



PLANNING COMMISSION AGENDA REPORT

VI.4

MEETING DATE: JULY 13, 2009

ITEM NUMBER:

**SUBJECT: TWO-YEAR TIME EXTENSION FOR PLANNING APPLICATION PA-07-02
MASTER PLAN FOR 30-UNIT SINGLE-FAMILY, DETACHED COMMON-INTEREST
DEVELOPMENT AT 372, 378 AND 382 VICTORIA STREET**

DATE: JUNE 22, 2009

**FOR FURTHER INFORMATION CONTACT: MINOO ASHABI, AIA, SENIOR PLANNER
714-754-5160 (mashabi@ci.costa-mesa.ca.us)**

DESCRIPTION

The property owner is requesting an extension of time for a master plan including construction of a 30-unit single family detached common interest development.

APPLICANT

Harmony Way of Costa Mesa LLC

PROJECT CONSULTANT

Erick Van Wechel Architects

RECOMMENDATION

Approve the time extension for the master plan to be valid to July 3, 2010 by adoption of Planning Commission resolution, subject to conditions.

MINOO ASHABI, AIA
Senior Planner

KHANH NGUYEN
Acting Asst. Development Svs. Director

BACKGROUND

Design Review PA-07-02

The property is located on Victoria Street east of College Avenue. It is zoned PDR-HD (High Density) and has a General Plan designation of High Density Residential. The lot was developed with 18 residential units that have been demolished. The site is currently vacant and is secured and screened with a chain link fence and opaque fabric.

On July 3, 2007, City Council on a 4-0 vote approved Master Plan PA-07-02 for a 30-unit single-family, detached common-interest. The project also included Rezone R-07-06 for a rezone of the properties from R2-HD/R3 (Multiple Family Residential) to PDR-HD (Planned Development Residential – High Density).

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

PA-07-02 Report

<http://www.ci.costa-mesa.ca.us/council/agenda/2007-07-03/070307R0604PA0652.pdf>

PA-70-02 Minutes

<http://www.ci.costa-mesa.ca.us/council/minutes/2007-07-03.pdf>

Tentative Tract Map T-16990

On July 3, 2007, Council approved Tentative Tract Map T-16990 to subdivide the property for residential condominium purposes. The map approval was valid for two years. However, Senate Bill 1185 was passed in July 2008 which allowed the two-year approval period for specified maps to be automatically extended by an additional year. In accordance with Government Code Section 66452.21, Tentative Tract Map T-16990 is valid to July 3, 2010.

ANALYSIS

The proposed project consists of two three-story plans as follows:

- 2 bedroom/3 bath (1,667 square feet) with standard two-car garage.
- 2 bedroom/3 bedroom unit (1,750 square feet) with standard two-car garage.

This project complies with the Residential Development Standards and the overall intent of the Residential Design Guidelines with a ten-foot side setback, which helps minimize shade/shadow effects. Council determined that the project provides architectural interest and is compatible with the neighborhood.

A recorded parcel map is required prior to the issuance of building permits for the condominium units. The rough grading has been completed and a precise grading permit was issued for the site in February 2008 that will expire on August 3, 2009. The applicant is requesting additional time for recordation of the map and securing funding for the building permit issuance. The master plan was valid for one year; however approval of the tentative

tract map is valid for three years until July 3, 2010. Since applicable Code sections and residential design guidelines have not changed since Council's approval, and substantial site grading has occurred staff recommends the retroactive two-year approval of the time extension.

Additionally, due to an automatic one-year extension granted to specified subdivision maps by the State Legislature, the map approval is valid to July 3, 2010. Therefore, staff recommends that the time extension for the master plan be valid until that date.

ALTERNATIVES

If the time extension for the master plan is denied, the tentative tract map to subdivide the property for condominium purposes will still be valid until July 3, 2010, therefore the applicant would not have a corresponding approved development project, and must submit for a new master plan approval.

CONCLUSION

Approval of the time extension would allow the applicant additional time to obtain building permits in order to move forward with construction. Staff recommends retroactive approval of the time extension, given that applicable Code sections and residential design guidelines have not changed since the original approval and that the State Legislature has extended the life of certain subdivision maps by an additional year.

- Attachments: 1 Planning Commission Approval and Denial Resolutions
- 2 Applicant's Time Extension Request Letter
- 3 Location Map
- 4 Plans

cc: Acting Development Svs. Director
Deputy City Attorney
City Engineer
Fire Protection Analyst
Staff (4)
File (2)

Harmony Way of Costa Mesa LLC
1807 A. South San Gabriel Blvd.
San Gabriel, CA 91776

Erick Van Wechel
3373 Country Road
Fallbrook, CA 92028

RESOLUTION NO. PC-09-

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA APPROVING A TWO-YEAR TIME
EXTENSION FOR PLANNING APPLICATION PA-07-02

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

WHEREAS, the project site is real property locate at 372, 378 and 382 Victoria Street;

WHEREAS, the project involves the following: (1) Planning Application PA-07-02 for a Master Plan for a 30-unit single-family, detached common-interest development; and (2) Tentative Tract Map T-16990 to subdivide the property for condominium purposes;

WHEREAS, on July 3, 2007, City Council approved PA-07-02 by adoption of Resolution No. 07-61, of which is attached hereto as Exhibit "1";

WHEREAS, on July 3, 2007, City Council approved Tentative Tract Map T-16990 to subdivide the property for residential condominium purposes. In accordance with State of California Government Code Section 66452.21, the expiration date of this subdivision map is automatically extended for an additional year, to July 3, 2010;

WHEREAS, a time extension application was filed by Erick Van Wechel, as authorized agent for property owner Harmony Way of Costa Mesa LLC;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on July 13, 2009 with all persons having the opportunity to speak for and against the project;

WHEREAS, the time extension does not change the previously-adopted findings and conditions of approval for Planning Application PA-07-02, as specified in Exhibits "A" and "B" respectively, of Resolution No. 07-61 (Exhibit 1). 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-07-02 to be valid to **JULY 3, 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-07-02. 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. 07-61.

PASSED AND ADOPTED this 13th day of July 2009.

James Righeimer, Chair
Costa Mesa Planning Commission

EXHIBIT "1"

RESOLUTION NO. 07-61

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, APPROVING PLANNING APPLICATION PA-07-02 AND TENTATIVE TRACT MAP T-16990 AT 372, 378, AND 382 VICTORIA STREET.

THE CITY COUNCIL OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Bryan Coggins of The Preface Group, as authorized agent for property owners, 372 Victoria Street, LLC, Victoria Street Development Company, LLC, and CF Enterprises;

WHEREAS, the proposed project involves the following: (1) Rezone R-07-02 for a rezone of the properties from R2-HD/R3 (Multiple-Family Residential) to PDR-HD (Planned Development Residential – High Density); (2) Planning Application PA-07-02 for a Master Plan for a 30-unit single-family, detached common-interest development; and (3) Tentative Tract Map T-16990 to subdivide the property for condominium purposes;

WHEREAS, the project site is real property located at 372, 378, and 382 Victoria Street totaling 1.68 acres;

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;

WHEREAS, duly noticed public hearings were held by the Planning Commission on May 29, 2007 and by the City Council on July 3, 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 Planning Commission adopted Resolution PC-07-43 which recommended the following actions to City Council: (1) give first reading to Ordinance for Rezone R-07-02 to change the zoning classification of the 1.68-acre subject site from R2-HD and R3 (Multiple Family Residential) to PDR-HD (Planned Development Residential – High Density); (2) approve Planning Application PA-07-02 and Tentative Tract Map T-16990, subject to conditions;

WHEREAS, City Council gave first reading to the Ordinance for Rezone R-07-02 by separate motion;

BE IT FURTHER RESOLVED that the City Council does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the Staff Report for Rezone R-07-02/Planning Application PA-07-02/T-16990, based on the findings contained in Exhibit "A", 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 3rd day of July, 2007.



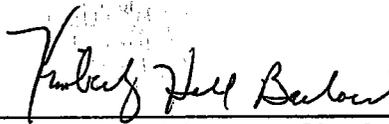
Allan R. Mansoor, Mayor

ATTEST:



Julie Folcik, City Clerk

APPROVED AS TO FORM:



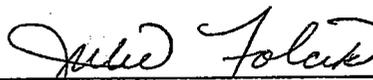
Kimberly Hall Barlow, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, JULIE FOLCIK, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing is the original of Resolution No. 07-61 and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 3rd day of July, 2007, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS: MANSOOR, BEVER, FOLEY, LEECE
NOES: COUNCIL MEMBERS: NONE
ABSENT: COUNCIL MEMBERS: DIXON

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 5th day of July, 2007.



JULIE FOLCIK, CITY CLERK

(SEAL)

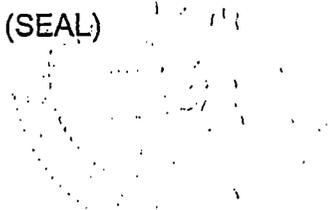


EXHIBIT "A"

FINDINGS

- A. Rezone R-07-02 is consistent with the General Plan and Zoning Code, as amended. The rezone to PDR-HD is within the development capacity of the General Plan and would not exceed the maximum allowable density of the High-Density Residential land use designation. The rezone also included an analysis of the interface and compatibility between existing residential uses and the proposed three-story structures and was found to be compatible with the adjacent residential properties.
- B. The proposed master plan for a residential common interest development project and related improvements provide for residential home ownership and are in conformance with the goals, policies, and objectives of the Costa Mesa General Plan and provisions of the Zoning Code. Specifically, the master plan is in conformance with the broader goals of the General Plan for a single-family residential condominium project and exhibits excellence in design, site planning, integration of uses and structures and protection of the integrity of neighboring development. While the proposed master plan does not reflect the minimum/average lot sizes of traditional small-lot subdivisions in the City, these minimum/average lot size requirements are not applicable in planned development zones. Overall the proposed master plan represents a desirable product type in conformance with the General Plan.
- C. 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 onsite as well as those on surrounding properties. Specifically, the proposed high-density residential development will replace existing structures originally built in the 1940s and 1950s. New minimum 6-foot tall perimeter block walls will provide noise attenuation and privacy from the adjacent properties.
 - 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 a standard residential drive approach from Victoria Street that shall be ungated 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.
 - d. The cumulative effects of Rezone R-07-02, Planning Application PA-07-02, and Tract Map T-16990 have been considered.
- D. 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. First, although the proposed units exceed the 80 percent second floor to first floor ratio recommended in the City's Residential Design Guidelines, the building massing will be primarily visible from within the development. Second, architectural treatments provide visual enhancements in the

place of physically articulated wall planes. Third, the project features a 10-foot side setback along the side property lines as recommended by the Residential Design Guidelines. Fourth, varied building materials and architectural elements (custom garage doors, wrought iron fencing, wooden shutters, stucco elements, enhanced entry porches, and balconies) contribute to a well-designed residential project.

- E. In conformance with the General Plan, the proposed project gives consideration to adequate light and air to adjoining neighbors. The Planned Development Residential zone allows building height up to four stories. The proposed structures are three stories/33 feet in height. While the proposed structures are 7 feet higher than a two story/27-foot tall residence, the project observes increased side setbacks of 10 feet which help minimize shade/shadow effects. Overall the project is found to be compatible with the adjacent residential properties.
- F. 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.
- G. The proposed project complies with minimum requirements for fire apparatus access through the provision of a 20-foot wide drivable area. Due to the 292-foot depth of the lot, the challenges associated with fire access may be minimized by the installation of residential sprinkler systems for all 30 dwelling units and two on-site fire hydrants to be installed pursuant to the direction of the Fire Marshal.
- H. 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.
- 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.
- J. 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).
- K. The project is subject to the City's adopted Traffic Impact Fee Program. The purpose of the fee is to fund the necessary transportation/circulation improvements which are related directly to the incremental traffic impacts imposed on the City's transportation system by new developments or expansion of existing developments. In accordance with the City of Costa Mesa Municipal Code Section 13-274(e), the developer of any development project subject to traffic impact fees may apply to the City Council for a waiver of the fee, or portion of the fee, based upon adequate documentation of the absence of any reasonable relationship or nexus between the circulation impacts of that development and the fee amount charged.

- L. The proposed use of the subdivision is for residential ownership purposes which are compatible with the objectives, policies, general plan land use designation, and programs specified in the City of Costa Mesa 2000 General Plan.
- M. The subject property is physically suitable to accommodate Tract Map T-16990 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.
- N. 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.

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. The approval of PA-07-02 and T-16990 is contingent upon City Council's final approval of the Rezone R-07-02 and shall not become effective until all other discretionary approvals are final and become effective.
3. 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.
4. The conditions of approval or code provisions of PA-07-02/T-16990 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.
5. All residential units shall be "for sale" units. The site shall not be developed for apartments or other non owner-occupied units. The subdivision map must be final and recorded prior to issuance of building permits.
6. 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.
7. 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.
8. To avoid an alley-like appearance, the private street shall not be entirely paved with asphalt nor be developed with a center concrete swale. 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 Planning Division prior to issuance of building permits.
9. The final landscape plan shall include recommended trees from the Appendix B and Appendix D of the Streetscape and Median Development Standards. Specifically, the front landscaped setback shall include Pistacia chinensis/Pinus canariensis/Tristania conferta or other tree species as deemed acceptable by the Development Services Director.
10. The site plan submitted with initial working drawings shall contain a notation

- specifying that the project is a single-family detached common interest development and shall specify the ultimate interior property lines.
11. 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.
 12. Prior to issuance of building permits, applicant shall submit an acoustical study completed by a qualified acoustical engineer to verify the minimum height requirements for a sound wall or minimum building construction standards to comply with the City's Noise Ordinance for interior and exterior areas of the residential development.
 13. Prior to issuance of certificate of occupancy, the applicant shall construct a minimum 6-foot tall decorative block/sound 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. The block wall shall be constructed of slumpstone block at least 6 inches thick and shall be of consistent color and texture (Orco Block – La Paz) or match any existing masonry walls within the immediate street segment. Brick trim caps are required on all block walls. Refer to Section 8.06 of the City's Streetscape and Median Development Standards or contact the Planning Division for more information on this requirement.
 14. The applicant shall contact the current cable service provider prior to issuance of building permits to arrange for pre-wiring for future cable communication service.
 15. To the fullest extent possible, the landscape plan shall feature 24-inch box trees and 5-gallon shrubs that exceed the minimum size requirements of trees and shrubs as described in the City's landscaping standards to the satisfaction of the Development Services Director. The landscape plan shall also show decorative treatment (i.e. turf block, brick, aggregated) within the private driveway. The landscape plan shall be approved prior to issuance of building permits.
 16. If the project is constructed in phases, the decorative perimeter block/noise wall, landscaping within the street setback areas, and irrigation shall be installed prior to the release of utilities for the first phase.
 17. Closets in the first-floor family room are prohibited. The applicant shall ensure that closets are not shown in any of the floor plans of the different plan models.
 18. No modification(s) of the approved building elevations including, but not limited to, changes that increase the building height, removal of building articulation, design modifications to the custom-made garage doors, 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, or in the requirement to modify the construction to reflect the approved plans.
 19. No exterior roof access ladders, roof drain scuppers, or roof drain downspouts shall be permitted.
 20. The guest and resident only parking stalls shall be clearly distinguished either by signage, labeling the wheel stops, or other means as deemed appropriate by the Development Services Director prior to issuance of the first certificate of occupancy. A sign shall be posted indicating that violators shall have their vehicles towed at the vehicle owner's expense.

21. Minimum 36' inch high concrete/steel bollards shall be installed between the homes located on Lot 6, Lot 10, Lot 21, and Lot 25 and the open parking lots provided for guest parking prior to issuance of the first certificate of occupancy.
22. Applicant shall submit floor plans for all models, including reverse plan models, with the working drawings for plan check.
23. There shall be minimal nighttime lighting, primarily 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.
24. 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.
25. 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.
26. 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.
27. Applicant shall submit a written determination from the Sanitary District and/or any contract trash collection service that on-site trash collection service can be provided to each individual dwelling unit. In addition, applicant shall sign and record a land use restriction prohibiting trash collection in the public right-of-way; if adequate, screened on-site storage for trash containers is provided; and with a limitation of no more than two trash containers per dwelling unit. Proof of compliance will be required prior to issuance of building permits.
28. 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.
29. 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. 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 in their enclosed garages to allow parking of two vehicles instead of any other purpose (e.g. storage); (2) require that the HOA contract with a towing service to enforce the parking regulations; and (3) require guest open parking spaces to be available for use for everyone in the development, inclusive of guests, residents, and any other authorized persons. Any subsequent revisions to the CC&Rs related to these parking provisions must be reviewed and approved by the City Attorney's office and the Development Services Director

- before they become effective.
- 30. Applicant shall provide proof of establishment of a homeowner's association prior to release of any utilities.
 - 31. Garages for individuals units shall be equipped with automatic garage door openers and 18' wide, roll-up garage doors.
 - 32. Prior to building permit issuance, the applicant shall submit a final tot lot plan for review and approval, which includes detailed playground specifications of manufactured play equipment. The playground plan shall depict safety fall zones, safety surfacing materials and construction specifications, manufacturer and model numbers of equipment and equipment deck heights. On a project-specific basis, the Development Services Director shall require that the playground plan adequately serve the anticipated number of users and their activities.
 - 33. Stationary play equipment in the tot lot shall be located on turf, sand, or other treated surface to the satisfaction of the Development Services Director. Common outdoor play areas shall include a combination of both soft and hard surfaces. At least one of each type of ground level play equipment in the tot lot shall be handicapped accessible. A minimum of one shaded seating area shall be provided in the tot lot to encourage adult supervision of children.
 - 34. Prior to issuance of a certificate of occupancy, the applicant shall submit a letter stating that the play equipment installation has been inspected by a person authorized by the manufacturer, that the equipment has been installed per manufacturer's specifications, and that it complies with the minimum playground safety regulations adopted by the State of California (California Code of Regulations, Title 22, Division 4, Chapter 22).
 - 35. The applicant shall provide a minimum 42-inch high, reinforced, combination block wall/wrought iron fence with a self-latching gate to serve as a vehicle safety barrier around the perimeter of the tot lot. Any alternative barrier meeting the intent of this requirement may be approved by the Development Services Director. This barrier shall be installed prior to issuance of the first certificate of occupancy.
 - 36. 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.
 - Bldg. 37. Applicant shall submit a soils report to the Building Division for this project concurrently with the submission of grading plans. One boring shall be at least 15 feet deep. Soils report recommendations shall be blueprinted on the plans.
 - 38. Applicant shall submit grading, drainage, and erosion control plans for this project.
 - Trans. 39. Applicant shall close unused drive approach(es) with curb and gutter.
 - 40. The Type II residential drive 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. Applicant shall comply with minimum clearance requirements from property lines and vertical obstructions.
 - 41. Vehicle Entry/Security gates shall be prohibited unless an acceptable security gate plan is approved by the Transportation Manager at a later date.
 - 42. Applicant shall provide 18-foot wide garage doors for all units.
 - 43. Aisle width shall be a minimum of 20-feet at all landscaped planters.
 - Eng. 44. 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.

45. Applicant shall contact the Engineering Division to discuss requirements for on-site retention of stormwater flows.
46. Applicant shall comply with all of the engineering conditions for Tract Map T-16990 as set forth in the City Engineer's letter to the applicant dated April 16, 2007.
- Fire 47. Overhangs, eaves, awnings, etc. shall not encroach into the fire access area along the driveway.
48. Provide Residential Fire Sprinklers per NFPA Standard 13R for all dwelling units and two on-site fire hydrants to be located pursuant to the direction of the Fire Marshal.

RESOLUTION NO. PC-09-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA DENYING A TWO-YEAR TIME
EXTENSION FOR PLANNING APPLICATION PA-07-02**

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

WHEREAS, the project site is real property locate at 372, 378 and 382 Victoria
Street;

WHEREAS, the project involves the following: (1) Planning Application PA-07-02
for a Master Plan for a 30-unit single-family, detached common-interest development;
and (2) Tentative Tract Map T-16990 to subdivide the property for condominium
purposes;

WHEREAS, on July 3, 2007, City Council approved PA-07-02 by adoption of
Resolution No. 07-61, of which is attached hereto as Exhibit "1";

WHEREAS, on July 3, 2007, City Council approved Tentative Tract Map T-
16990 to subdivide the property for residential condominium purposes. In accordance
with State of California Government Code Section 66452.21, the expiration date of this
subdivision map is automatically extended for an additional year, to July 3, 2010;

WHEREAS, a time extension application was filed by Erick Van Wechel, as
authorized agent for property owner Harmony Way of Costa Mesa LLC;

WHEREAS, a duly noticed public hearing was held by the Planning Commission
on July 13, 2009 with all persons having the opportunity to speak for and against the
project;

BE IT RESOLVED that, based on the evidence in the record and the findings
contained in Exhibit "A", the Planning Commission hereby **DENIES** a two-year time
extension for Planning Application PA-07-02 with respect to the property described
above.

PASSED AND ADOPTED this 13th day of July 2009.

James Rigueimer, Chair
Costa Mesa Planning Commission

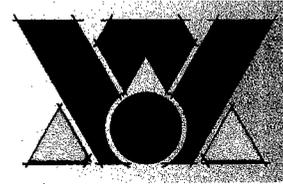
EXHIBIT "A"

FINDINGS

- A. The information presented does not comply with Costa Mesa Municipal Code Section 13-29(g)(2) in that the proposed project is not compatible with developments in the same general area. Granting the time extension will be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity.
- B. 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 onsite as well as those on surrounding properties.
 - b. The use is not consistent with the General Plan.
 - c. The planning application is for a project-specific case and does not establish a precedent for future development.
- C. The Costa Mesa Planning Commission has denied time extension request of PA-07-02. 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.

Van Wechel Architects

ARCHITECTURE – PLANNING – PROJECT MANAGEMENT
3373 Country Road
Fallbrook, CA 92028
Ph/Fax (760) 723-0484



May 19, 2009

Ms. Claire Flynn
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92628

**RE: Time Extension Request – Planning Application PA-07-02
30 Unit Planned Development
372-382 Victoria Street**

Dear Ms. Flynn,

I am writing to request a 24 month extension of time to Planning Application PA-07-02 for the above referenced project. Granting of this request will the timing of our master plan to coincide with our tentative map, which under SB 1185, is now valid for a 36 month period.

Our development team has been diligently working on the final plans and engineering. At this time the grading permit has been issued and rough grading for the project is complete. Our final map will be ready for recordation within the next few months after which we intend to secure building permits for the construction of our model homes.

Coordinating the various aspects of this relatively complex project, along with the difficulties in the housing and financing markets over the past year, have made it necessary to request this extension of time.

We appreciate the city's assistance with our project and look forward to the granting of this request for an extension of time so we may conclude our processing for recordation of the final map and commence construction of the homes. Please do not hesitate to contact me if you require any additional information regarding this matter.

Sincerely,



Erick Van Wechel
Van Wechel Architects
C20666

ATTACHMENT 3
VICINITY MAP
372, 378, 382 VICTORIA ST.
PA-07-02

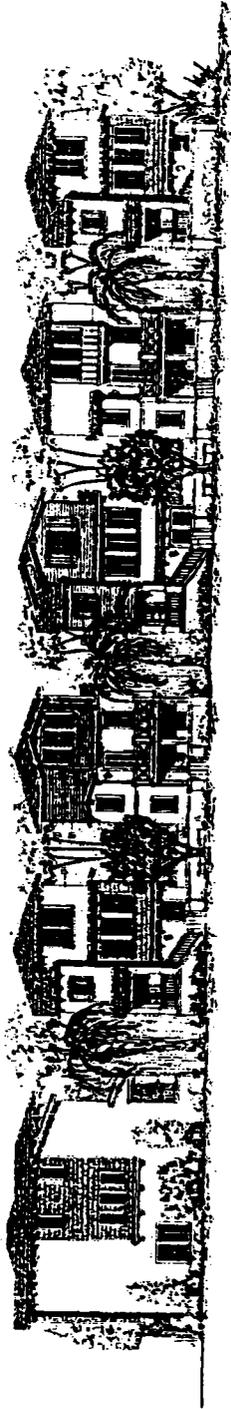


SITE PLAN SUMMARY

OWNER: THE PREFACE GROUP
 SITE ADDRESS: 372-378-382 VICTORIA STREET
 APN: 419-042-05-05-07
 EXISTING ZONING: R-3
 PROPOSED ZONING: PER-ND
 PROPOSED UNITS: 30 DETACHED HOMES
 LOT AREA: 73,000 S.F. (1.66 ACRES)
 DENSITY: 17 UNITS PER ACRE
 REDD OPEN SPACE: 73,000 X .40% = 30,060 S.F.
 SITE SUMMARY:
 DRIVEWAY: 22,050 S.F. (29.2%)
 GUEST PARKING: 16,573 S.F. (21.5%)
 OPEN SPACE: 4,800 S.F. (6.3%)
 BALCONIES: 30,887 S.F. (42.0% PROVIDED AT GRADE)
 1,978 S.F. (2ND FLOOR OPEN SPACE)
 PLAN SUMMARY: 2 BEDROOM UNITS TYPICAL
 PLAN 1:
 1ST FLOOR LIVABLE: 285 S.F.
 2ND FLOOR LIVABLE: 714 S.F.
 3RD FLOOR LIVABLE: 688 S.F.
 TOTAL LIVABLE AREA: 1,687 S.F.
 BALCONY: 28 S.F.
 PLAN 2:
 1ST FLOOR LIVABLE: 285 S.F.
 2ND FLOOR LIVABLE: 774 S.F.
 3RD FLOOR LIVABLE: 676 S.F.
 TOTAL LIVABLE AREA: 1,735 S.F.
 BALCONY: 70 S.F.
 PARKING PROVIDED: 2 CAR ATTACHED GARAGE/AMT (NO STALLS TOTAL)
 30 OPEN GUEST STALLS
 80 STALLS PROVIDED (3 STALLS PER UNIT)

LOT AREA SUMMARY

1-1	1,140 SF
2-1	1,140 SF
3-1	1,140 SF
4-1	1,140 SF
5-1	1,140 SF
6-1	1,140 SF
7-1	1,140 SF
8-1	1,140 SF
9-1	1,140 SF
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446-1	1,140 SF
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451-1	1,140 SF



Paseo Elevation



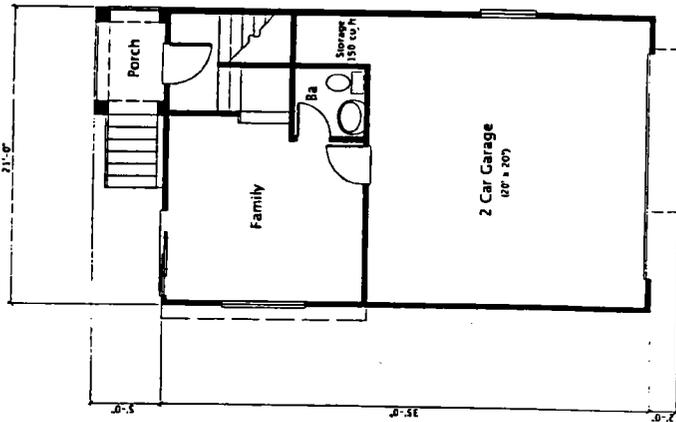
Victoria Elevation

The Preface Group
1855 Newport Blvd., Suite A109
Costa Mesa, CA 92627
(949) 350-6657

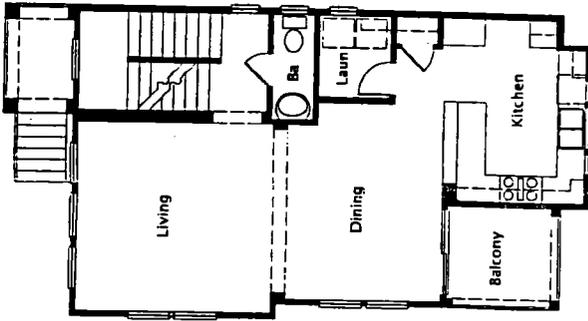
30 Unit Planned Development

372-378-382 Victoria Street
Costa Mesa, California
Scale: 1" = 4' Mar. 19, 2007

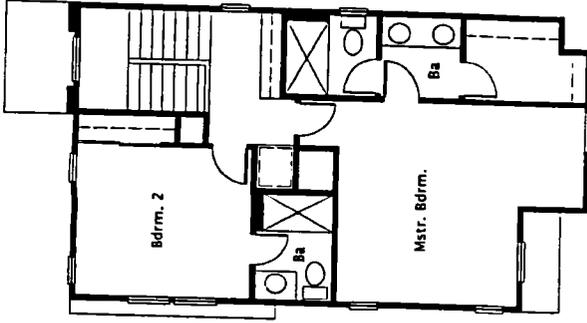
Erick Van Wechel
Architect
1855 Newport Blvd., Suite A109
Costa Mesa, CA 92627
(949) 350-6657



First Floor Plan



Second Floor Plan



Third Floor Plan

Plan 1	
First Floor	285 s.f.
Second Floor	714 s.f.
Third Floor	668 s.f.
Total Livable	1,667 s.f.
Garage	420 s.f.
Balcony	58 s.f.

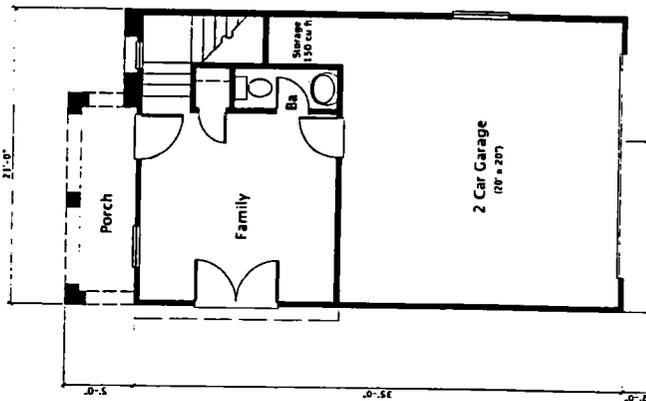
30 Unit Planned Development

The Preface Group
 1835 Newport Blvd., Suite A109
 Costa Mesa, CA 92627
 (949) 350-6657

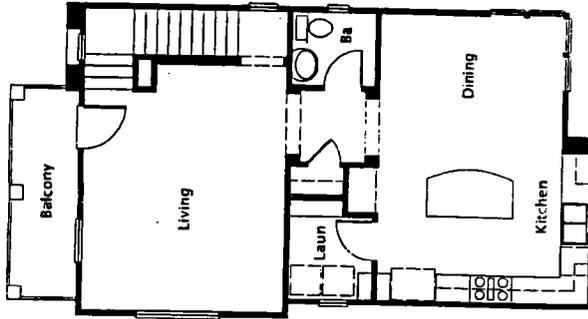
372-376-382 Victoria Street
 Costa Mesa, California
 Scale: 1" = 4' Dec. 15, 2006



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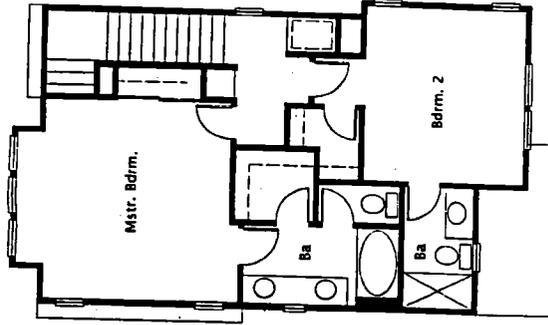


First Floor Plan



Second Floor Plan

Plan 2	
First Floor	285 s.f.
Second Floor	774 s.f.
Third Floor	676 s.f.
Total Livable	1,750 s.f.
Garage	420 s.f.
Balcony	75 s.f.



Third Floor Plan

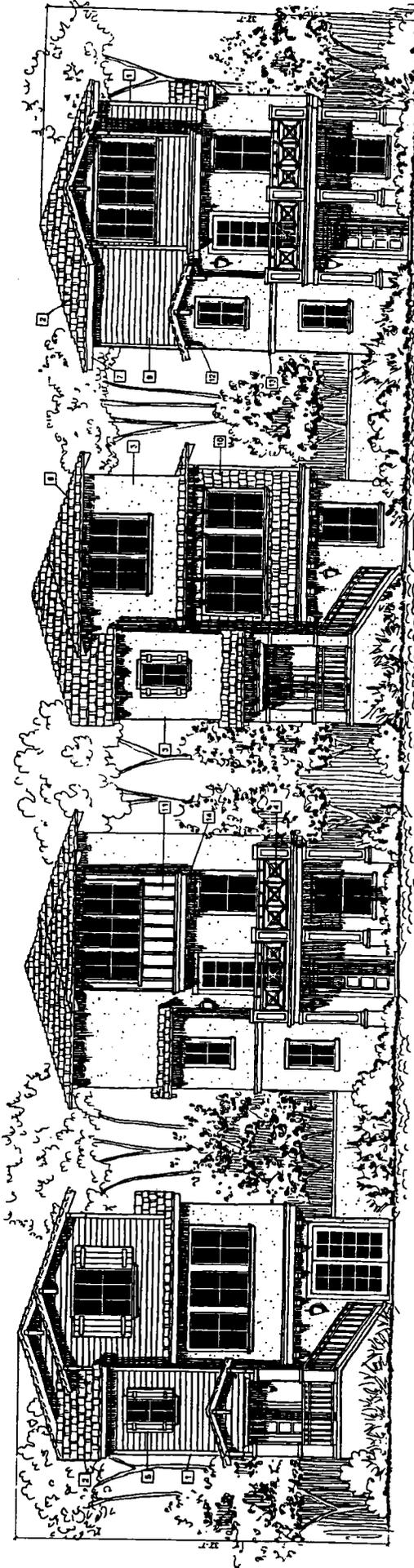
The Preface Group
 1835 Newport Blvd., Suite A109
 Costa Mesa, CA 92627
 (949) 350-6657

30 Unit Planned Development

372-378-382 Victoria Street
 Costa Mesa, California
 Scale: 1" = 4' Dec. 15, 2006

Frank Van Wechel
 Architect
 2102 COUNTY ROAD
 COSTA MESA, CALIFORNIA
 92626 (949) 750-0000

26



Plan 1B

Plan 2B

Plan 1A

Plan 2A

Front Elevation

Material Schedule

1. 2x4 Reclaimed Wood Trim
2. Shale Pattern Concrete Tile Roof
3. Suetco - Sand Finish
4. Decorative Wrought Iron
5. Decorative Wood Shutter
6. Sectional Garage Door
7. 2 x 8 Reclaimed Wood Fascia/RAK
8. 3 x 6 Reclaimed Rafter Tails
9. 6" Lap Siding
10. Shingle Siding
11. Board and Batten Siding
12. Wood Outbooster
13. Foam Trim

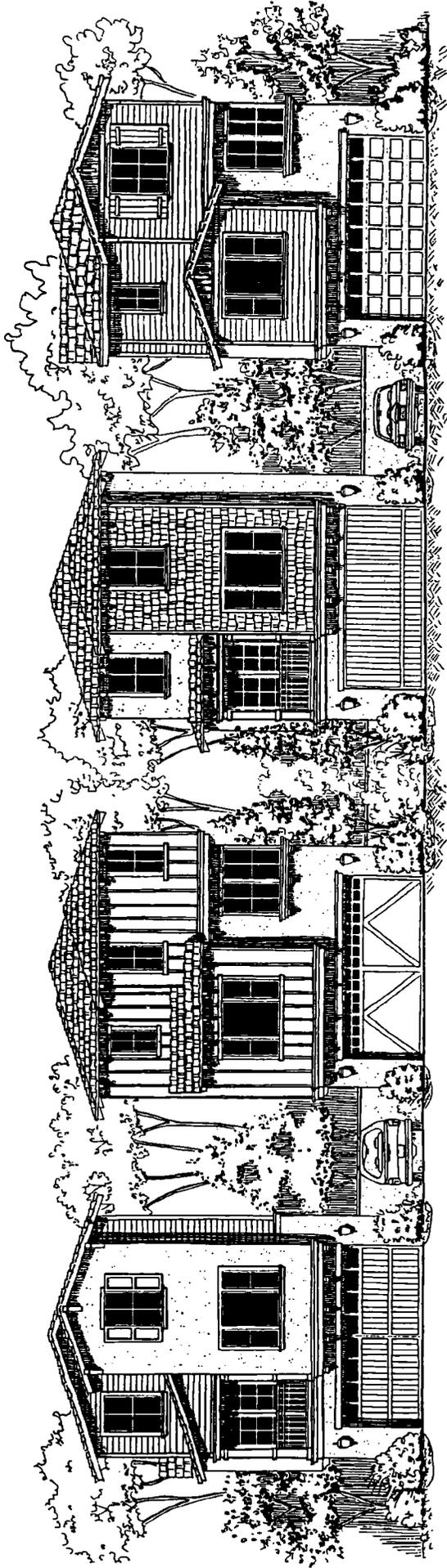
The Preface Group
 1835 Newport Blvd., Suite A109
 Costa Mesa, CA 92627
 (949) 350-6657

30 Unit Planned Development

372-378-382 Victoria Street
 Costa Mesa, California
 Scale: 1" = 4' Dec. 15, 2006

Frank Van Wechel
 Architect
 300 COMMERCE ROAD
 COSTA MESA, CALIFORNIA 92626

27



Plan 1B

Plan 2B

Plan 1A

Plan 2A

Driveway Elevation

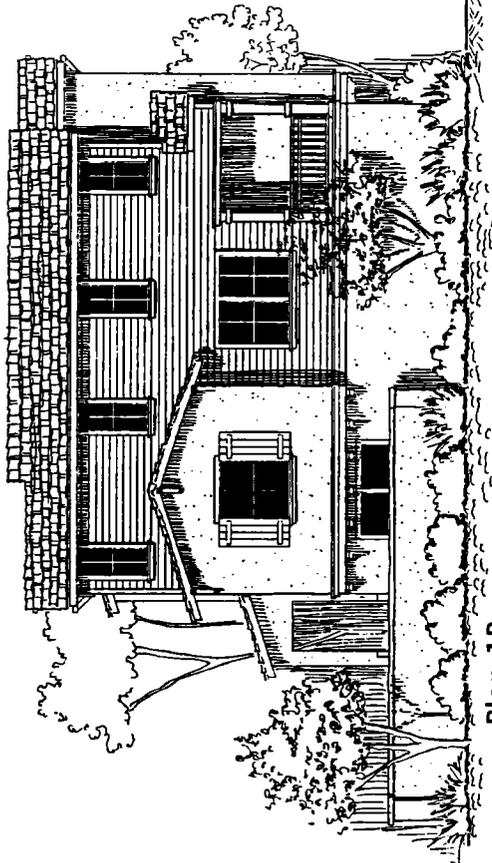
The Preface Group
 1835 Newport Blvd., Suite A109
 Costa Mesa, CA 92627
 (949) 350-6657

30 Unit Planned Development

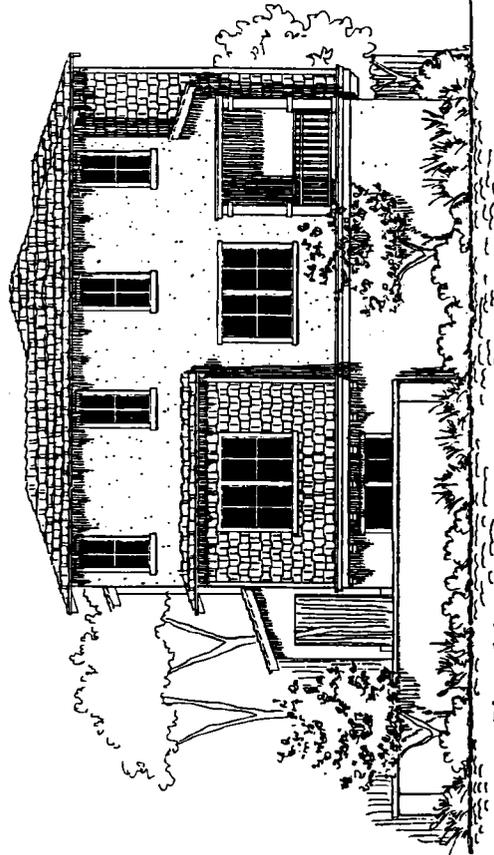
372-378-382 Victoria Street
 Costa Mesa, California
 Scale: 1" = 4' Dec. 15, 2006

Erisk Van Wechel
 Architect
 372 COUNTRY ROAD
 PALMDALE, CA 93550
 (818) 791-7000

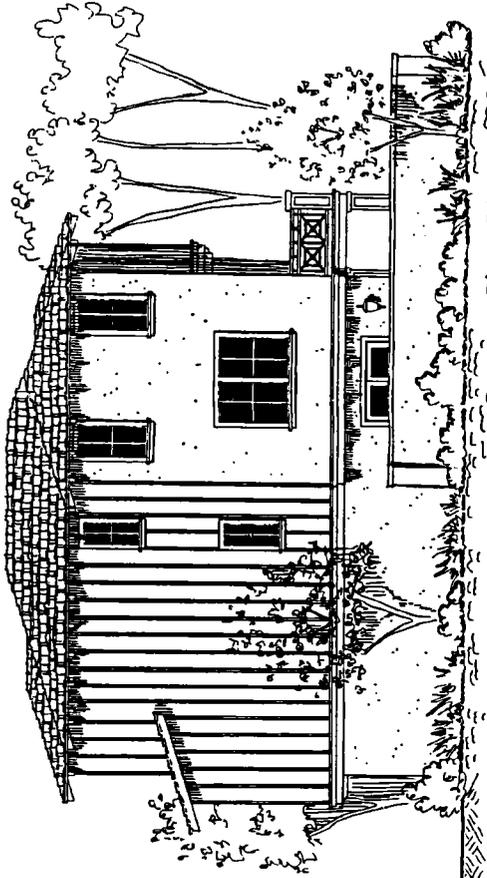
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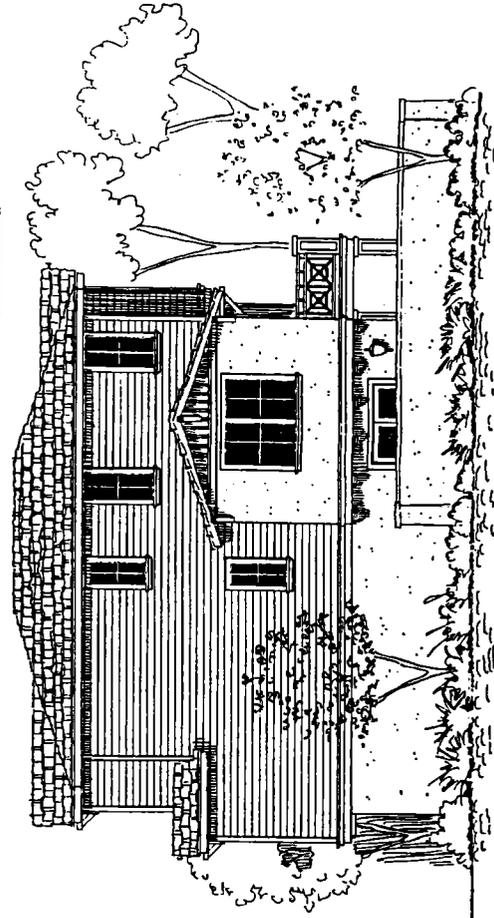
Plan 1B



Plan 1A



Plan 2B



Plan 2A

Victoria Elevation

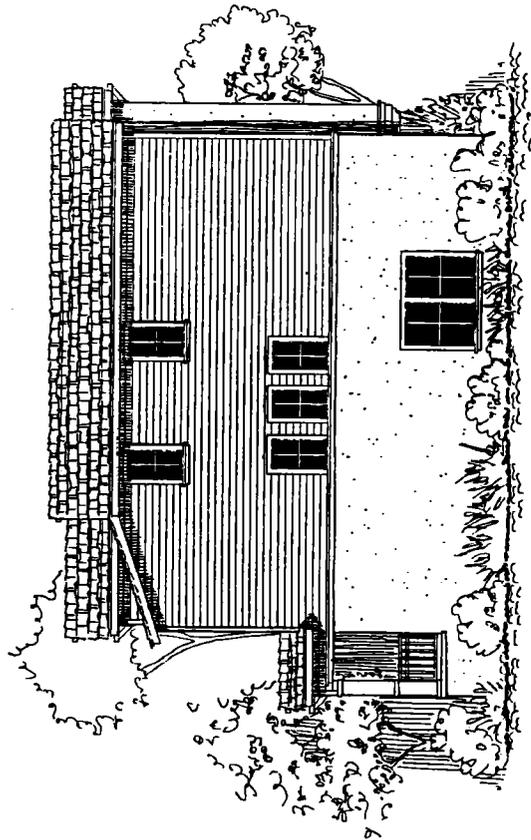
30 Unit Planned Development

The Preface Group
 1835 Newport Blvd., Suite A109
 Costa Mesa, CA 92627
 (949) 350-6657

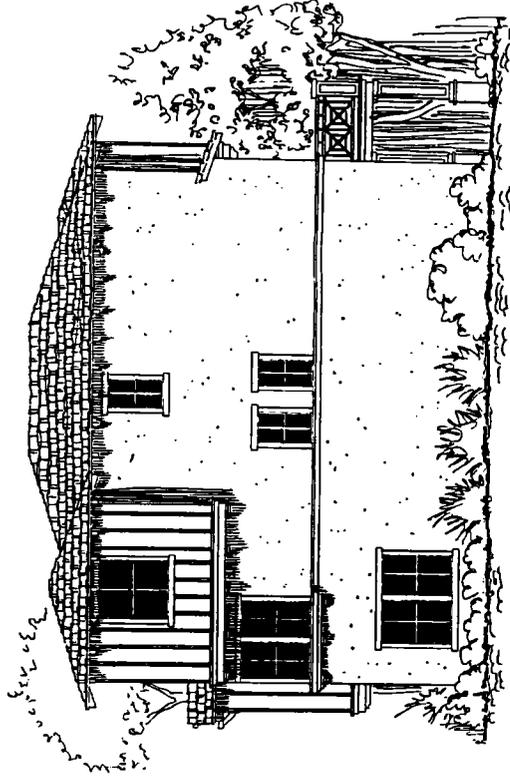
372-378-382 Victoria Street
 Costa Mesa, California
 Scale: 1" = 4' Dec. 15, 2006

Erisk Van Wechel
 Architect
 2730 COUNTY ROAD
 SANTA FE, NM 87506

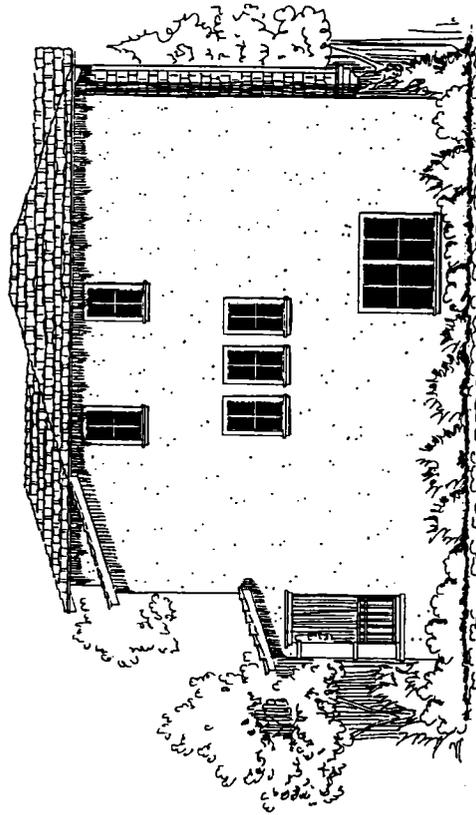
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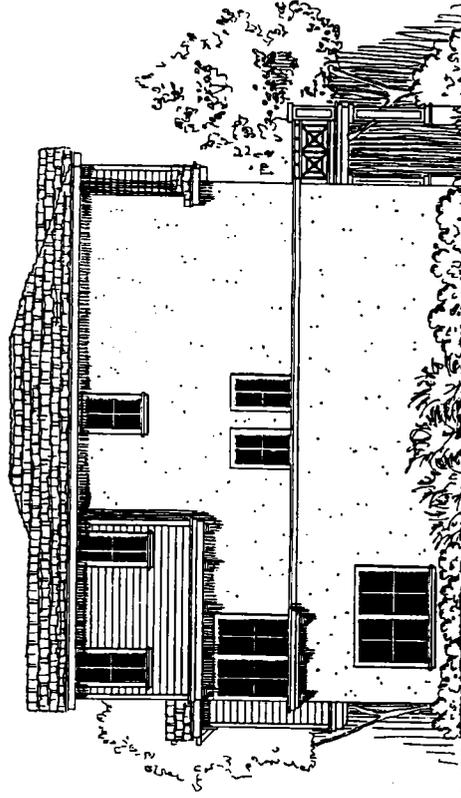
Plan 1B



Plan 2B



Plan 1A



Plan 2A

Side Elevations

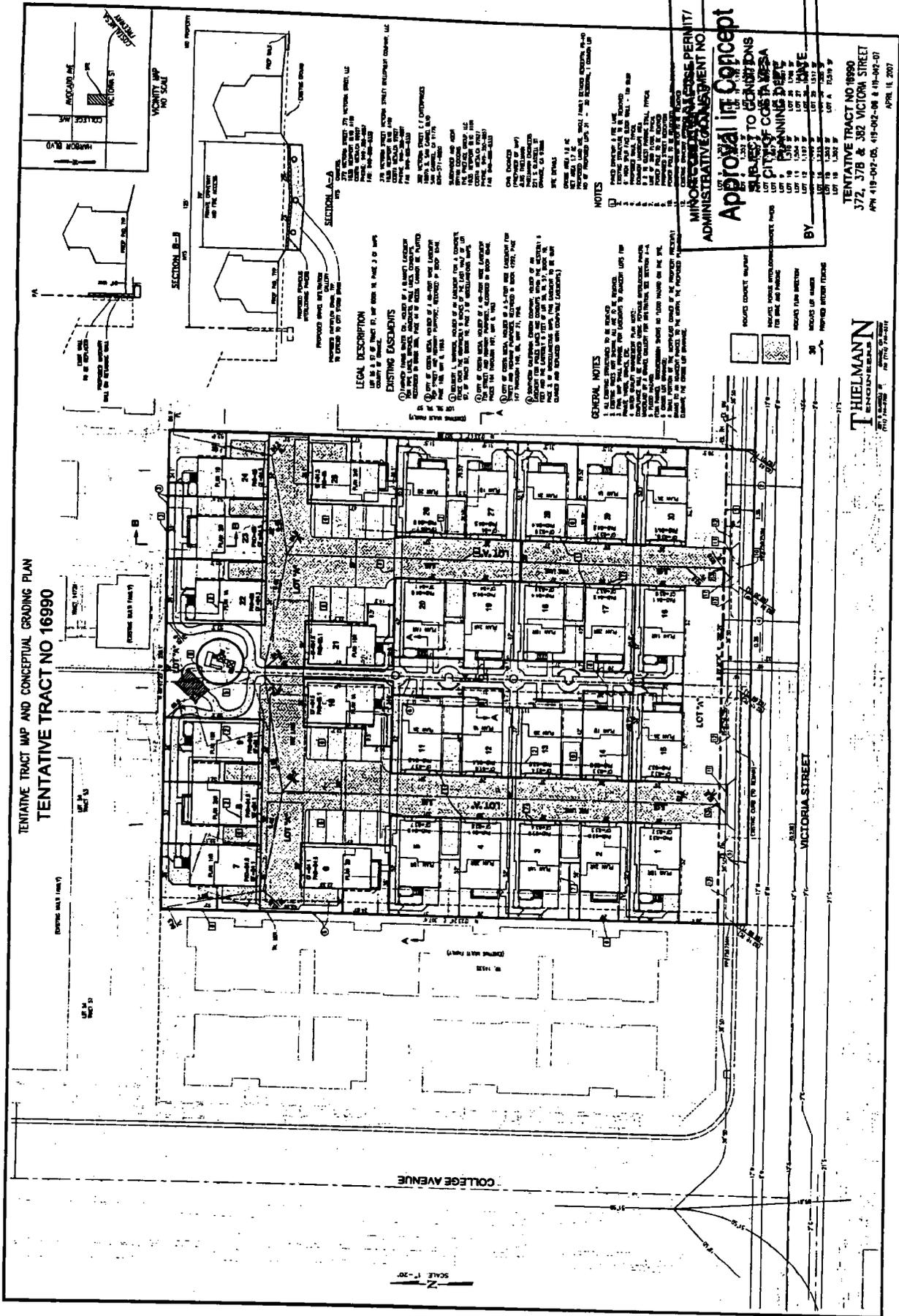
30 Unit Planned Development

The Preface Group
 1835 Newport Blvd., Suite A109
 Costa Mesa, CA 92627
 (949) 350-6657

372-378-382 Victoria Street
 Costa Mesa, California
 Scale: 1" = 8' Dec. 15, 2006

Arch Van Wechel
 Architect
 372 COMMERCE BLVD
 ALHAMBRA, CA 91801
 PHONE: (626) 251-8888

TENTATIVE TRACT MAP AND CONCEPTUAL GRADING PLAN
TENTATIVE TRACT NO 16990



LEGAL DESCRIPTION
 Section 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

NOTES

1. THE TRACT MAP IS SUBJECT TO THE CITY OF COSTA MESA'S PERMITS AND REGULATIONS.
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GENERAL NOTES

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MINOR COMMERCIAL PERMIT/
ADMINISTRATIVE MANAGEMENT NO.

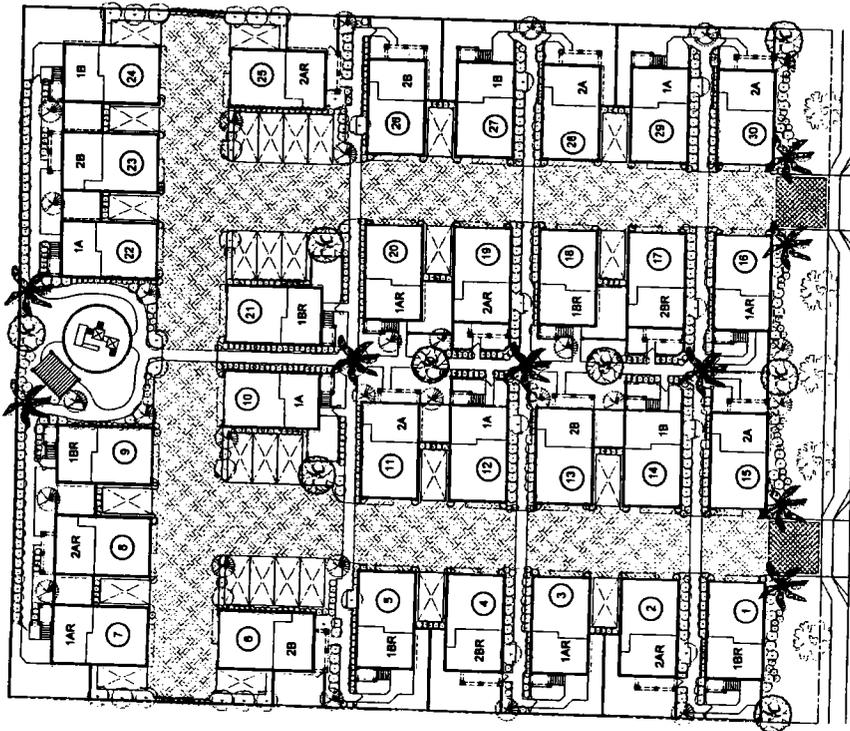
Approval in Concept

FOR THE CITY OF COSTA MESA
CITY ENGINEER

BY: [Signature]

TENTATIVE TRACT NO 16990
372, 378 & 382 VICTORIA STREET
APR 11 2007

THIELMANN
ENGINEERS



CONCEPTUAL TREE PALETTE	QUANTITY
25% 3" BOX	20
33% 3" BOX	30
48% 18 GALLON (CAMPHOR TREE)	9
TRISTEMA COBERTA (BRISBANE BOX)	18
FRAXILIS C. WATER VERVUUS (PURPLE LEAF PLUM)	9
LAGERTROEMIA INDOCA (JUMPE MYRTLE)	5
ARECASTRUM ROMANZOFFIANUM (QUEEN PALM) - 10' BROWN TRUNK HEIGHT	5
STREET TREES PER CITY REQUIREMENTS	60
TOTAL TREES PROVIDED	60

CONCEPTUAL PLANT PALETTE	QUANTITY
25% 18 GALLON	10
33% 5 GALLON	20
48% 1 GALLON	300
ARELIA EDWARD GOLCHER	
ADAPANTALIA AFRICANUS	
USIBROCALUS HYBRID	
USIBROCALUS HYBRID	
MADONIA DOMESTICA 'NANA'	
PHOTNIA X 'TRALESE'	
PHOTNIA X 'TRALESE'	
WHEELERS DINARF	
PITISPORUM TORIIRA	
VARIEGATA	
INDIAN HAWTHORN	
'PINK LADY'	
XYLOSMA CONGESTUM 'COMPACTA'	
COMPACT SHINY TYLOSMA	
TOTAL SHRUBS PROVIDED	80

CONCEPTUAL GROUND COVERS	QUANTITY
GAZANIA	80 FLATS
STAR JASMINE	80 FLATS
TURF	AS BROWN

Conceptual Landscape Plan

30 Unit Planned Development

372-378-382 Victoria Street
 Costa Mesa, California
 Scale: 1" = 20' Mar. 19, 2007

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32