



PLANNING COMMISSION AGENDA REPORT

VI.3

MEETING DATE: MAY 10, 2010

ITEM NUMBER:

SUBJECT: (1) PLANNING APPLICATION PA-09-02 (TIME EXTENSION) AND
TENTATIVE PARCEL MAP PM-09-131 FOR 2160 MYRAN DRIVE
(2) PLANNING APPLICATION PA-09-03 (TIME EXTENSION) AND
TENTATIVE PARCEL MAP PM-09-132 FOR 2172 MYRAN DRIVE

DATE: APRIL 29, 2010

FOR FURTHER INFORMATION CONTACT: MEL LEE, AICP, SENIOR PLANNER
(714) 754-5611(mlee@ci.costa-mesa.ca.us)

DESCRIPTION

The applicant is requesting approval of the following:

- (1) PA-09-02 and PM-09-131 for 2160 Myran Drive; and
- (2) PA-09-03 and PM-09-132 for 2172 Myran Drive.

These are two proposed residential common-interest developments on different lots, but under the same ownership. The applications for each property involve the following:

- Time extension for a previously-approved two-story, two-unit common-interest development; and
- Consideration of a corresponding tentative parcel map to facilitate the subdivision for condominium purposes.

Because the proposals for each property are identical, the analysis is combined in one staff report with separate resolutions for each required action.

APPLICANT

The applicant is Willard Chilcott, who is also the owner of the two properties.

RECOMMENDATIONS

1. Approve the extension of time for PA-09-02 and approve Tentative Parcel Map PM-09-131 for 2160 Myran Drive by adoption of Planning Commission resolution, subject to conditions.
2. Approve the extension of time for PA-09-03 and approve Tentative Parcel Map PM-09-132 for 2172 Myran Drive by adoption of Planning Commission resolution, subject to conditions.


MEL LEE, AICP
Senior Planner


KHANH NGUYEN
Acting Asst. Development Svcs. Director

BACKGROUND

Project Site/Environs

The properties are situated on Myran Drive, a 25-foot wide private vehicle access easement located on the north side of Victoria Street, west of Harbor Boulevard. Four lots have direct vehicle access to the private easement: 2156, 2160, 2166, and 2172 Myran Drive. The applicant, who is also the property owner and developer, owns the two lots that comprise these applications (2160 and 2172 Myran Drive); the remaining two lots (2156 and 2166 Myran Drive) are owned by separate individuals. All four lots contain residential structures, which were constructed prior to the City's incorporation (late 1940's).

Previous Applications for Both Properties

In late 2003 and early 2004, the applicant submitted two separate Zoning Applications to construct identical, two-story, single family residences on each lot. The applications were approved by the Zoning Administrator; however, both applications were opposed by the residents of the other two lots that share the private easement. Both of the Zoning Administrator's approvals were appealed to the Planning Commission, which upheld the approvals, and further appealed to the City Council, which also upheld the approvals.

In 2009, the applicant submitted a design review for a second unit for each lot, so that the applicant could develop and sell the units as two-unit common interest developments (condominiums). These applications were approved by the Planning Commission and called up for review by the City Council, which upheld the approvals. A project timeline for both properties are contained in the tables below.

PROJECT TIMELINE – 2160 MYRAN DRIVE	
November 20, 2003	Minor Design Review ZA-03-76 to construct a single, two-story, 2,376 square-foot residence approved by the Zoning Administrator.
January 12, 2004	Approval of ZA-03-76 upheld by Planning Commission on appeal.
February 17, 2004	Approval of ZA-03-76 upheld by City Council on appeal.
March 24, 2005	One-year extension of time approved by the Zoning Administrator.
February 17, 2006	Approval of ZA-03-76 expires.
May 11, 2006	Single residence re-approved as Development Review DR-06-06. ¹
June 20, 2007	One-year extension of time approved by Planning staff.
June 20, 2008	One-year extension of time approved by Planning staff.
March 9, 2009	Approval of PA-09-02 for present two-unit project by Planning Commission.
May 11, 2009	Expiration date for DR-06-06.
April 7, 2009	Approval of PA-09-02 upheld by City Council
May 10, 2010	Commission consideration of time extension and tentative parcel map to facilitate the two-unit project as a common interest development.

¹ Because the residence was revised to comply with the Residential Design Guidelines, the new application was approved as a Development Review instead of a Minor Design Review.

PROJECT TIMELINE – 2172 MYRAN DRIVE	
May 6, 2004	Minor Design Review ZA-04-15 to construct a single, two-story, 2,376 square-foot residence identical to 2160 Myran Drive approved by the Zoning Administrator.
June 14, 2004	Approval of ZA-04-15 upheld by Planning Commission on appeal.
July 19, 2004	Approval of ZA-04-15 upheld by City Council on appeal.
September 8, 2005	One-year extension of time approved by the Zoning Administrator.
August 24, 2006	One-year extension of time approved by the Zoning Administrator.
August 23, 2007	One-year extension of time approved by the Zoning Administrator.
July 24, 2008	One-year extension of time approved by the Zoning Administrator.
March 9, 2009	Approval of PA-09-03 for present two-unit project by Planning Commission.
April 7, 2009	Approval of PA-09-03 upheld by City Council
July 19, 2009	Expiration date for ZA-04-15.
May 10, 2010	Commission consideration of time extension and parcel map to facilitate the two-unit project as a common interest development.

Status of Approved Residences for Both Properties

Demolition, grading, and building permits were issued in 2005 for the approved single residences for both properties. To date, no development activity has taken place on either property by the applicant and the land use approvals and building permits have expired.

ANALYSIS

Time Extensions

Code Section 13-29(k)(2) allows Commission to approve successive one-year time extensions upon showing good cause by the applicant.

With respect to the proposed two-unit, two-story residential common-interest developments previously-approved under PA-09-02 and PA-09-03, there have been no changes in the Zoning Code development standards that affect the project as originally approved. All previously approved conditions of approval remain in effect for their respective projects. The conditions of approval and code requirements for the repaving of the entire private easement to Victoria Street, preservation of existing trees and fences on abutting properties, and providing adequate site drainage, have been carried over from the prior Zoning Application approvals.

Parcel Maps

The applicant proposes a tentative map for each project to allow the units to be sold separately. The maps are consistent with City Codes and the State Subdivision Map Act. Staff has included conditions that require CC&Rs for maintenance of all common areas.

Expiration of Projects

Per City Code, planning application approvals are valid for one year unless renewed. Per the State Subdivision Map Act, tentative map approvals are valid for 24 months. As a result, staff has incorporated a condition of approval allowing the planning application

expirations to coincide with the expiration of their respective maps; in other words, the planning applications and maps would expire in 24 months in 2012. After the initial 24-month period, a time extension for these applications would be required to be processed for another 12-month period.

GENERAL PLAN CONFORMITY

The properties have a general plan designation of Medium Density Residential. Under this designation two units are allowed for each lot and two units are proposed. Therefore, if approved, the use and density would conform to the City's General Plan.

ALTERNATIVES

The Planning Commission has the following alternatives:

1. Approve the time extensions and maps for both properties. This would allow the applicant to obtain building permits and proceed with the development.
2. Deny the time extensions and maps for both properties. The applicant could not submit substantially the same type of application for six months. The applicant cannot construct the previously approved single residences for either property because the accompanying land use approvals and building permits have expired.

ENVIRONMENTAL DETERMINATION

If approved, the projects would be exempt from the provisions of the California Environmental Quality Act under Section 15303 for New Construction. If the projects are denied, they would be exempt from the provisions of the California Environmental Quality Act (CEQA) Section 15270(a) for projects which are disapproved.

CONCLUSION

As a two-unit common interest development, the development of both properties will comply with the Zoning Code requirements and the State Subdivision Map Act. Therefore, staff recommends approval of the time extension requests and the respective parcel maps for these properties.

Attachments for
2160 Myran Dr.

- 1A. Time Extension Request
- 1B. Planning Commission Resolutions
- 1C. Location Map
- 1D. Plans

Attachments for
2172 Myran Dr.

- 2A. Time Extension Request
- 2B. Planning Commission Resolutions
- 2C. Location Map
- 2D. Plans

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

Willard Chilcott
1561-C Orange Avenue
Costa Mesa, CA 92627

File: 051010PA0902PM09131PA0903	Date: 042910	Time: 11:45 a.m.
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4-4-10

Mel Lee
Planning Dept
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92627

I would like to request an extension of Planning Application PA-09-02 for 2160 Myran Dr. in Costa Mesa.

Thank you.

Willard Chilcott
1561C Orange Ave
Costa Mesa, CA 92627

949-929-6882

RESOLUTION NO. PC-10-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING AN EXTENSION OF TIME FOR PLANNING APPLICATION PA-09-02, AND APPROVAL OF TENTATIVE PARCEL MAP PM-09-131, FOR 2160 MYRAN DRIVE

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

WHEREAS, an application was filed by was filed by Willard Chilcott, owner of real property located at 2160 Myran Drive, requesting approval of an extension of time for Planning Application PA-09-02 for a two-unit, two-story common interest development and approval of Tentative Parcel Map PM-09-131 to facilitate the subdivision of the development for condominium purposes;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on May 10, 2010.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", the Planning Commission hereby **APPROVES** the extension of time for PA-09-02, and Tentative Parcel Map PM-09-131, with respect to the property described above.

BE IT FURTHER RESOLVED that the expiration of Planning Application PA-09-02 shall coincide with the expiration of Tentative Parcel Map PM-09-131; therefore, both applications shall be valid for 24 months from the date of the resolution.

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-09-02 and Parcel Map PM-09-131 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B" as well as with compliance of all applicable federal, state, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

PASSED AND ADOPTED this 10th day of May, 2010.

James Righeimer, Chair
Costa Mesa Planning Commission

EXHIBIT "A"

FINDINGS – APPROVAL (PA-09-02 AND PM-09-131 - 2160 MYRAN DRIVE)

- A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(e) because:
1. The proposed use is compatible and harmonious with uses on surrounding properties.
 2. Safety and compatibility of the design of the parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.
 3. The project, as conditioned, is consistent with the General Plan.
 4. 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 project complies with the City of Costa Mesa Zoning Code, and meets the purpose and intent of the Residential Design Guidelines, which are intended to promote design excellence in new residential construction, with consideration being given to compatibility with the established residential community. This design review includes site planning, preservation of overall open space, landscaping, appearance, mass and scale of structures, location of windows, varied roof forms and roof plane breaks, and any other applicable design features. The visual prominence associated with the construction of a two-story residence has been reduced through appropriate transitions between the first and second floors and the provision of second floor offsets to avoid unrelieved two-story walls. Privacy of the adjoining neighbors will not be impacted because second-story windows will be required to be placed to minimize direct lines-of-sight into yard areas and windows on neighboring properties.
- C. The subdivision of the property for residential condominiums is consistent with the City's General Plan and Zoning Code.
- D. The proposed use of the subdivision is for residential ownership purposes which is compatible with the objectives, policies, general plan land use designation, and programs specified in the City of Costa Mesa 2000 General Plan.
- E. The subject property is physically suitable to accommodate Parcel Map PM-09-131 in terms of type, design, and density of development, and will not result in substantial environmental damage nor public health problems, based on compliance with the City's Zoning Code and General Plan.
- F. The design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision, as required by Government Code Section 66473.1.

- G. The subdivision 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.
- H. The discharge of sewage from this subdivision into the public sewer system will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000 of the Water Code).
- I. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines; and the City environmental procedures, and has been found to be exempt from CEQA under Section 15303 for New Construction.
- J. The project is exempt from Chapter IX, Article 11, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.
- K. The buildings for this development are at an excessive distance from the street, but the plan does not lend itself to fire apparatus access or placement of an on-site fire hydrant. Problems associated with the depth of buildings on the property can be minimized by installation of a residential sprinkler system.

EXHIBIT "B"

CONDITIONS OF APPROVAL (PA-09-02 AND PM-09-131 - 2160 MYRAN DRIVE)

- Plng.
1. Street addresses shall be displayed on the fascia adjacent to the main entrance or front door in a manner visible from the private street. Numerals shall be a minimum 6 inches in height with not less than ½-inch stroke and shall contrast sharply with the background.
 2. 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.
 3. 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.
 4. The conditions of approval for PA-09-02 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
 5. The subject property's ultimate finished grade level may not be filled/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 storm water 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. Applicant is advised that recordation of a drainage easement across the private street may be required to fulfill this requirement.
 6. Prior to issuance of grading or building permits, the applicant shall obtain approval of a hydrology and drainage study showing the method of disposal of storm water.
 7. The applicant shall contact the Planning Division to arrange a 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.
 8. 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.
 9. Exterior elevations shall be submitted for pre-plan check review and approval by the Planning Division. Once the exterior elevations have been reviewed and approved by the Planning Division, the exterior elevations shall be incorporated into the plan check drawings.

10. 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 a discretionary review process such as a minor design review or a variance, or in the requirement to modify the construction to reflect the approved plans.
11. Bedroom windows on the north (left side) elevation for Building B shall be limited to small and/or high windows to minimize visibility into the abutting yards. Every effort shall be made to maintain the privacy of abutting property owners.
12. The applicant shall contact the current cable company prior to issuance of building permits to arrange for pre-wiring for future cable communication service.
13. Applicant shall provide a new paved driveway surface within the private easement, extending from the subject property to Victoria Street, minimum 16 feet in width, subject to approval by the Planning Division.
14. The paving specified in condition of approval number 14 shall extend to the northerly end of the property line, to include the existing turn-around.
15. To avoid an alley-like appearance, the driveway shall be developed without a center swale. Design shall be approved by the Planning Division.
16. The site plan submitted with initial working drawings shall contain a notation specifying the project is a one-lot condominium.
17. It is recommended that the project incorporate green building design and construction techniques where feasible. The applicant may contact the Building Safety Division at (714) 754-5273 for additional information.
18. Applicant shall provide proof of establishment of a homeowner's association prior to release of any utilities.
19. Property line walls or fences shall be constructed at the completion of the rough grading. At the time of removal of any separation barrier including, but not limited to existing fencing, structures or property line hedges, a temporary chain link security fence, minimum six feet high, shall be put in place prior to demolition permit being issued for the property, to separate the subject property from 2166 Myran Drive, which shall remain in place until property line walls or fences have been constructed.
20. Parking of vehicles within the private vehicle access easement shall not be permitted.
- Eng. 21. Maintain the public right-of-way in a "wet-down" condition to prevent excessive dust and remove any spillage from the public right-of-way by sweeping or sprinkling.
- City 22. Signs shall be posted stating parking of vehicles within the private vehicle
Council access easement shall not be permitted.
- City 23. The average second story side setback for Building B shall be redesigned
Council to comply with the 10-foot average second story side setback per the Residential Design Guidelines.

24. The expiration of Planning Application PA-09-02 shall coincide with the expiration of Tentative Parcel Map PM-09-131; therefore, both applications shall be valid for 24 months from the date of the resolution. It should be noted that a request for a 12-month time extension must be made prior to the expiration date and must reference both applications.
25. The CC&R's shall require that garage spaces be used for parking purposes only. Any changes made to this provision shall require prior review and approval by the City of Costa Mesa.
26. The CC&Rs shall include a provision mandating binding arbitration in the event of any dispute between the two property owners relating to the homeowner's association.

RESOLUTION NO. PC-10-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DENYING AN EXTENSION OF TIME FOR PLANNING APPLICATION PA-09-02, AND TENTATIVE PARCEL MAP PM-09-131, FOR 2160 MYRAN DRIVE

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

WHEREAS, an application was filed by was filed by Willard Chilcott, owner of real property located at 2160 Myran Drive, requesting approval of an extension of time for Planning Application PA-09-02 for a two-unit, two-story common interest development and approval of Tentative Parcel Map PM-09-131 to facilitate the subdivision of the development for condominium purposes;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on May 10, 2010.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A, the Planning Commission hereby **DENIES** the extension of time for PA-09-02 and Tentative Parcel Map PM-09-131 with respect to the property described above.

PASSED AND ADOPTED this 10th day of May, 2010.

James Righeimer, Chair
Costa Mesa Planning Commission

EXHIBIT "A"

FINDINGS – DENIAL (PA-09-02 AND PM-09-131 - 2160 MYRAN DRIVE)

- A. The proposed project does not comply with Costa Mesa Municipal Code Section 13-29(e) because:
1. The project is not compatible and harmonious with uses on surrounding properties.
 2. The project is not consistent with the General Plan.
 3. The planning application is for a project-specific case and does not establish a precedent for future development.
- B. The information presented does not comply with Costa Mesa Municipal Code Section 13-29(14) in that the project does not meet the purpose and intent of the Residential Design Guidelines, which are intended to promote design excellence in new residential construction, with consideration being given to compatibility with the established residential community. This design review includes site planning, preservation of overall open space, landscaping, appearance, mass and scale of structures, location of windows, varied roof forms and roof plane breaks, and any other applicable design features.
- C. The subdivision of the property for residential condominiums is not consistent with the City's General Plan and Zoning Code.
- D. The Costa Mesa Planning Commission has denied Planning Application PA-09-02 and PM-09-131. 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.
- E. The project is exempt from Chapter IX, Article 11, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.



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Zoom In Zoom Out

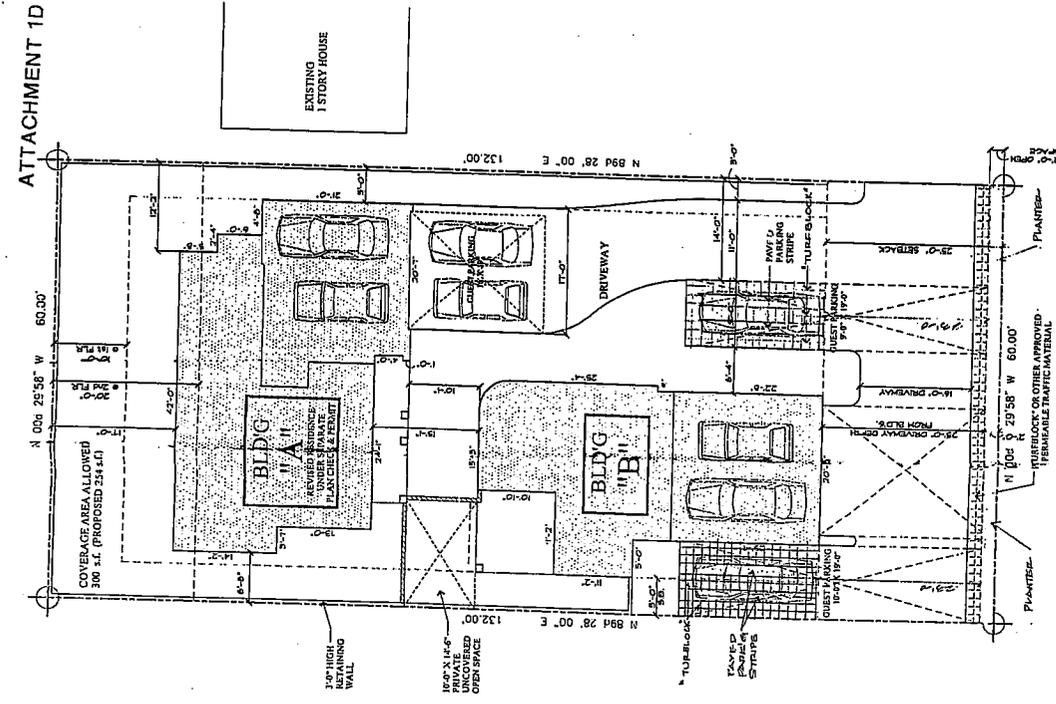
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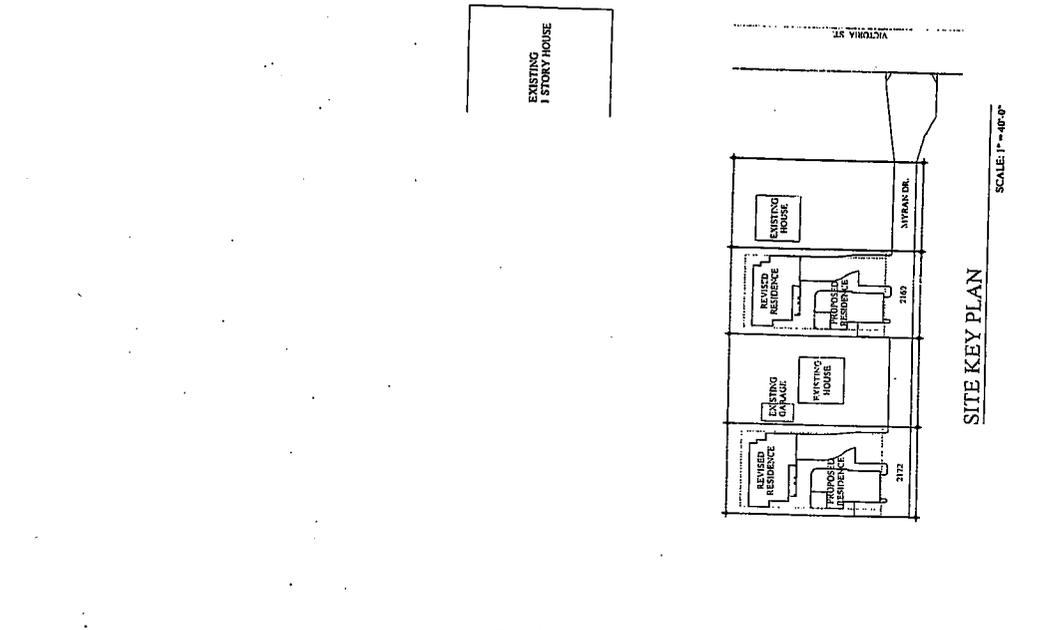


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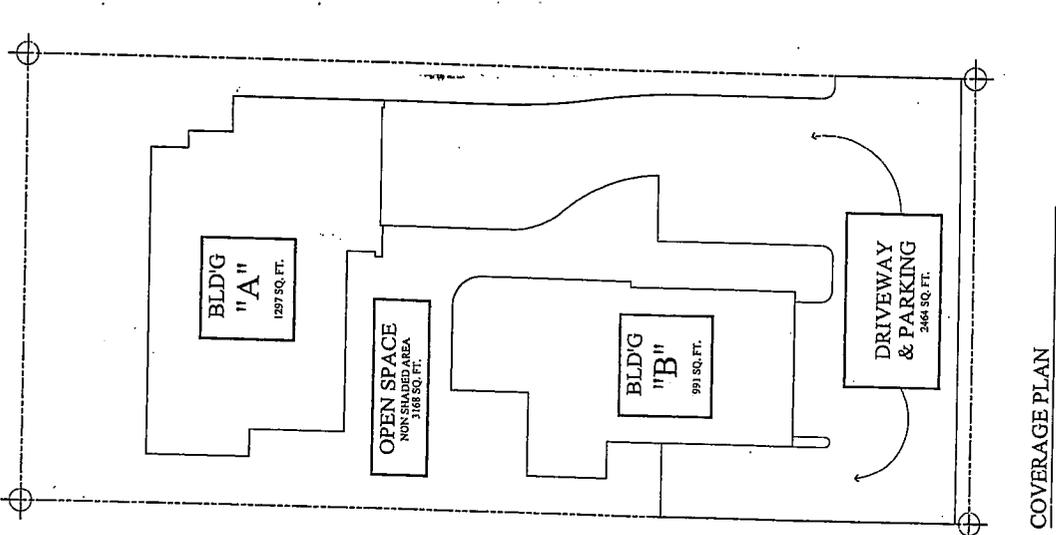
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SITE PLAN
SCALE: 1/8" = 1'-0"



COVERAGE PLAN
SCALE: 1/8" = 1'-0"



SITE KEY PLAN
SCALE: 1" = 40'-0"

SITE TABULATION

BUILDING	FOOTPRINT	GARAGE	DRIVEWAY	OPEN SPACE	TOTAL
BUILDING A	1297 sq. ft.	499 sq. ft.	858 sq. ft.	1,017 sq. ft.	1,875 sq. ft.
BUILDING B	991 sq. ft.	426 sq. ft.	571 sq. ft.	785 sq. ft.	1,356 sq. ft.
DRIVEWAY	2,464 sq. ft.				2,464 sq. ft.
OPEN SPACE	3,168 sq. ft.				3,168 sq. ft.
TOTAL LOT AREA	7,920 sq. ft.				7,920 sq. ft.

PROJECT DESCRIPTION

PROPOSED: TWO SINGLE FAMILY HOMES WITH AN ATTACHED TWO CAR GARAGE & (2) GUEST PARKING SPACES. BOTH HOMES ARE OF CALIFORNIA CONSTRUCTION WITH STUCCO WALLS, STANDING SEAM ROOFING, AND VERTICAL IRON ACCENTS. EACH HOME HAS 3 BEDROOMS PLUS A DEN.

LEGAL

TRACT 1163
LOT 33
A.P. NO. 422-203-07
ZONING: R2 MD

WILLARD CHILCOTT & STEPHANIE FAWLEY
A RESIDENTIAL DEVELOPMENT
2160 MYRAN DR., SUITE 207
COSTA MESA, CA. 92627

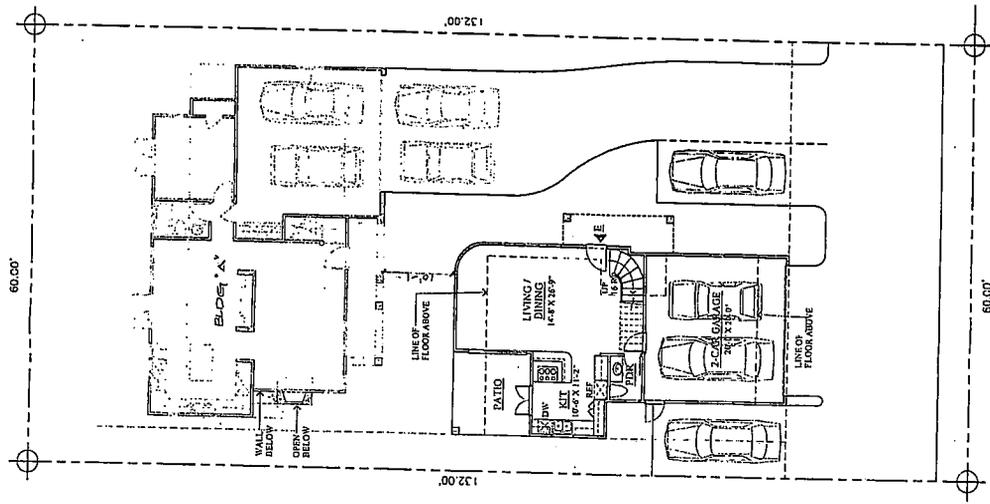
BRADFORD C. SMITH, ARCHITECT
(949) 631-3682 FAX: (949) 631-3685
425 30th St. Ste. #22
NEWPORT BEACH, CALIFORNIA



NORTH

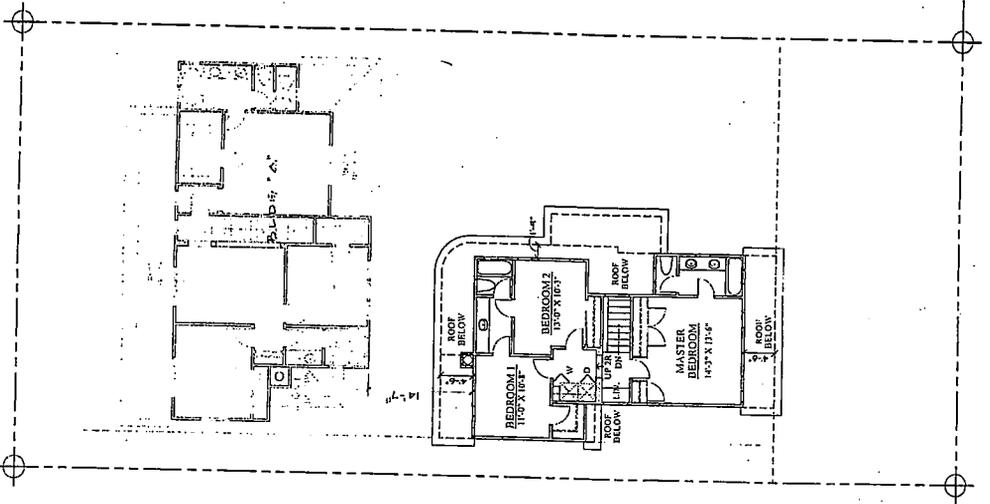
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1-2-08

BRADFORD C. SMITH, ARCHITECT
(949) 631-3682 FAX: (949) 631-3685
425 30th St. Ste. #22
NEWPORT BEACH, CALIFORNIA



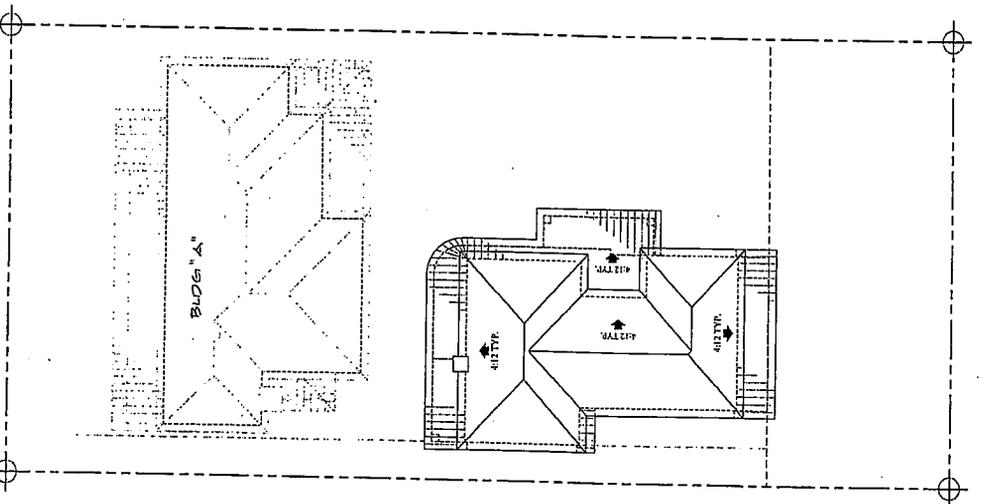
FIRST FLOOR PLAN

SCALE: 1/8" = 1'-0"



SECOND FLOOR PLAN

SCALE: 1/8" = 1'-0"

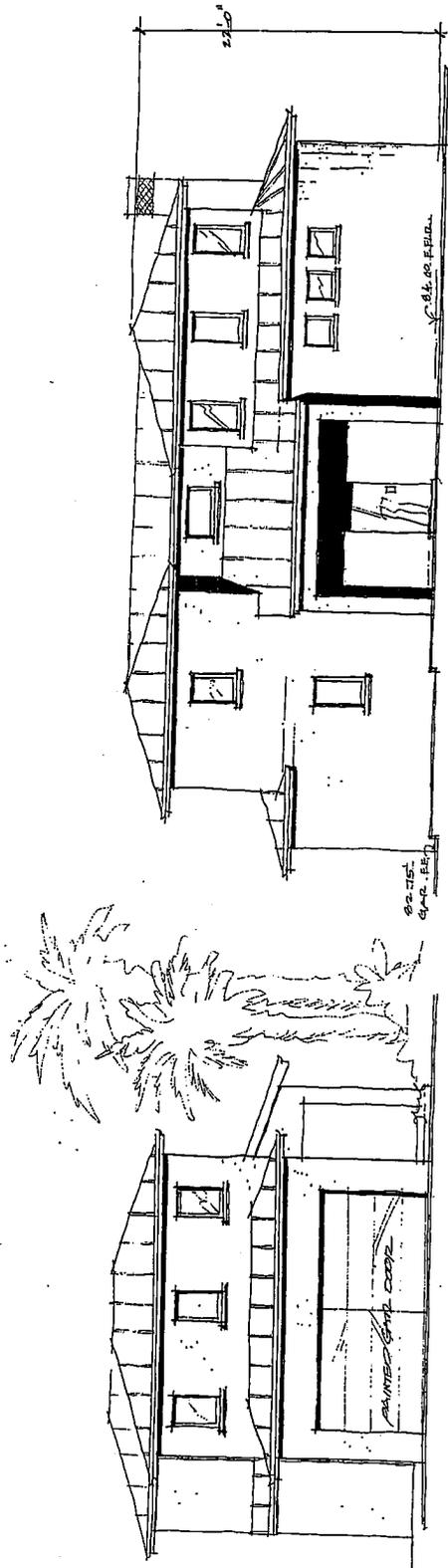


ROOF PLAN

SCALE: 1/8" = 1'-0"

FLOOR PLANS

WILLARD CHILCOTT & STEPHANIE FAWLEY
A RESIDENTIAL DEVELOPMENT
2160 MYRAN DR., BLDG. 'B'
COSTA MESA, CA. 92627

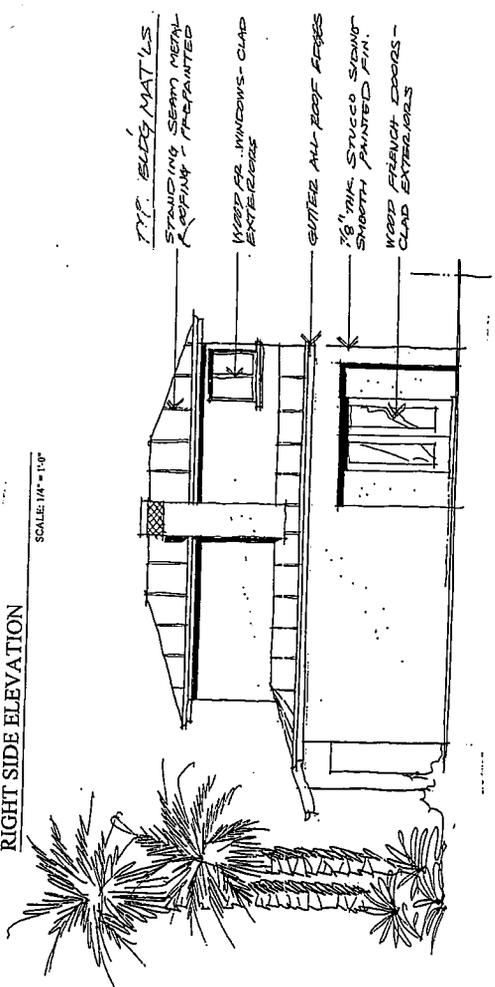


FRONT ELEVATION

SCALE: 1/4" = 1'-0"

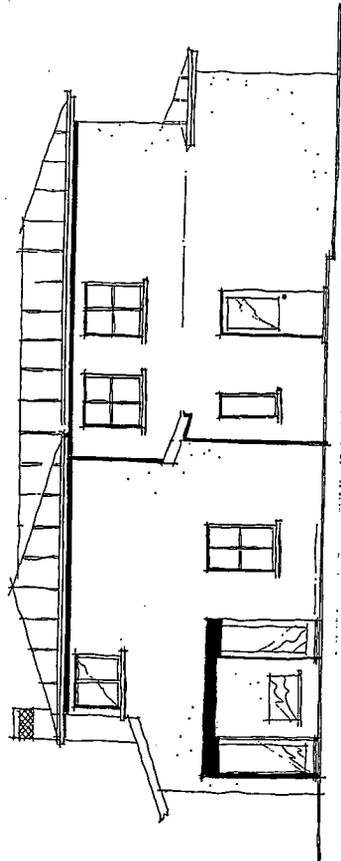
RIGHT SIDE ELEVATION

SCALE: 1/4" = 1'-0"



REAR ELEVATION

SCALE: 1/4" = 1'-0"



LEFT SIDE ELEVATION

SCALE: 1/4" = 1'-0"



NORTH

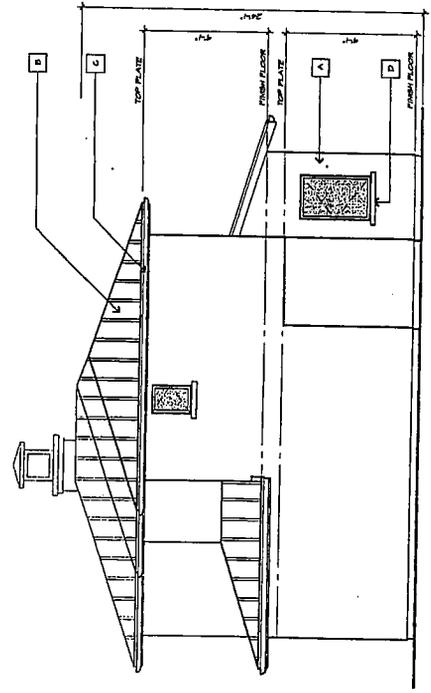
A-3
9-3-08

BRADFORD C. SMITH, ARCHITECT
(949) 631-3682 FAX: (949) 631-3685
425 30th St. Ste. #22
NEWPORT BEACH, CALIFORNIA

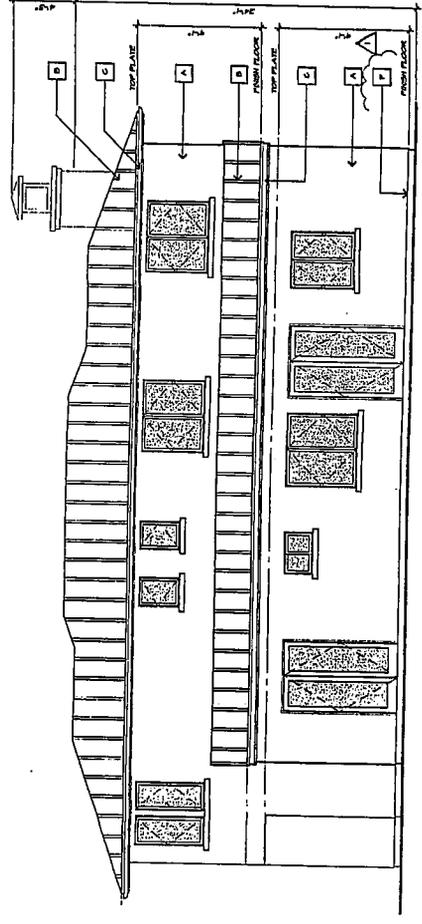
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EXTERIOR ELEVATIONS

WILLARD CHILCOTT & STEPHANIE FAWLEY
A RESIDENTIAL DEVELOPMENT
2160 MYRAN DR., BLDG "B"
COSTA MESA, CA. 92627



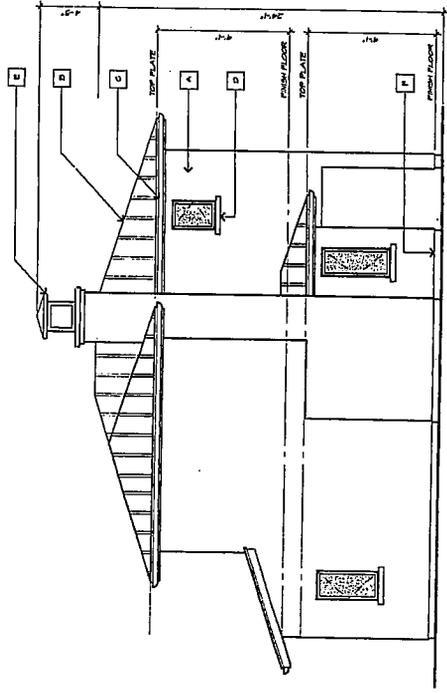
RIGHT ELEVATION



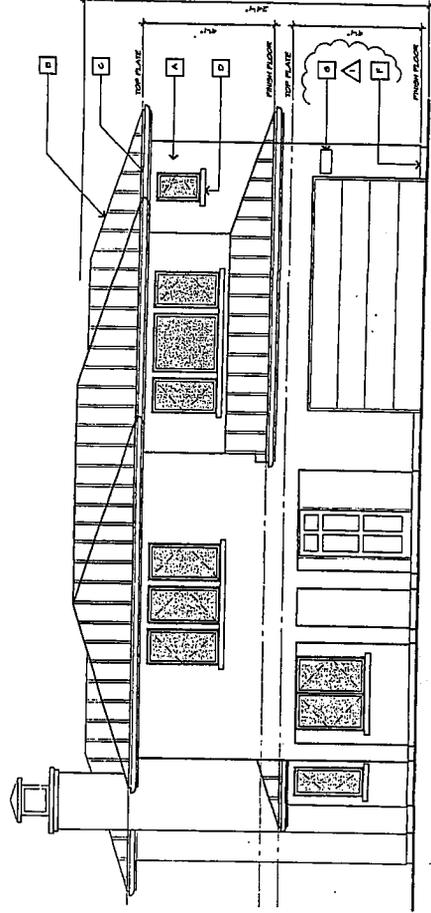
REAR ELEVATION

ELEVATION PLAN LEGEND

- A. STUCCO FINISH BY LA MARRA PRODUCTS, INC. OR EQUAL. STUCCO TO BE APPLIED TO ALL EXTERIOR WALLS. ALL WALLS TO BE FINISHED WITH STUCCO UNLESS OTHERWISE NOTED.
- B. METAL ROOF BY - STUCCO TILE COMPANY. STAINING GRAY OR EQUAL. COLOR "MINK" - 1000. 2" MIN. INSTALL PER MANUFACTURER'S SPECIFICATIONS.
- C. SET ROOF FLASHING PER MANUFACTURER'S SPECIFICATIONS.
- D. STUCCO OVER 3/4" THICK AT ALL.
- E. 1/2" GIBBS APPROVAL SPACING ANCHORS.
- F. STUCCO NOT REQUIRED SEE DETAIL 4204.
- G. BUILDING ADDRESS.



LEFT ELEVATION



FRONT ELEVATION

HE

4-4-10

Mel Lee
Planning Dept
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92627

I would like to request an extension of Planning Application PA-09-03 for 2172 Myran Dr. in Costa Mesa.

Thank you.

Willard Chilcott
1561C Orange Ave
Costa Mesa, CA 92627

949-929-6882

RESOLUTION NO. PC-10-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING AN EXTENSION OF TIME FOR PLANNING APPLICATION PA-09-03, AND APPROVING TENTATIVE PARCEL MAP PM-09-132, FOR 2172 MYRAN DRIVE

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

WHEREAS, an application was filed by was filed by Willard Chilcott, owner of real property located at 2172 Myran Drive, requesting approval of an extension of time for Planning Application PA-09-03 for a two-unit, two-story common interest development and approval of Tentative Parcel Map PM-09-132 to facilitate the subdivision of the development for condominium purposes;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on May 10, 2010.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", the Planning Commission hereby **APPROVES** the extension of time for PA-09-03, and Tentative Parcel Map PM-09-132, with respect to the property described above.

BE IT FURTHER RESOLVED that the expiration of Planning Application PA-09-03 shall coincide with the expiration of Tentative Parcel Map PM-09-132; therefore, both applications shall be valid for 24 months from the date of the resolution.

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-09-03 and Tentative Parcel Map PM-09-132 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B" as well as with compliance of all applicable federal, state, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

PASSED AND ADOPTED this 10th day of May, 2010.

James Righeimer, Chair
Costa Mesa Planning Commission

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EXHIBIT "A"

FINDINGS – APPROVAL (PA-09-03 AND PM-09-132 - 2172 MYRAN DRIVE)

- A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(e) because:
1. The proposed use is compatible and harmonious with uses on surrounding properties.
 2. Safety and compatibility of the design of the parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.
 3. The project, as conditioned, is consistent with the General Plan.
 4. 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 project complies with the City of Costa Mesa Zoning Code, and meets the purpose and intent of the Residential Design Guidelines, which are intended to promote design excellence in new residential construction, with consideration being given to compatibility with the established residential community. This design review includes site planning, preservation of overall open space, landscaping, appearance, mass and scale of structures, location of windows, varied roof forms and roof plane breaks, and any other applicable design features. The visual prominence associated with the construction of a two-story residence has been reduced through appropriate transitions between the first and second floors and the provision of second floor offsets to avoid unrelieved two-story walls. Privacy of the adjoining neighbors will not be impacted because second-story windows will be required to be placed to minimize direct lines-of-sight into yard areas and windows on neighboring properties.
- C. The subdivision of the property for residential condominiums is consistent with the City's General Plan and Zoning Code.
- D. The proposed use of the subdivision is for residential ownership purposes which is compatible with the objectives, policies, general plan land use designation, and programs specified in the City of Costa Mesa 2000 General Plan.
- E. The subject property is physically suitable to accommodate Parcel Map PM-09-132 in terms of type, design, and density of development, and will not result in substantial environmental damage nor public health problems, based on compliance with the City's Zoning Code and General Plan.
- F. The design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision, as required by Government Code Section 66473.1.
- G. The subdivision 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.

- H. The discharge of sewage from this subdivision into the public sewer system will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000 of the Water Code).
- I. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines; and the City environmental procedures, and has been found to be exempt from CEQA under Section 15303 for New Construction.
- J. The project is exempt from Chapter IX, Article 11, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.
- K. The buildings for this development are at an excessive distance from the street, but the plan does not lend itself to fire apparatus access or placement of an on-site fire hydrant. Problems associated with the depth of buildings on the property can be minimized by installation of a residential sprinkler system.

EXHIBIT "B"

CONDITIONS OF APPROVAL (PA-09-03 AND PM-09-132 - 2172 MYRAN DRIVE)

- Plng.
1. Street addresses shall be displayed on the fascia adjacent to the main entrance or front door in a manner visible from the private street. Numerals shall be a minimum 6 inches in height with not less than ½-inch stroke and shall contrast sharply with the background.
 2. 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.
 3. 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.
 4. The conditions of approval for PA-09-03 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
 5. The subject property's ultimate finished grade level may not be filled/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 storm water 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. Applicant is advised that recordation of a drainage easement across the private street may be required to fulfill this requirement.
 6. Prior to issuance of grading or building permits, the applicant shall obtain approval of a hydrology and drainage study showing the method of disposal of storm water.
 7. The applicant shall contact the Planning Division to arrange a 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.
 8. 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.
 9. Exterior elevations shall be submitted for pre-plan check review and approval by the Planning Division. Once the exterior elevations have been reviewed and approved by the Planning Division, the exterior elevations shall be incorporated into the plan check drawings.
 10. 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 a discretionary review process such as a minor design review or a variance, or in the requirement to modify the construction to reflect the approved plans.

11. Bedroom windows on the north (left side) elevation for Building B shall be limited to small and/or high windows to minimize visibility into the abutting yards. Every effort shall be made to maintain the privacy of abutting property owners.
12. The applicant shall contact the current cable company prior to issuance of building permits to arrange for pre-wiring for future cable communication service.
13. Applicant shall provide a new paved driveway surface within the private easement, extending from the subject property to Victoria Street, minimum 16 feet in width, subject to approval by the Planning Division.
14. The paving specified in condition of approval number 14 shall extend to the northerly end of the property line, to include the existing turn-around.
15. To avoid an alley-like appearance, the driveway shall be developed without a center swale. Design shall be approved by the Planning Division.
16. The site plan submitted with initial working drawings shall contain a notation specifying the project is a one-lot condominium.
17. It is recommended that the project incorporate green building design and construction techniques where feasible. The applicant may contact the Building Safety Division at (714) 754-5273 for additional information.
18. Applicant shall provide proof of establishment of a homeowner's association prior to release of any utilities.
19. Property line walls or fences shall be constructed at the completion of the rough grading. At the time of removal of any separation barrier including, but not limited to existing fencing, structures or property line hedges, a temporary chain link security fence, minimum six feet high, shall be put in place prior to demolition permit being issued for the property, to separate the subject property from 2166 Myran Drive, which shall remain in place until property line walls or fences have been constructed.
20. Parking of vehicles within the private vehicle access easement shall not be permitted.
- Eng. 21. Maintain the public right-of-way in a "wet-down" condition to prevent excessive dust and remove any spillage from the public right-of-way by sweeping or sprinkling.
- City 22. Signs shall be posted stating parking of vehicles within the private vehicle Council access easement shall not be permitted.
- City 23. The average second story side setback for Building B shall be redesigned Council to comply with the 10-foot average second story side setback per the Residential Design Guidelines.
24. The expiration of Planning Application PA-09-03 shall coincide with the expiration of Tentative Parcel Map PM-09-132; therefore, both applications shall be valid for 24 months from the date of the resolution. It should be noted that a request for a 12-month time extension must be

- made prior to the expiration date and must reference both applications.
25. The CC&R's shall require that garage spaces be used for parking purposes only. Any changes made to this provision shall require prior review and approval by the City of Costa Mesa.
 26. The CC&Rs shall include a provision mandating binding arbitration in the event of any dispute between the two property owners relating to the homeowner's association.

RESOLUTION NO. PC-10-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DENYING AN EXTENSION OF TIME FOR PLANNING APPLICATION PA-09-03, AND TENTATIVE PARCEL MAP PM-09-132, FOR 2172 MYRAN DRIVE

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

WHEREAS, an application was filed by was filed by Willard Chilcott, owner of real property located at 2172 Myran Drive, requesting approval of an extension of time for Planning Application PA-09-03 for a two-unit, two-story common interest development and approval of Tentative Parcel Map PM-09-132 to facilitate the subdivision of the development for condominium purposes;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on May 10, 2010.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A, the Planning Commission hereby **DENIES** the extension of time for PA-09-03 and Tentative Parcel Map PM-09-132, with respect to the property described above.

PASSED AND ADOPTED this 10th day of May, 2010.

James Righeimer, Chair
Costa Mesa Planning Commission

EXHIBIT "A"

FINDINGS – DENIAL (PA-09-03 AND PM-09-132 - 2172 MYRAN DRIVE)

- A. The proposed project does not comply with Costa Mesa Municipal Code Section 13-29(e) because:
1. The project is not compatible and harmonious with uses on surrounding properties.
 2. The project is not consistent with the General Plan.
 3. The planning application is for a project-specific case and does not establish a precedent for future development.
- B. The information presented does not comply with Costa Mesa Municipal Code Section 13-29(14) in that the project does not meet the purpose and intent of the Residential Design Guidelines, which are intended to promote design excellence in new residential construction, with consideration being given to compatibility with the established residential community. This design review includes site planning, preservation of overall open space, landscaping, appearance, mass and scale of structures, location of windows, varied roof forms and roof plane breaks, and any other applicable design features.
- C. The subdivision of the property for residential condominiums is not consistent with the City's General Plan and Zoning Code.
- D. The Costa Mesa Planning Commission has denied Planning Application PA-09-03 and Parcel Map PM-09-132. 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.
- E. The project is exempt from Chapter IX, Article 11, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.



(c) Copyright 2008, Pictometry International

Zoom 100 %

Zoom In

Zoom Out

View From

North

South

East

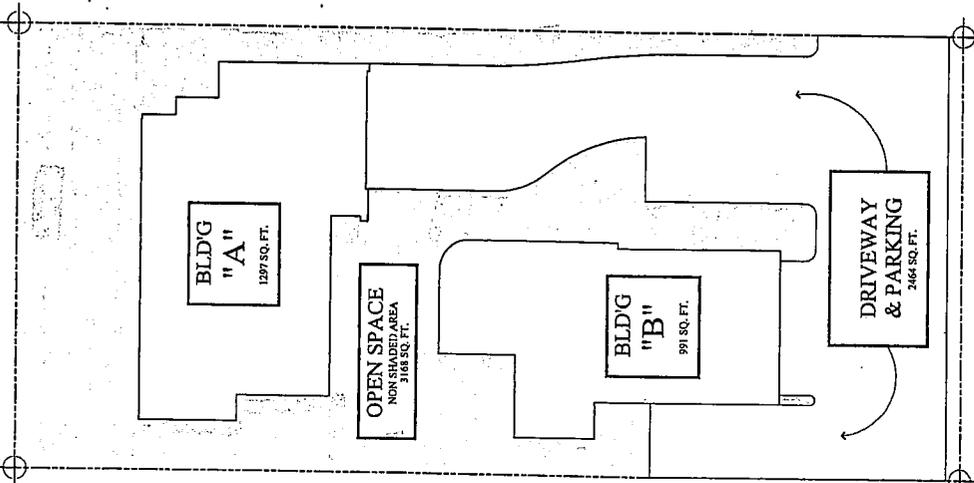
West

Ortho

Tool: none



Zoom 100 %
Zoom In Zoom Out View From East West Ortho Tool: none

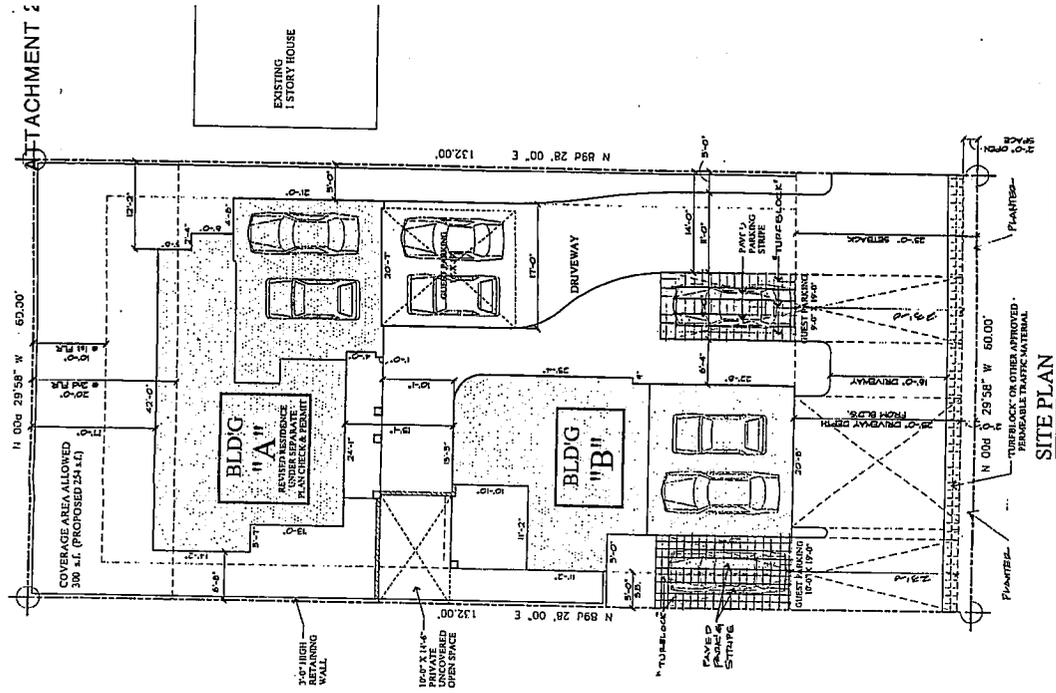


COVERAGE PLAN
SCALE: 1/8" = 1'-0"

WILLARD CHILCOTT & STEPHANIE FAWLEY
A RESIDENTIAL DEVELOPMENT
2172 MYRAN DR. - ELDER 5th
COSTA MESA, CA. 92627

LEGAL
TRACT 1163
LOT 35
A.P. NO. 422-307-07
ZONING: R-2 MD

PROJECT DESCRIPTION
PROPOSED: TWO SINGLE FAMILY HOMES WITH AN ATTACHED TWO CAR GARAGE & (2) GUEST PARKING SPACES BOTH HOMES ARE OF CALIFORNIA WALLS WITH FINISHES INCLUDING SMOOTH STUCCO ACCENTS. EACH HOME HAS 3 BEDROOMS PLUS A DEN.



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

SITE TABULATION

BUILDING COVERAGE:	FOOTPRINT	GARAGE	1 FLR LIVING	2 FLR LIVING	TOTAL LIVING	TOTAL	TOTWOAR
BUILDING A	1297 SF	439 SF	858 SF	1,017 SF	1,875 SF	2,314 SF	2,314 SF
BUILDING B	991 SF	420 SF	371 SF	785 SF	1,156 SF	1,776 SF	1,776 SF
BUILDING TOTAL	2,288 SF	859 SF	1,229 SF	1,802 SF	3,031 SF	4,090 SF	4,090 SF
DRIVEWAY	2,466 SF						
OPEN SPACE	3,168 SF						
TOTAL LOT AREA	7,920.0 SF						

LEGAL
TRACT 1163
LOT 35
A.P. NO. 422-307-07
ZONING: R-2 MD

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LEGAL
TRACT 1163
LOT 35
A.P. NO. 422-307-07
ZONING: R-2 MD

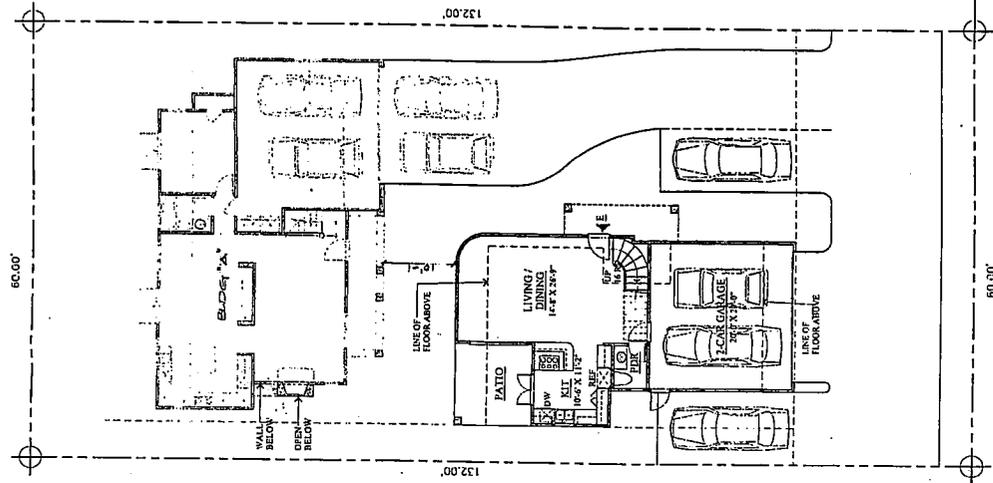
WILLARD CHILCOTT & STEPHANIE FAWLEY
A RESIDENTIAL DEVELOPMENT
2172 MYRAN DR. - ELDER 5th
COSTA MESA, CA. 92627

LEGAL
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LOT 35
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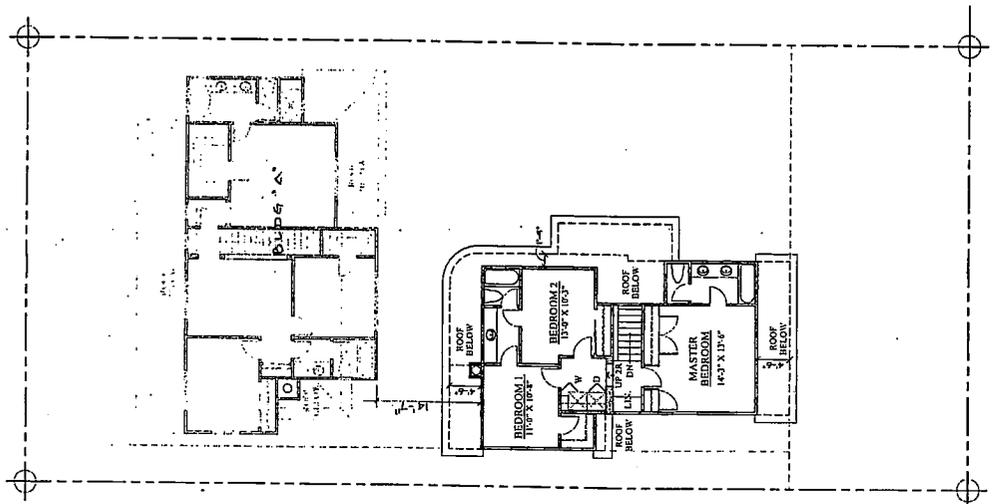
LEGAL
TRACT 1163
LOT 35
A.P. NO. 422-307-07
ZONING: R-2 MD

BRADFORD C. SMITH, ARCHITECT
(949) 631-3682 FAX: (949) 631-3685
425 30th St. Ste. #22
NEWPORT BEACH, CALIFORNIA



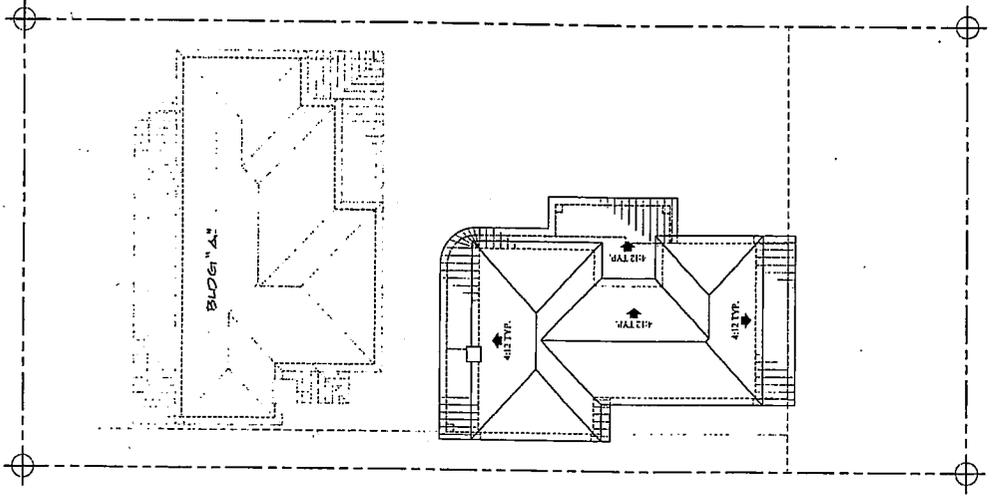
FIRST FLOOR PLAN

SCALE: 1/8" = 1'-0"



SECOND FLOOR PLAN

SCALE: 1/8" = 1'-0"



ROOF PLAN

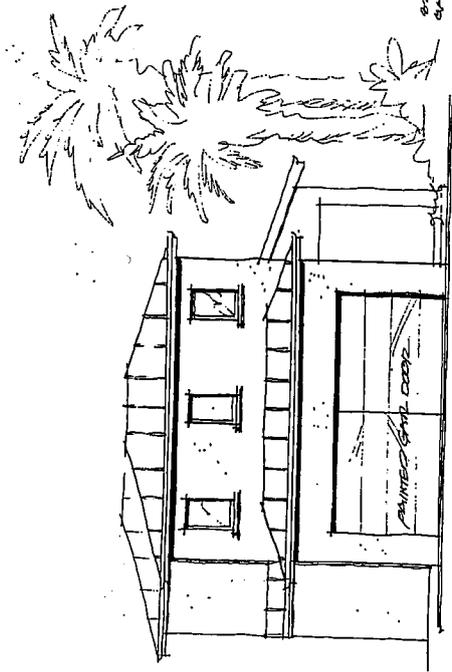
SCALE: 1/8" = 1'-0"

BRADFORD C. SMITH, ARCHITECT
 (949) 631-3682 FAX: (949) 631-3685
 425 30th St. Ste. #22
 NEWPORT BEACH, CALIFORNIA

FLOOR PLANS

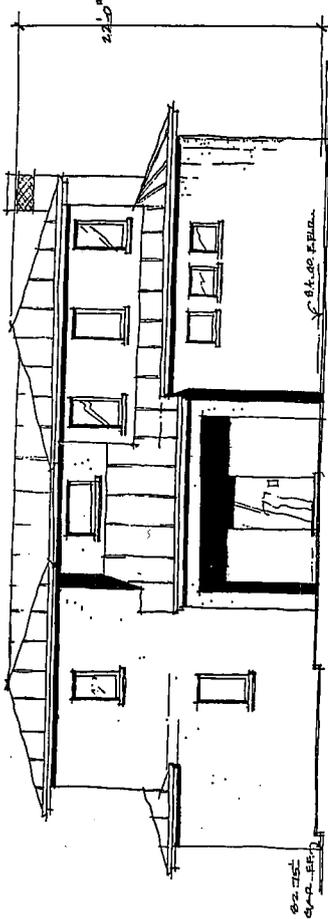
WILLARD CHILCOTT & STEPHANIE FAWLEY
 A RESIDENTIAL DEVELOPMENT
 2172 MYRAN DR., #106, "B"
 COSTA MESA, CA. 92627

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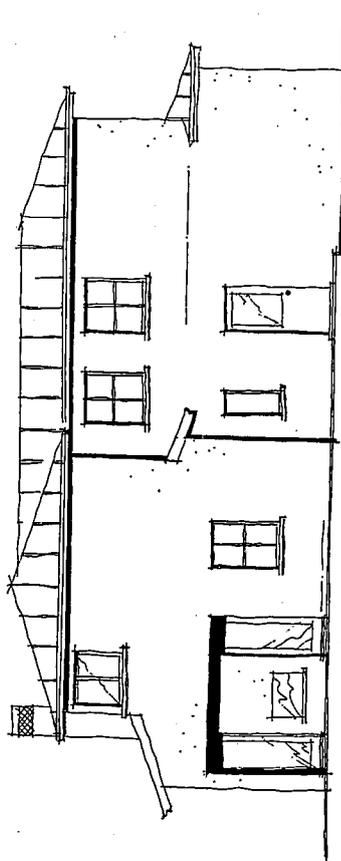
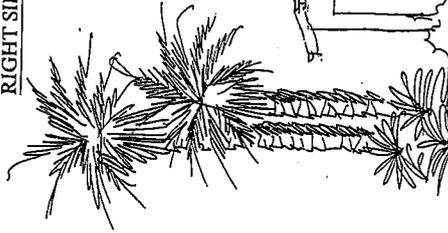
FRONT ELEVATION

SCALE: 1/4" = 1'-0"



RIGHT SIDE ELEVATION

SCALE: 1/4" = 1'-0"



LEFT SIDE ELEVATION

SCALE: 1/4" = 1'-0"

TYP. BLEED MATLS
STANDING SEAM METAL
ROOFING - REPAINTED
WOOD FR. WINDOWS - CLAD
EXTERIORS
ENTIRE AN-ROOF BRACES
1/2" MIN STUCCO SMOOTH
SMOOTH PAINTED FIN.
WOOD FRENCH DOORS -
CLAD EXTERIORS

REAR ELEVATION

SCALE: 1/4" = 1'-0"

WILLARD CHILCOTT & STEPHANIE FAWLEY
A RESIDENTIAL DEVELOPMENT
2172 MYRAN DR. BLDG "B"
COSTA MESA, CA. 92627

EXTERIOR ELEVATIONS

BRADFORD C. SMITH, ARCHITECT
(949) 631 - 3682 FAX: (949) 631 - 3685
425 30th St. Ste. #22
NEWPORT BEACH, CALIFORNIA

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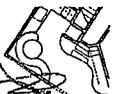


NORTH

A-3
9-3-08

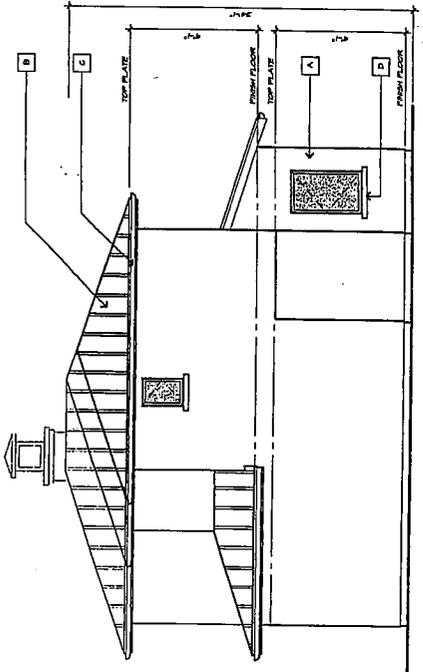
SECTION	DATE
FOUNDATION	
FRONT ELEVATION	
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LEFT ELEVATION	
PLAN	

R.A. JEHEBER
 PLANNING/DESIGN CONSULTANTS
 110 SAND STREET, SUITE 202
 NEWPORT BEACH, CA 92663
 444-723-4543 OFFICE

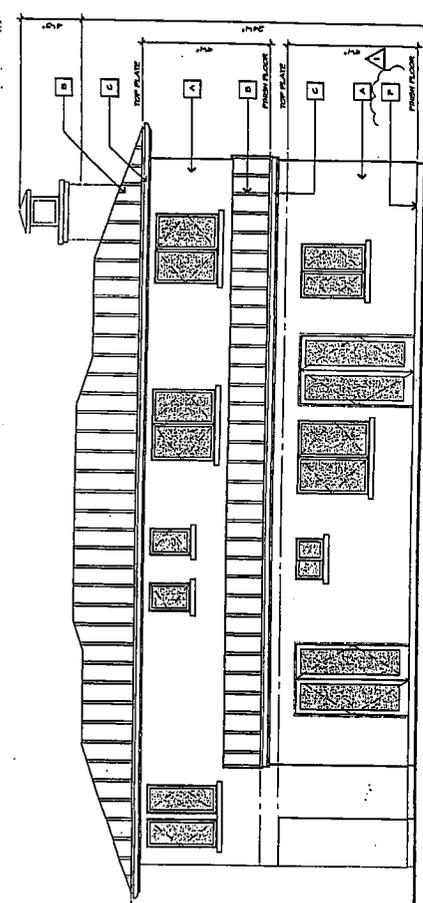


CUSTOM HOME PLANS FOR:
 WILLARD CHILCOTT & STEPHANIE FAWLEY
 COSTA MESA CALIFORNIA
 2172 MYRAN DRIVE "A11"

DATE: 08/11/08
 SHEET: A-5



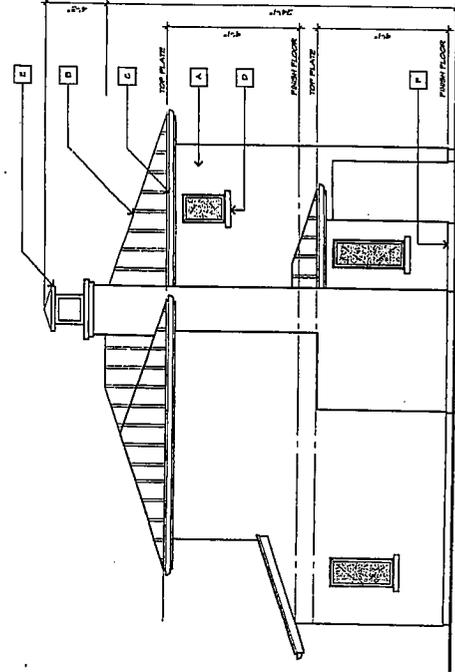
RIGHT ELEVATION



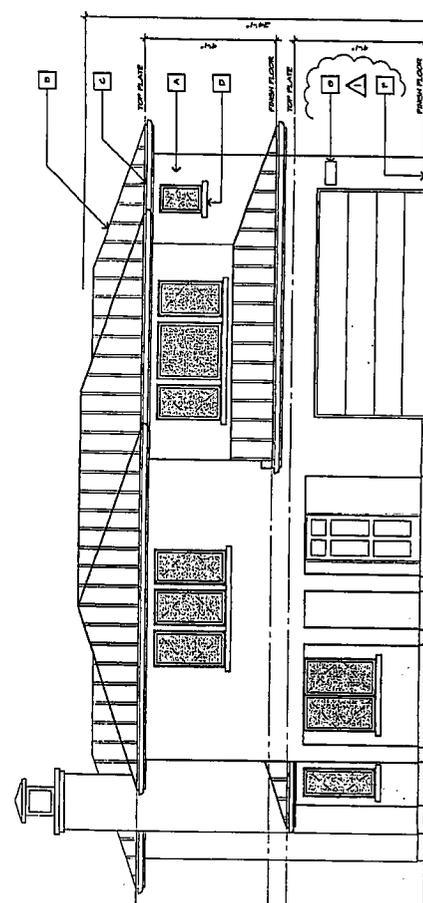
REAR ELEVATION

ELEVATION PLAN LEGEND

- A. BRICK FINISH - 1/2" MODULAR BRICKS, RECESSED JOINTS, WITH A MEDIUM MORTAR BEDDING. INSTALL LOOSELY TIGHTENING; SUBSEQUENT FINISH COLOR: BARNBELL.
- B. POLYURETHANE FINISH COLOR: BARNBELL.
- C. POLYURETHANE FINISH COLOR: BARNBELL.
- D. POLYURETHANE FINISH COLOR: BARNBELL.
- E. POLYURETHANE FINISH COLOR: BARNBELL.
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- L. POLYURETHANE FINISH COLOR: BARNBELL.
- M. POLYURETHANE FINISH COLOR: BARNBELL.
- N. POLYURETHANE FINISH COLOR: BARNBELL.
- O. POLYURETHANE FINISH COLOR: BARNBELL.
- P. POLYURETHANE FINISH COLOR: BARNBELL.
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- R. POLYURETHANE FINISH COLOR: BARNBELL.
- S. POLYURETHANE FINISH COLOR: BARNBELL.
- T. POLYURETHANE FINISH COLOR: BARNBELL.
- U. POLYURETHANE FINISH COLOR: BARNBELL.
- V. POLYURETHANE FINISH COLOR: BARNBELL.
- W. POLYURETHANE FINISH COLOR: BARNBELL.
- X. POLYURETHANE FINISH COLOR: BARNBELL.
- Y. POLYURETHANE FINISH COLOR: BARNBELL.
- Z. POLYURETHANE FINISH COLOR: BARNBELL.



LEFT ELEVATION



FRONT ELEVATION

