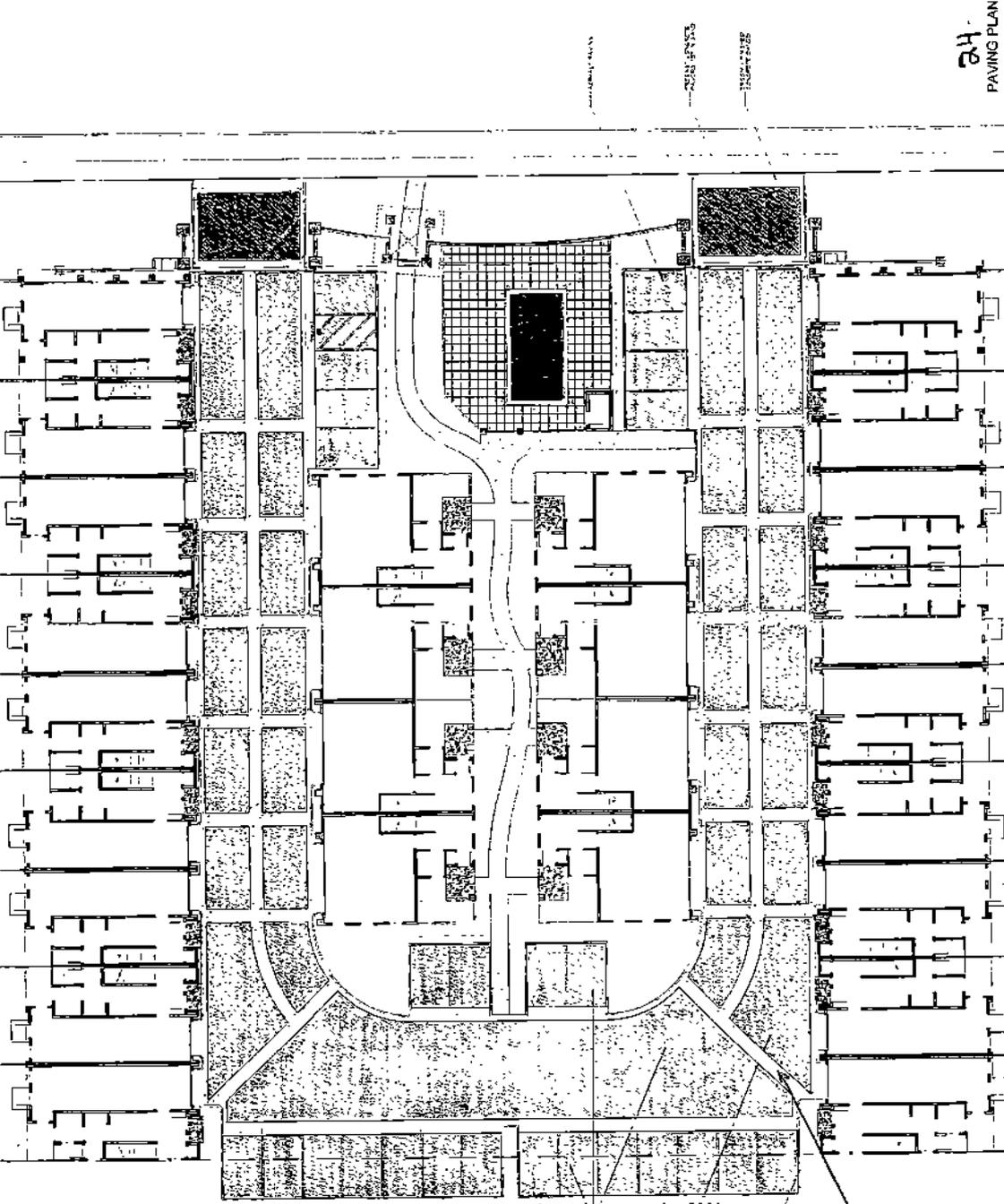


TOWNHOUSE PROJECT BEACHSIDE TOWNHOMES 2013 - 2029 ANAHEIM AVENUE, COSTA MESA, CA 92627

DATE: 08/20/07
PROJECT: 13-11-07
DRAWING: 0603B_PRES01B



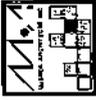
1B



CONCRETE DRIVEWAY
ASPHALT DRIVEWAY
PAVING STONES

24
PAVING PLAN

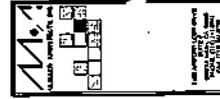
colored
concrete



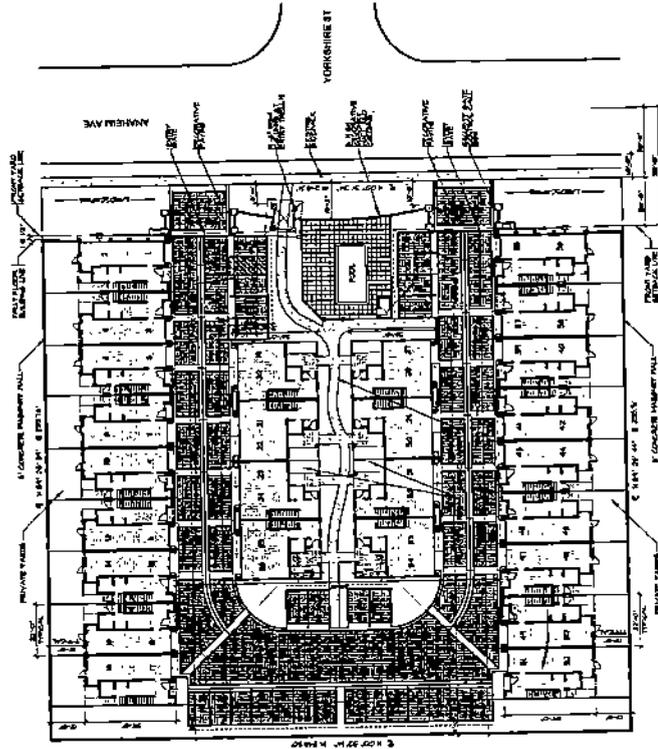
TOWNHOUSE PROJECT BEACHSIDE TOWNHOMES

2013 - 2029 ANAHEIM AVENUE, COSTA MESA, CA 92627

DATE: 01/25/2007
SCALE: 1/2" = 1'-0"
DESIGNER: JTB/RSB



28

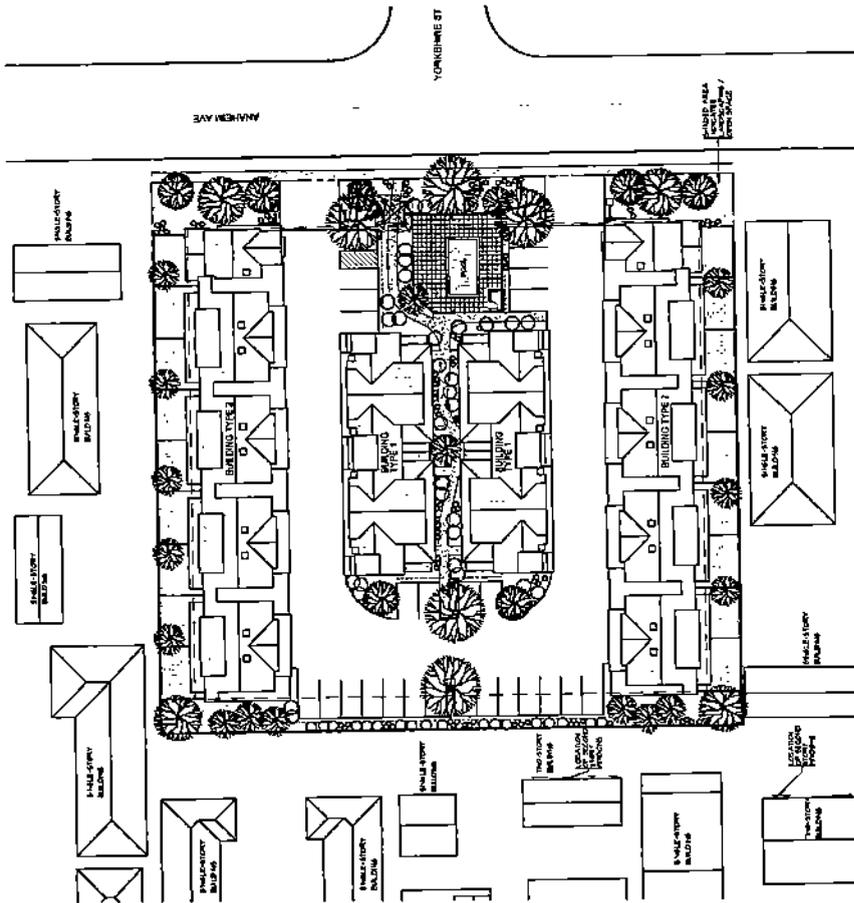


NEW SITE PLAN

3 MID RISE UNITS - 34

- PARKING: 66 TRUCK SPACES
- 18 OPEN SPACES
- 18 GARAGE SPACES

TOTAL - 78 SPACES

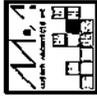


ROOF PLAN

NET GSF AREA: 54,875 S.F. / 1.2 AC.

- DRIVWAY AND OPEN PARKING AREA: 1,538 S.F.
- 3 2-BUILDING TYPE 2 (2,888 S.F.)
- 2 1-BUILDING TYPE 2 (2,888 S.F.)
- POOL EQUIPMENT BUILDING: 88 S.F.
- OTHER INCLUDES: 2,000 S.F.

OPEN SPACE AT DECK: 1,000 S.F.

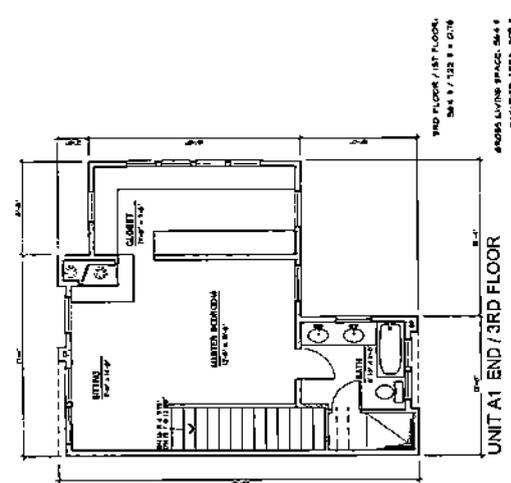
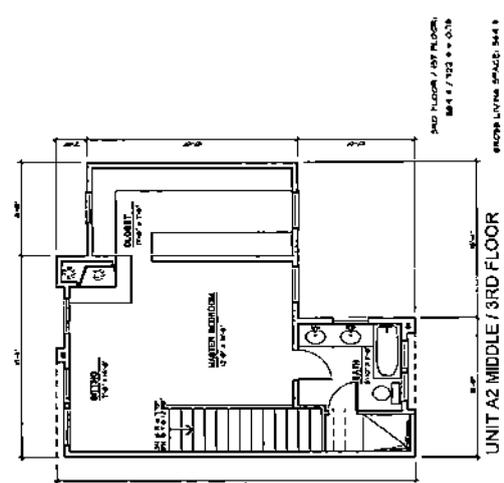
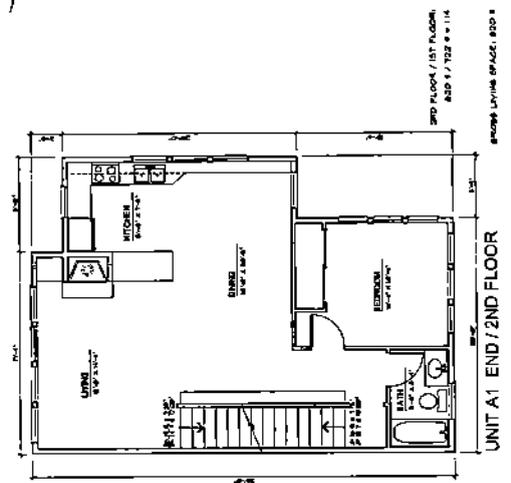
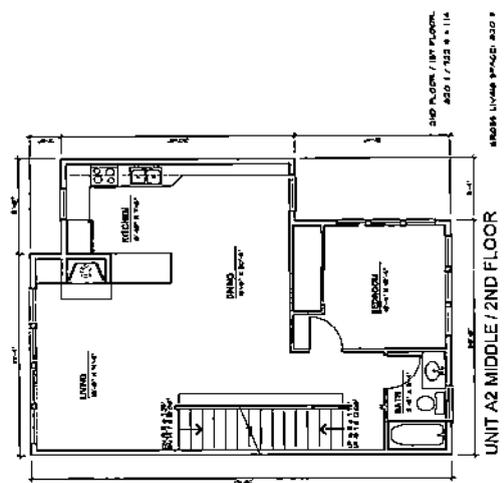
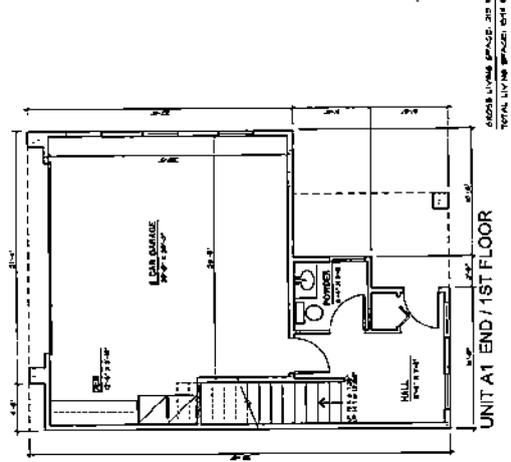
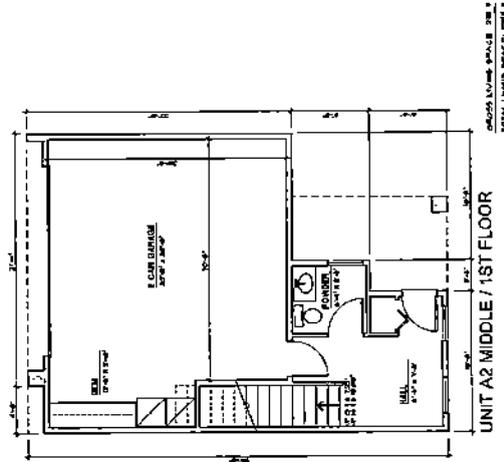


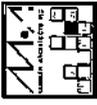
TOWNHOUSE PROJECT
BEACHSIDE TOWNHOMES
 2013 - 2029 ANAHEIM AVENUE, COSTA MESA, CA 92627

DATE: 08/22/07
 DRAWN BY: J.M.
 FILE NUMBER: 06003_PRES04



4





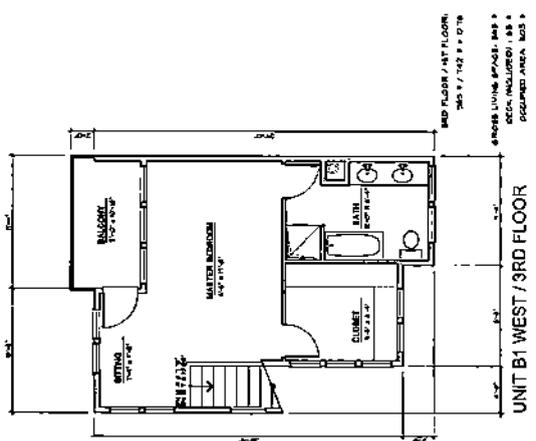
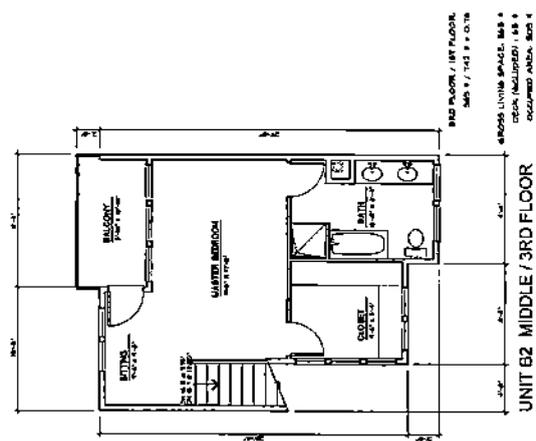
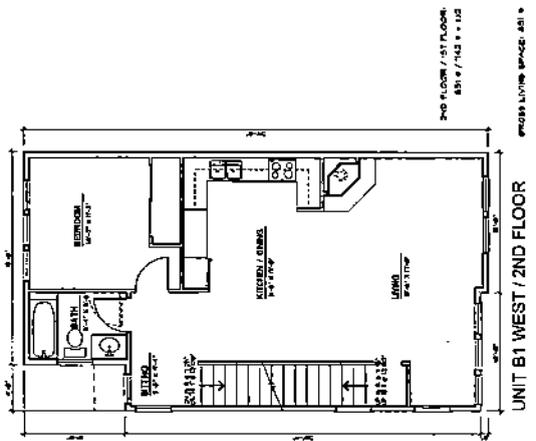
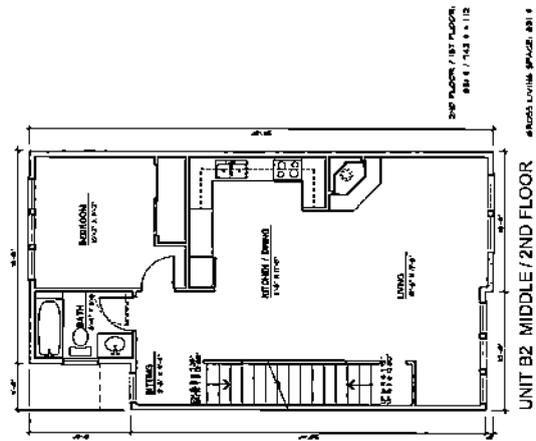
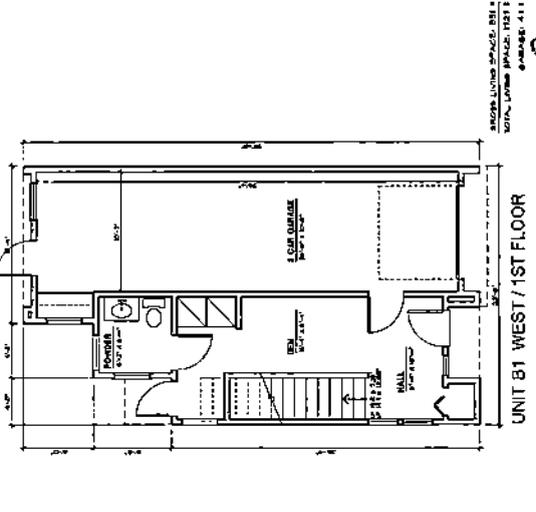
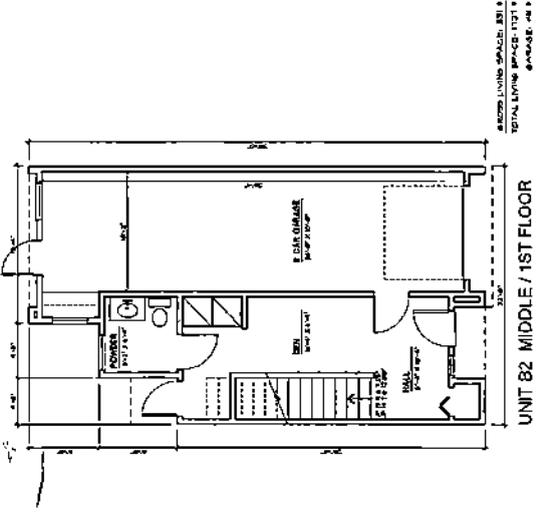
TOWNHOUSE PROJECT BEACHSIDE TOWNHOMES

2013 - 2029 ANAHEIM AVENUE, COSTA MESA, CA 92627

DATE: 08/24/2007
 DRAWN BY: J. W. W. 11-01
 CHECKED BY: THE ARCHITECT
 PROJECT: BEACHSIDE TOWNHOMES



5A



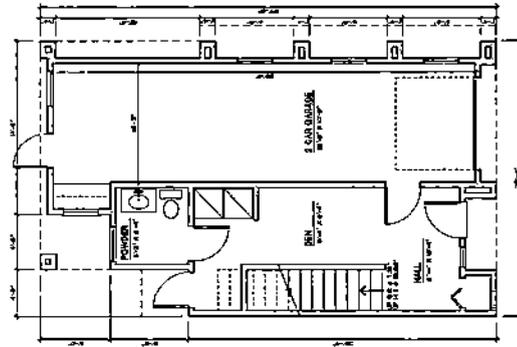
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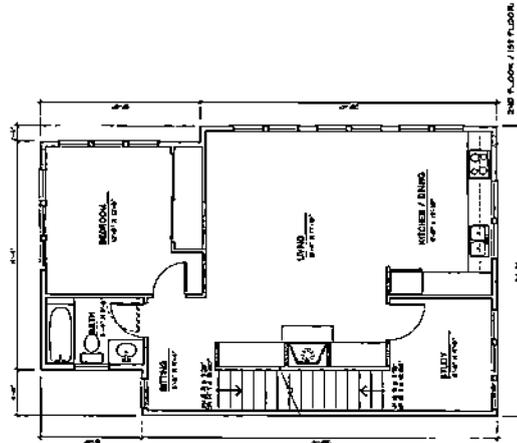
TOWNHOUSE PROJECT
BEACHSIDE TOWNHOMES
 2013 - 2029 ANAHEIM AVENUE, COSTA MESA, CA 92627



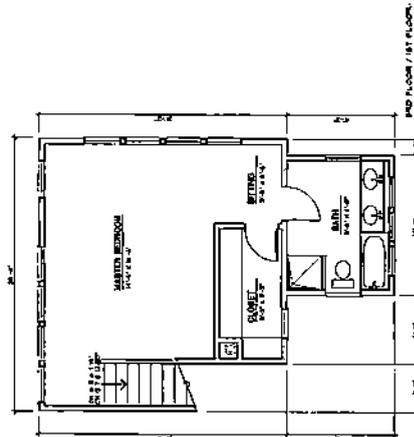
5B



UNIT B3 EAST / 1ST FLOOR
 GROSS LIVING SPACE: 384
 TOTAL LIVING SPACE: 781
 GARAGE: 0.0



UNIT B3 EAST / 2ND FLOOR
 GROSS LIVING SPACE: 408



UNIT B3 EAST / 3RD FLOOR
 GROSS LIVING SPACE: 384
 OCCUPIED AREA: 418

26

SCALE: 1"=30'

SHEET 1 OF 1

VESTING TENTATIVE MAP

TRACT MAP NO. 17198

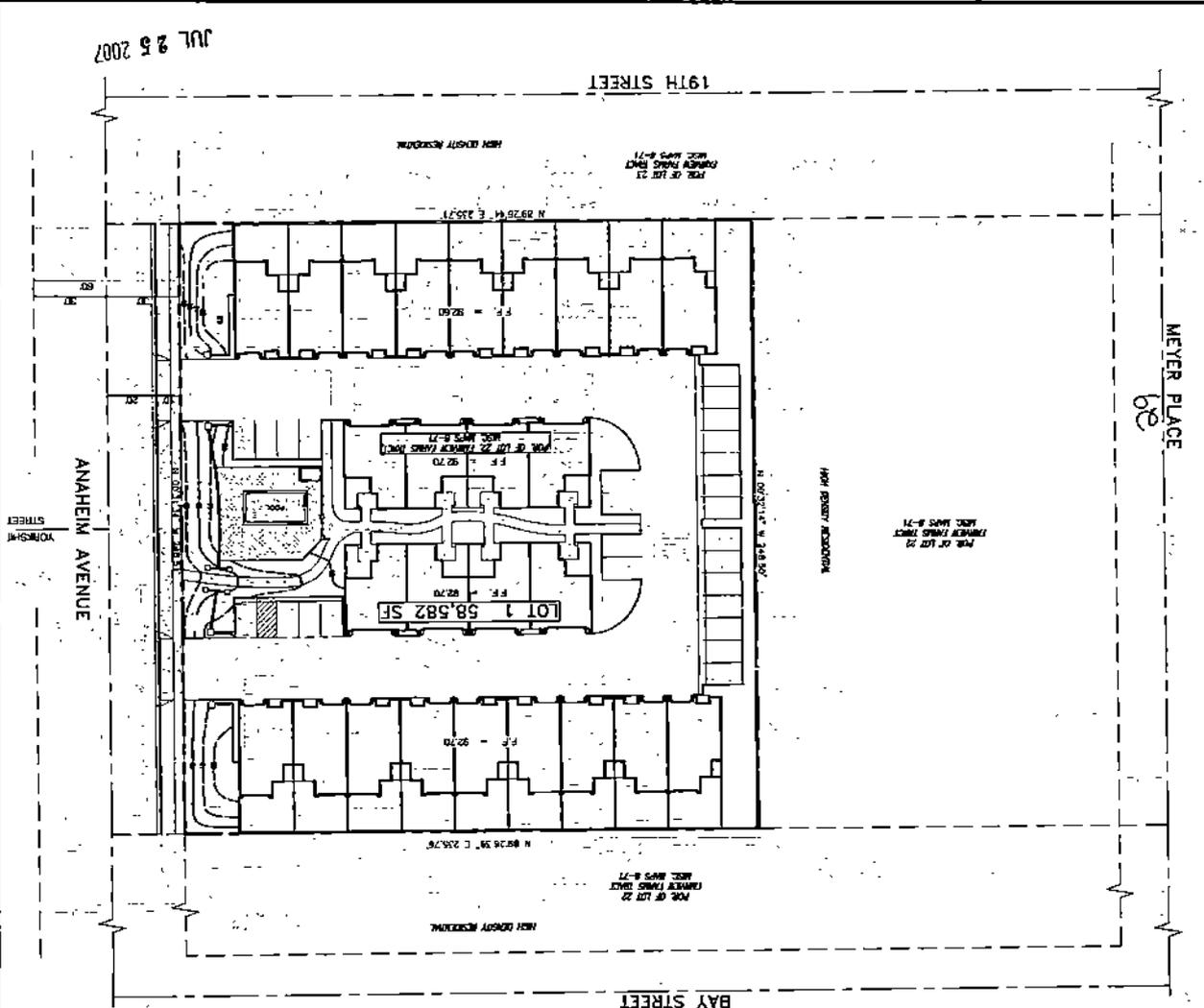
IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA
 BEING A SUBDIVISION OF A PORTION OF LOT 22 OF FAIRVIEW FARMS TRACT, AS PER MAP
 RECORDED IN BOOK 8, PAGE 7 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE
 COUNTY RECORDER OF SAID COUNTY.

FOR CONDOMINIUM PURPOSES

GENERAL NOTES:

- TOTAL EXISTING AND PROPOSED LOTS - 1
- TOTAL AREA: 58,582 SQ. FT. (1.345 ACRES)
- EXISTING AND PROPOSED ZONING: R3 (QUINCY-FAMILY)
- PROPOSED USE: NEW 26 UNIT CONDOMINIUM PROJECT
- ALL UTILITIES AVAILABLE TO SITE
- EXISTING STRUCTURES TO BE DEMOLISHED
- NO KNOWN EXISTENCES ON THE SITE
- DRAINAGE SHALL BE DIRECTED TO ANAHEIM AVENUE BY GRANTY BLOW OR APPROVED DRAINAGE DEVICE. THERE IS NO EXISTING CROSS LOT DRAINAGE.
- FEAS - PANEL NO. 0602160268H, DATED 2/18/04, ZONE X
- LETAL DESCRIPTION: PORTION OF LOT 22 OF FAIRVIEW FARMS TRACT, AS PER MAP RECORDED IN BOOK 8, PAGE 71 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE ORANGE COUNTY RECORDER, AS FOLLOWS:
 PARCEL 1: THE SOUTH 54 FEET OF LOT 22 OF SAID TRACT EXCEPT THEREFROM THE WEST 148.00 FEET THEREOF.
 PARCEL 2: THE NORTH 54 FEET OF THE SOUTH 108 FEET OF THE SOUTH ONE-HALF OF LOT 22 OF SAID TRACT EXCEPT THEREFROM THE WEST 148.00 FEET THEREOF.
 PARCEL 3: THE SOUTH ONE-HALF OF LOT 22 OF SAID TRACT EXCEPT THEREFROM THE EAST ONE-HALF THEREOF. ALSO EXCEPTING THE WEST 148.00 FEET THEREOF.
 PARCEL 4: THE SOUTH ONE-HALF OF LOT 22 OF SAID TRACT EXCEPT THEREFROM THE EAST ONE-HALF THEREOF. ALSO EXCEPTING THE WEST 148.00 FEET THEREOF.

ASSASSOR'S PARCEL NO. 422-135-17
 THE ELEVATIONS SHOWN HEREON ARE BASED UPON A FOUND BENCH MARK SET AT THE INTERSECTION OF VICTORIA STREET AND PLACENTIA AVENUE, 50 FT. SOUTH FROM THE CORNER OF PLACENTIA AVENUE, SET AT THE NORTHEAST CORNER OF A 4 FT BY 6 FT CONCRETE CATCH BASIN 1 FT BEHIND CURB FACE. ORANGE COUNTY BENCH MARK NUMBER: OR-54-92. ELEVATION = 89.938 (1995 ADJ. NAD83)



LINE/TYPE LEGEND

---	CONTOUR LINE
---	WATER LINE
---	GAS LINE
---	SEWER LINE
---	PROPERTY LINE
---	CENTER LINE
---	BUILDING LINE
---	WALL
---	METAL FENCE/GUARDRAIL
---	CHAIN LINK FENCE
---	WOOD FENCE

OWNER/SUBOWNER: BEMSHIDE PROPERTIES, L.L.C.
 18552 MACARTHUR BLVD., SUITE 102
 IRVINE, CA 92612
 PH: (949) 833-8917

ENGINEER: TOL ENGINEERING, INC.
 DUAN S. METER (LS 4384)
 139 WEDGEMOUNT CA 92672
 PH: (949) 492-0388

DATE: MAY 22, 2007
 2013-2029 ANAHEIM AVENUE
 COSTA MESA, CA 92627

SYMBOL LEGEND

○	FIRE HYDRANT
●	WATER VALVE
◆	POWER POLE
▲	SEWARIARY SEWER MANHOLE
△	SPON
○	CENTER LINE
---	PROPERTY LINE
---	RIGHT OF WAY LINE
---	SPOT ELEVATION

ABBREVIATION LEGEND

AC	ASPHALT
BSW	BACK OF SYSTEM
CC	CONCRETE CENTER
CB	CATCH BASIN
DRT	DRAIN
DWT	DRAINWAY
FO	FOUND
FR	FINISHED FLOOR
FRS	FINISHED SURFACE
FRH	FIRE HYDRANT
FR	IRON PIPE
LS	LAND SURVEYOR
LA	LEAD AND TAG
MSC	MISCELLANEOUS
ORST	ORIENT
PC	PORTLAND CEMENT CONCRETE
PP	POWER POLE
PPD	PRODUCTION
PIS	PROFESSIONAL LAND SURVEYOR
P/L	PROPERTY LINE
SSM	SEWARIARY SEWER MANHOLE
SM	STANDARD SURVEY MONUMENT
TC	TOP OF CURB
TW	TOP OF WALL