



PLANNING COMMISSION

AGENDA REPORT

VI.4

MEETING DATE: MARCH 9, 2009

ITEM NUMBER:

**SUBJECT: TIME EXTENSION FOR PLANNING APPLICATION PA-07-37
178 AND 180 EAST 19TH STREET**

DATE: FEBRUARY 26, 2009

**FOR FURTHER INFORMATION CONTACT: REBECCA ROBBINS, ASSISTANT PLANNER
714.754.5609**

DESCRIPTION

The property owner is requesting an extension of time for a previously approved design review for a four-unit, two-story common interest development.

APPLICANT

John Snedegar, Newport & Balboa Partners LLC, is the property owner and applicant for this time extension request.

RECOMMENDATION

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

REBECCA ROBBINS
Assistant Planner

KIMBERLY BRANDT, AICP
Asst. Development Services Director

BACKGROUND/ANALYSIS

The properties are located on the southeast side of the City and are surrounded by multiple family zoned properties to the north, east, west, and across 19th Street to the south. The properties are comprised of two parcels that each contained a detached single-family residence, which have been demolished.

On November 26, 2007, Planning Commission, on a 5-0 vote, approved Design Review PA-07-37 for a four-unit, two-story common interest development (condominium project). On July 28, 2008, Commission approved Parcel Map PM-08-122 to allow the residences to be sold independent of one another.

The Planning staff report and meeting minutes for the design review can be viewed on the City's website at the links below:

PA-07-37 Report

<http://www.ci.costa-mesa.ca.us/council/planning/2007-11-26/112607PA0737.pdf>

PA-07-37 Minutes

http://www.ci.costa-mesa.ca.us/council/planning/pm_071126.pdf

The applicant submitted grading plans for plan check on September 12, 2008, however, he has indicated that he obtained new architects to finish the project and was unable to submit or obtain building permits prior to the expiration of the design review approval. Although the expiration of the application was in November 2008, since there is an approved parcel map valid for three years and all applicable Code sections and residential design guidelines have not changed since Commission's approval of the design review, staff recommends approval of the extension. However, because building permits cannot be issued without proof of recordation of the parcel map, staff recommends that the design review approval be extended to expire on the same date as the map. Therefore, due to an automatic one-year extension granted to all subdivision maps by the State Legislature, the project and map approval would remain valid until July 28, 2011¹.

ALTERNATIVES

If the time extension is denied, the design review approval will expire and the project may not be constructed as proposed. The applicant could not file a similar request for six months.

CONCLUSION

Approval of the time extension would allow the applicant additional time to obtain building permits so the previously approved project can be constructed. Therefore, staff supports the time extension.

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

Attachments: 1 Draft Planning Commission Resolution
2 Applicant's Time Extension Request Letter
3 Location Map
4 Plans
5 Resolution No. PC-07-85

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

John Snedegar
31151 Ceanothus Drive
Laguna Beach, CA 92651

File: 030909PA0737TimeExt	Date: 022609	Time: 8:45 a.m.
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RESOLUTION NO. PC-09-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA APPROVING AN EXTENSION OF
TIME FOR PLANNING APPLICATION PA-07-37**

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

WHEREAS, an application was filed by property owner Valerie Vincent, with respect to the real property located at 178 and 180 East 19th Street, requesting approval of a time extension for a design review to construct a four-unit, two-story common interest development, in the R2-MD zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on March 9, 2009; and

WHEREAS, the time extension does not change the previously-adopted findings and conditions of approval for Planning Application PA-07-37, as specified in Exhibits "A" and "B" respectively, of Resolution No. PC-07-85. 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-07-37 to **July 28, 2011** 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-07-37. 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-07-85.

PASSED AND ADOPTED this 9th day of March 2009.

James Righeimer, Chair
Costa Mesa Planning Commission

City of Costa Mesa
Development Services Dept.
77 Fair Dr.
Costa Mesa, Ca 92628

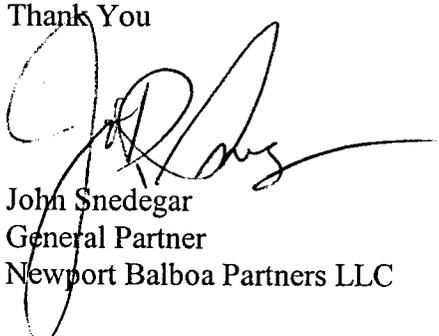
Re;178-180 E. 19th st.
PA-07-37

Dear Sirs

I'm requesting an extension on my project. I initially was just the owner and a passive party to the development and building process. Do to numerous issues I have taken over personally the development of the property. We have had to engage new architects to finish our project. We are now on track with our new team of professionals and will move forward diligently to get finished with our parcel map and building plans.

The development will be a four unit condo complying with all conditions approved at your November 26, 2007 Planning Commission meeting.

Thank You

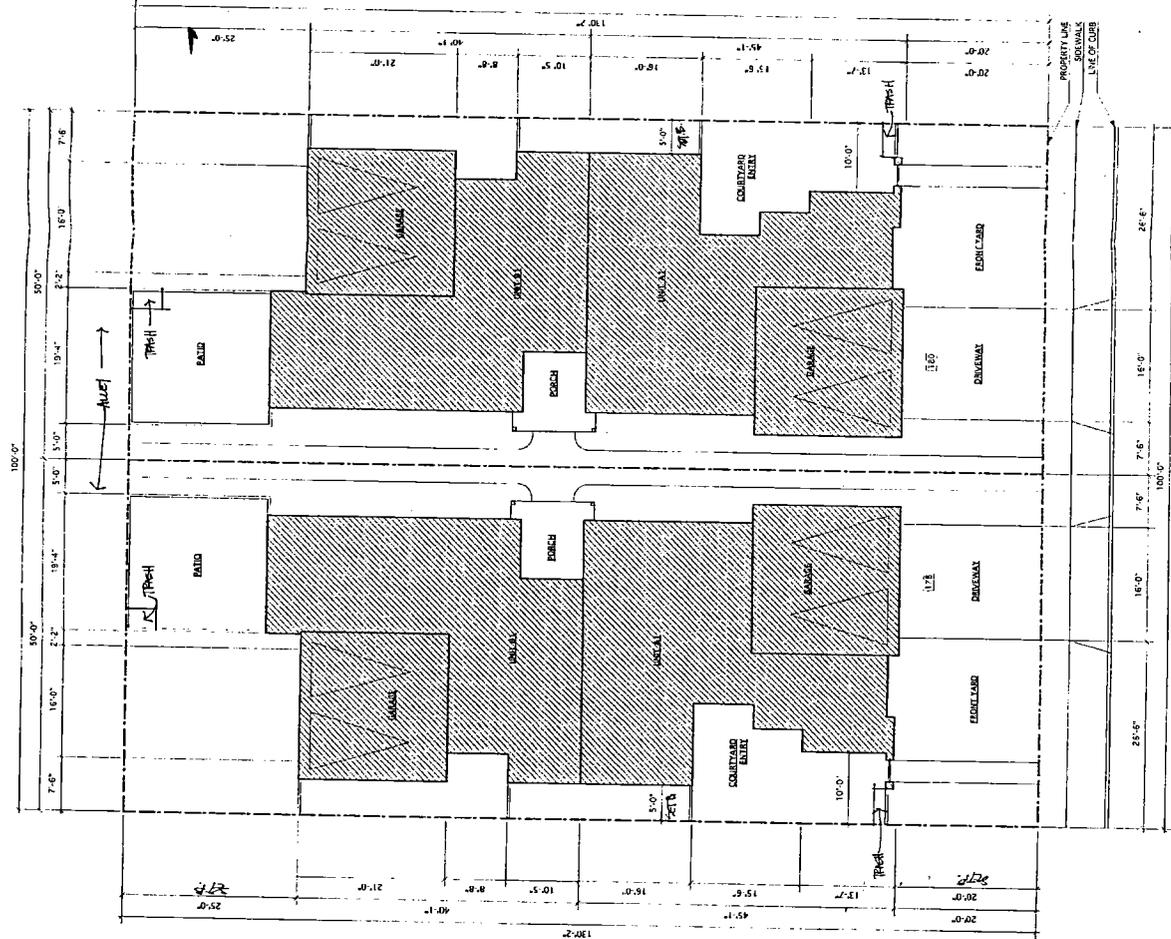


John Snedegar
General Partner
Newport Balboa Partners LLC

LOCATION (AERIAL) MAP



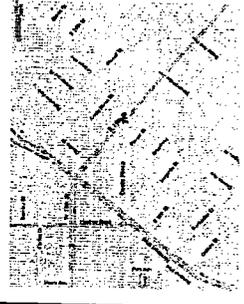
ATTACHMENT 4



EAST 19TH STREET

SITE PLAN [E] SCALE: 1/8" = 1'-0"

VICINITY MAP



PROJECT DATA

BUILDING DEPARTMENT: CITY OF COSTA MESA
 BUILDING CODES: THIS PROJECT TO COMPLY WITH 2001 CBC, CMC, CEC AND CPC
 OCCUPANCY CLASSIFICATION: GROUP F, DIVISION 3
 CONSTRUCTION CLASS: TYPE V - N, NON-SPRINKLERED
 PROJECT DESCRIPTION: FOUR UNIT ATTACHED HOMES
 STORIES: TWO (2)

SECOND BUILDING SETBACK: TWO (2)
 ORDO EXISTING STRUCTURES, IF ANY, AND BUILD TWO ATTACHED HOMES PER LOT
 PROJECT DATA
 JILBELLS STREET
 FIRST FLOOR: 1033 S.F.
 SECOND FLOOR: 1030 S.F.
 TOTAL AREA: 2063 S.F.
 GARAGE: 441 S.F.
 FIRST FLOOR: 1036 S.F.
 SECOND FLOOR: 1034 S.F.
 TOTAL AREA: 2070 S.F.
 GARAGE: 441 S.F.
 LOT AREA: 8008 S.F.
 UNREQUIRE OPEN SPACE: 2093 S.F.
 UNREQUIRE OPEN SPACE: 2712 S.F.

JILBELLS STREET
 UNITS: 4
 SECOND FLOOR: 1030 S.F.
 TOTAL AREA: 411 S.F.
 GARAGE: 441 S.F.

JILBELLS STREET
 UNITS: 4
 SECOND FLOOR: 1034 S.F.
 TOTAL AREA: 411 S.F.
 GARAGE: 441 S.F.

JILBELLS STREET
 UNITS: 4
 SECOND FLOOR: 1036 S.F.
 TOTAL AREA: 411 S.F.
 GARAGE: 441 S.F.

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 TOTAL AREA: 411 S.F.
 GARAGE: 441 S.F.

LEGAL DESCRIPTION

TRACT NUMBER: 1478
 LOT NUMBER: 775
 ASSESSORS PARCEL NUMBER: 455-25

CONSULTANTS

OWNER: C. W. F. JOHNSON
 2411 RIVER AVE. UNIT A
 RIVERSIDE, CA 92506
 ARCHITECT: T.J. DESIGN SOLUTIONS
 5215 RIVER AVE. UNIT A
 NEWPORT BEACH, CA 92663
 TEL: 949.515.3713

8

T-1

PA.07.37

VICINITY MAP



PROJECT DATA

BUILDING DEPARTMENT: CITY OF COSTA MESA
 BUILDING CODES: THIS PROJECT TO BE CONFORM WITH 2001 CBC, LOCAL ORDINANCES AND AMENDING ORDINANCES
 OCCUPANCY CLASSIFICATION: GROUP R DIVISION 3
 CONSTRUCTION CLASS: TYPE V - N, NONSPRINKLERED

NOTE
 ALL EXISTING STRUCTURES ON BOTH 178 & 140 19TH STREET WILL BE DEMOLISHED. THIS INCLUDES THE EXISTING RESIDENCES, ALL SITE WALLS, EXISTING GARAGES, AND THE POOL LOCATED ON LOT 198.

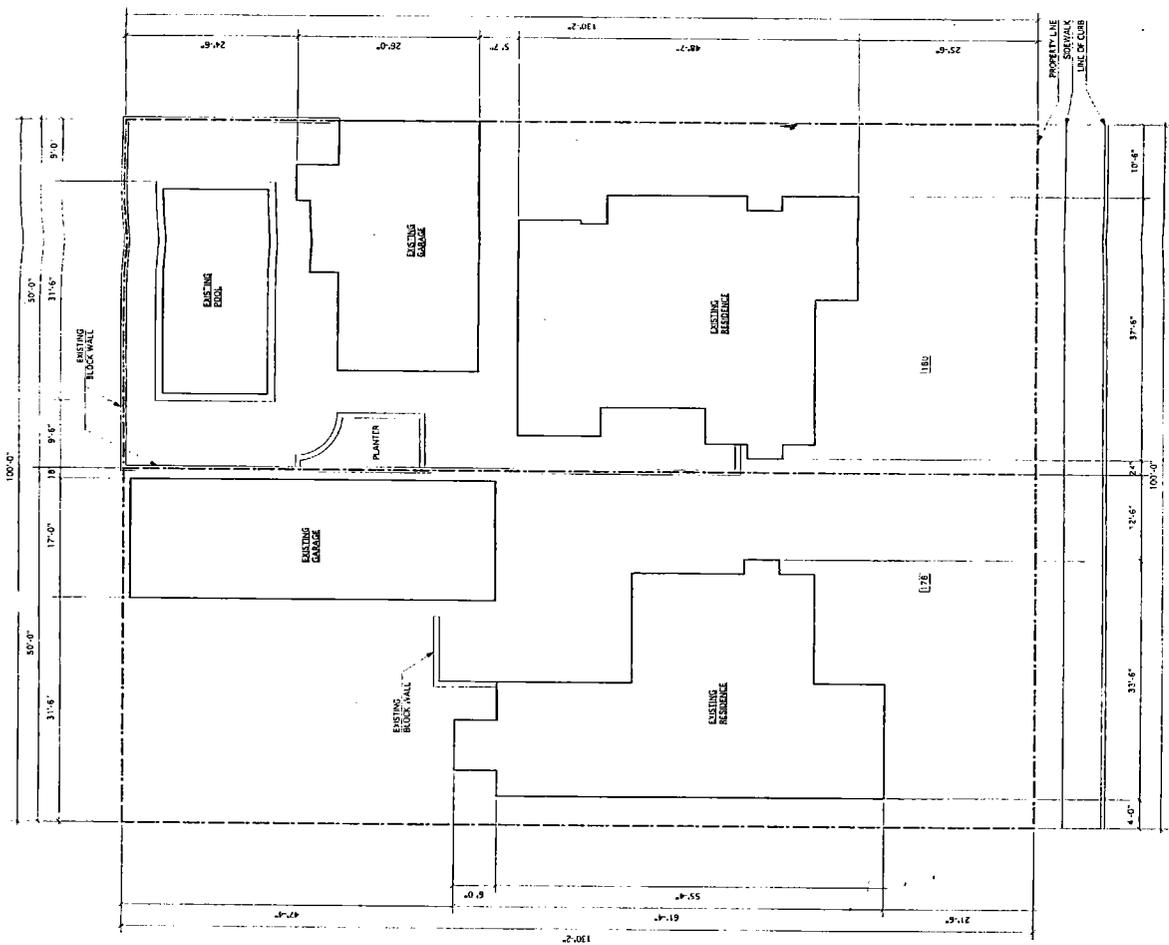
CONSULTANTS

JOHN D. WOLF
 ARCHITECT
 2011 ALISO VIELO PKWY.
 T2 DESIGN SOLUTIONS
 ALISO VIELO, CA 92658
 PH: 949.513.3713

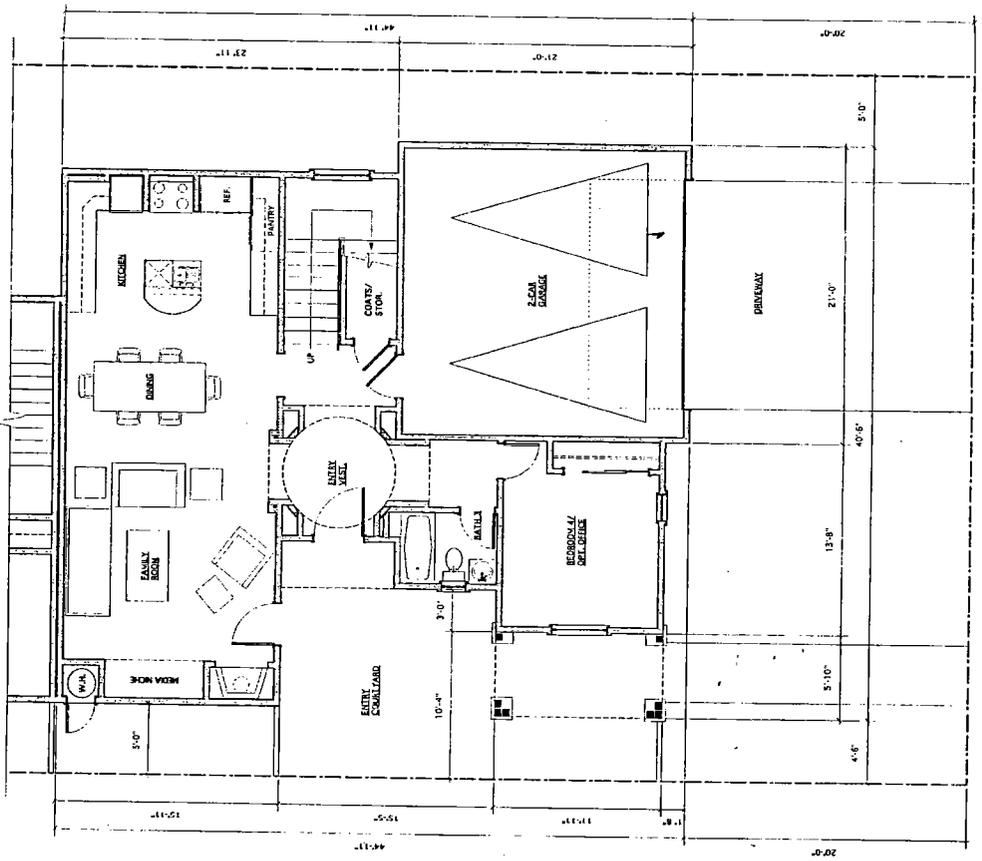
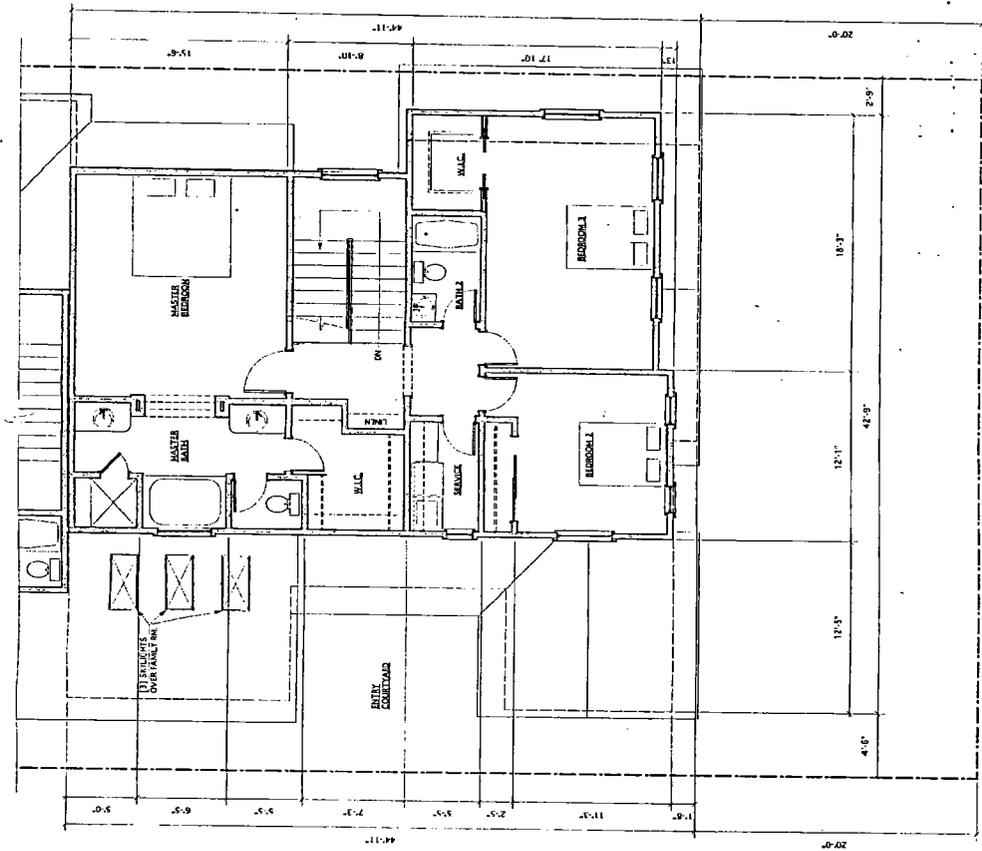
TITLE: 2A
 BOULDER BROWN
 300 N. COLLEGE ST.
 RAY, UT 84304
 PH: 877.7232

9

high



[E] DEMO PLAN SCALE 1/8" = 1'-0"



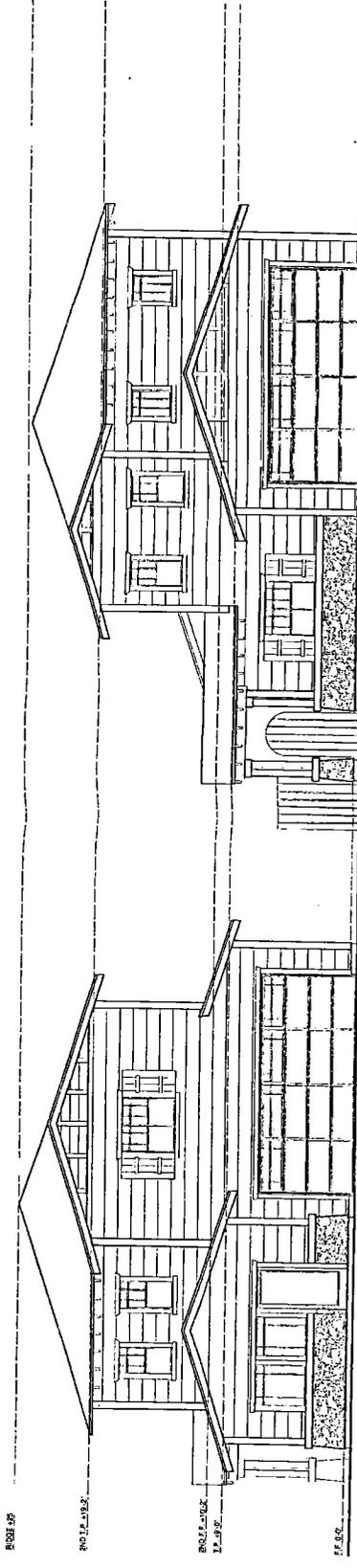
A-2a

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SECOND FLOOR PLAN

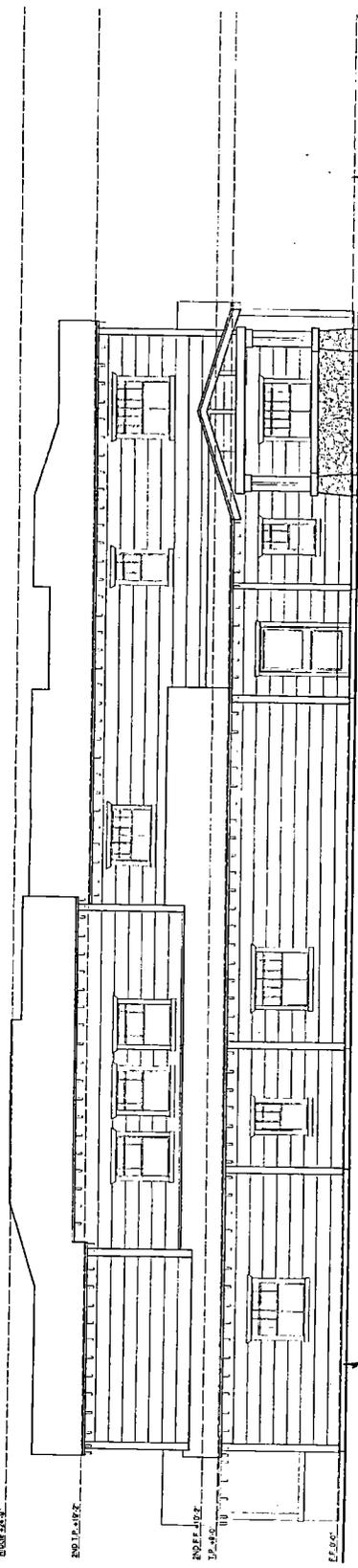
FIRST FLOOR PLAN

Handwritten signature

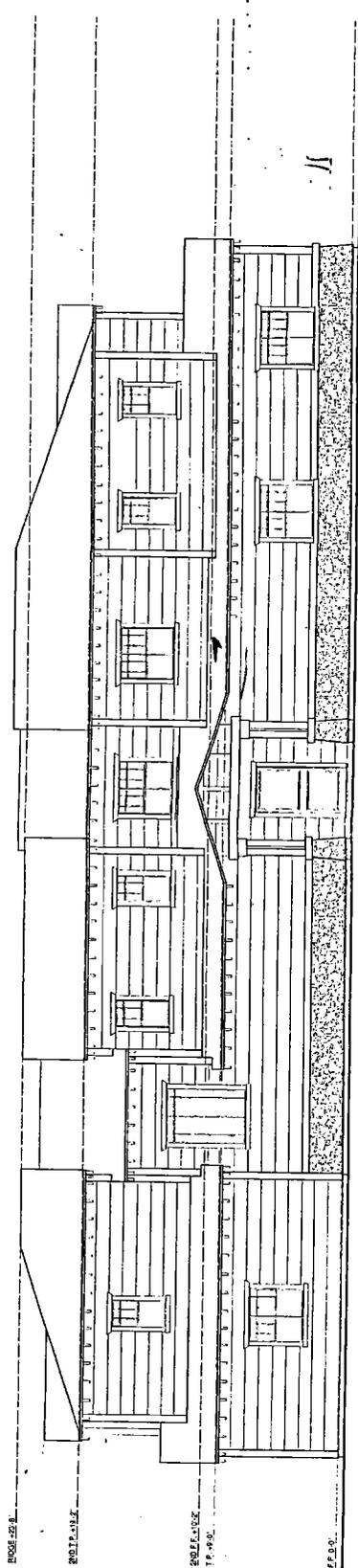


REAR ELEVATION

FRONT ELEVATION

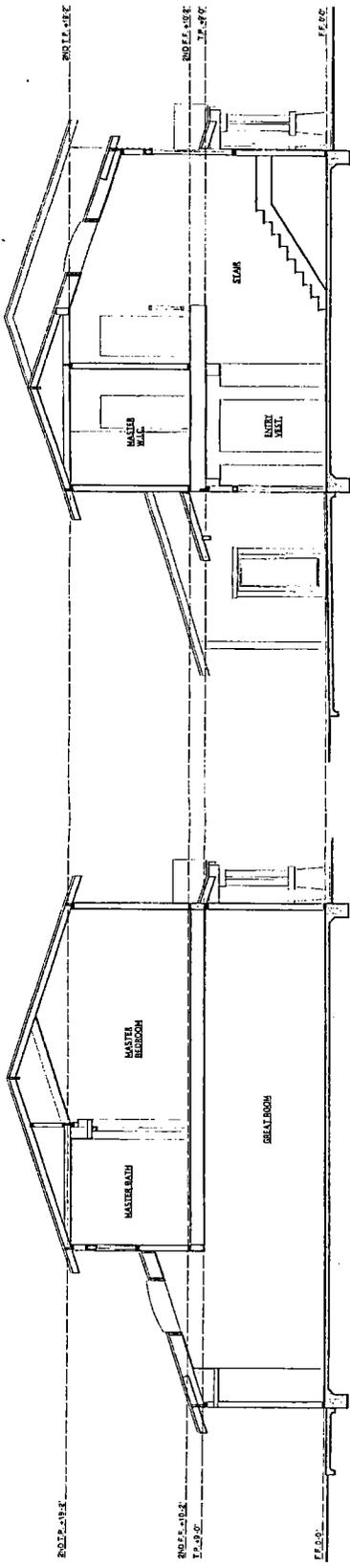


OUTSIDE COURT ELEVATION

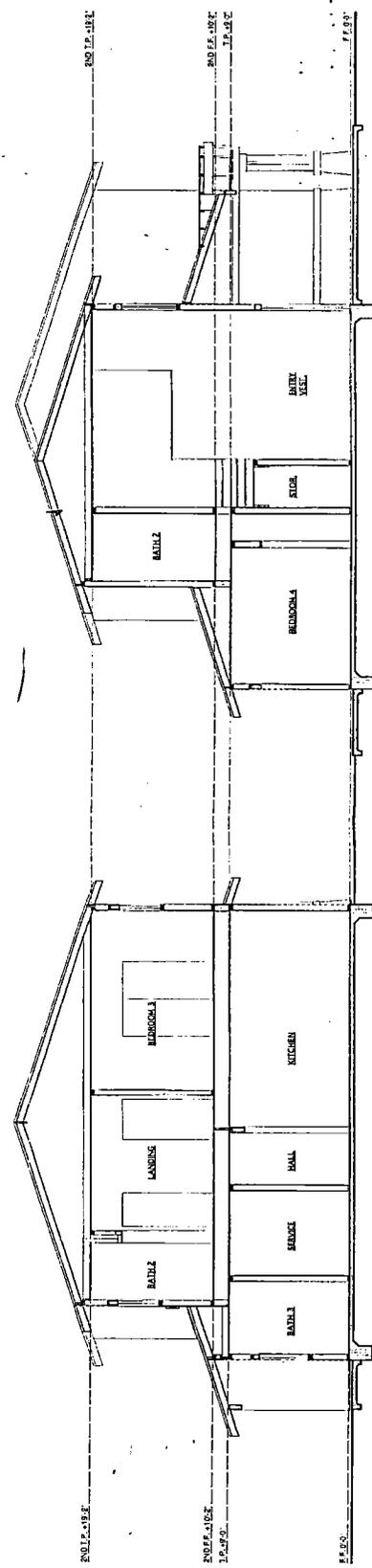


INTERIOR COURT ELEVATION

twg



SECTION TWO



SECTION THREE

12

SECTION FOUR

RESOLUTION NO. PC-07- 85

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA APPROVING PLANNING
APPLICATION PA-07-37**

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

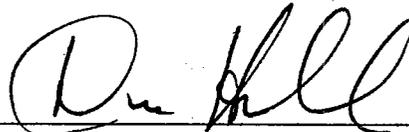
WHEREAS, an application was filed by American Timber Structures, authorized agent for Newport Balboa Partners, owner of real property located at 178 and 180 East 19th Street, requesting approval of a design review to construct a four-unit, two-story residential common interest development, in the R2-MD zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on November 26, 2007.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", and subject to the conditions contained in Exhibit "B", the Planning Commission hereby **APPROVES** Planning Application PA-07-37 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-07-37 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B", as well as with compliance with 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 26th day of November, 2007.



Donn Hall, Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

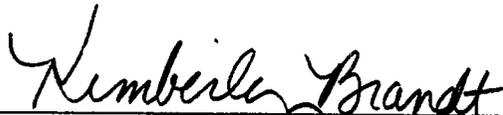
I, Kimberly Brandt, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on November 26, 2007, by the following votes:

AYES: COMMISSIONERS: HALL, FISLER, CLARK, EGAN, RIGHEIMER

NOES: COMMISSIONERS: NONE

ABSENT: COMMISSIONERS: NONE

ABSTAIN: COMMISSIONERS NONE



Secretary, Costa Mesa
Planning Commission

EXHIBIT "A"

FINDINGS

- A. The proposed project complies with Costa Mesa Municipal Code Section 13-29 (e) because:
- a. The proposed development and use is compatible and harmonious with uses both on site as well as those on surrounding properties.
 - b. Safety and compatibility of the design of the building and other site features, including functional aspects of the site development, have been considered.
 - c. The project is consistent with the General Plan designation of Medium Density Residential. Under this designation two dwelling units are allowed on each parcel and two dwelling units on each parcel is proposed (four total). Approval of the project will also satisfy General Plan Goal LU-1A.4 that encourages additional home ownership opportunities in the City.
 - d. The planning application is for a project-specific case and does not establish a precedent for future development.
- B. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(14) in that the proposed development, 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 project as a residential common interest development will also provide additional home ownership opportunities in the City.
- C. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City's environmental procedures, and has been found to be exempt from CEQA under Section 15303 for New Construction.
- D. The project, as conditioned, is consistent with Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code in that the development project's traffic impacts will be mitigated by the payment of traffic impact fees.

EXHIBIT "B"

CONDITIONS OF APPROVAL

- Plng.
1. The approved address of individual units 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. The site plan submitted with initial working drawings shall contain a notation specifying the project is a 4-unit, common interest (condominium) development.
 5. The applicant shall contact the current cable company prior to issuance of building permits to arrange for pre-wiring for future cable communication service.
 6. 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.
 7. Homeowners Association CC&Rs shall include a requirement that residents park in garages.
 8. Applicant shall provide proof of establishment of a homeowner's association prior to release of any utilities.
 9. The conditions of approval, code requirements, and special district requirements of Planning Application PA-07-37 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
 10. 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.
 11. 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.

12. 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.
13. The elevations of units visible from off-site shall have enhanced architectural details and window treatments per the direction of Planning staff.
14. Block walls shall be provided on all perimeter lot lines. Block walls visible from streets or alleys shall be decorative block, subject to approval by the Planning Division.
15. Every effort shall be made to follow sustainable building practices in the construction of the building and development of the project site. Compliance and certification with the United States Green Building Council's LEED program is highly encouraged.
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.