PLANNING COMMISSION AGENDA REPORT

VI.2

MEETING DATE: AUGUST 9, 2010 **ITEM NUMBER:**

SUBJECT: **SECOND 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: **JULY 22, 2010**

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

DESCRIPTION

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

APPLICANT

The applicant is Erick Van Wechel Architects on behalf of the property owner, Harmony Way of Costa Mesa LLC.

RECOMMENDATION

Approve the time extension for the master plan to be valid to July 3, 2012 by adoption of Planning Commission resolution, subject to conditions.

MINOO ASHABI, AIA
Senior Planner

KHANH NGUYEN
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).

On July 13, 2009, Planning Commission approved a retroactive time extension for two-years until July 3, 2010.

The staff reports and meeting minutes for the project can be viewed on the City's website at the link below:

http://www.ci.costa-mesa.ca.us/CMCalendar.htm

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 passed in July 2008 followed by AB 333 allowed three-year automatic time extension of the map. In accordance with Government Code Section 66452.21, Tentative Tract Map T-16990 is valid to July 3, 2012. The time extension is intended to coincide the approval time of the master plan with the tentative tract map.

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 expired 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 five years until July 3, to coincide with the automatic time extensions granted to subdivision maps, by the State Legislature. Since applicable Code sections and residential design guidelines have not changed since Council's approval, and substantial site grading has occurred staff recommends approval of the time extension.

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, 2012; therefore the applicant would not have a corresponding approved development project, and must submit for a new master plan approval.

CONCLUSION

Staff recommends approval of the requested time extension for the master plan to coincide with the tentative tract map, 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 three years.

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

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

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

Erick Van Wechel
3373 Country Road
Fallbrook, CA 92028

File: 080910PA0702TimeExt	Date: 071510	Time: 1:20 p.m.

RESOLUTION NO. PC-10-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING A SECOND 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 66452.1, Senate Bill 1185 and Assembly Bill 333, the expiration date of this subdivision map is automatically extended for total of three additional years, to July 3, 2012;

WHEREAS, on July 13, 2009, Planning Commission approved a two-year time extension for the master plan application (PA-07-02);

WHEREAS, a second 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 August 9, 2010 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 coincide with Tentative Tract Map T-16990 to be valid to **JULY 3, 2012** 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 9th day of August 2010.

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

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 ½-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-10-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DENYING A SECOND 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;

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 three additional years, to July 3, 2012;

WHEREAS, on July 13, 2009, Planning Commission approved a two-year time extension for the master plan application (PA-07-02);

WHEREAS, a second 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 August 9, 2010 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 9th day of August 2010.

James Righeimer, Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, Claire Flynn, Assistant Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on August 9, 2010, by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

_____

Claire Flynn, Assistant Secretary
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 carried out.

D. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

ATTACHMENT 2

Van Wechel Architects

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

June 26, 2010

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 AB 333, is now valid until July 3, 2012.

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,

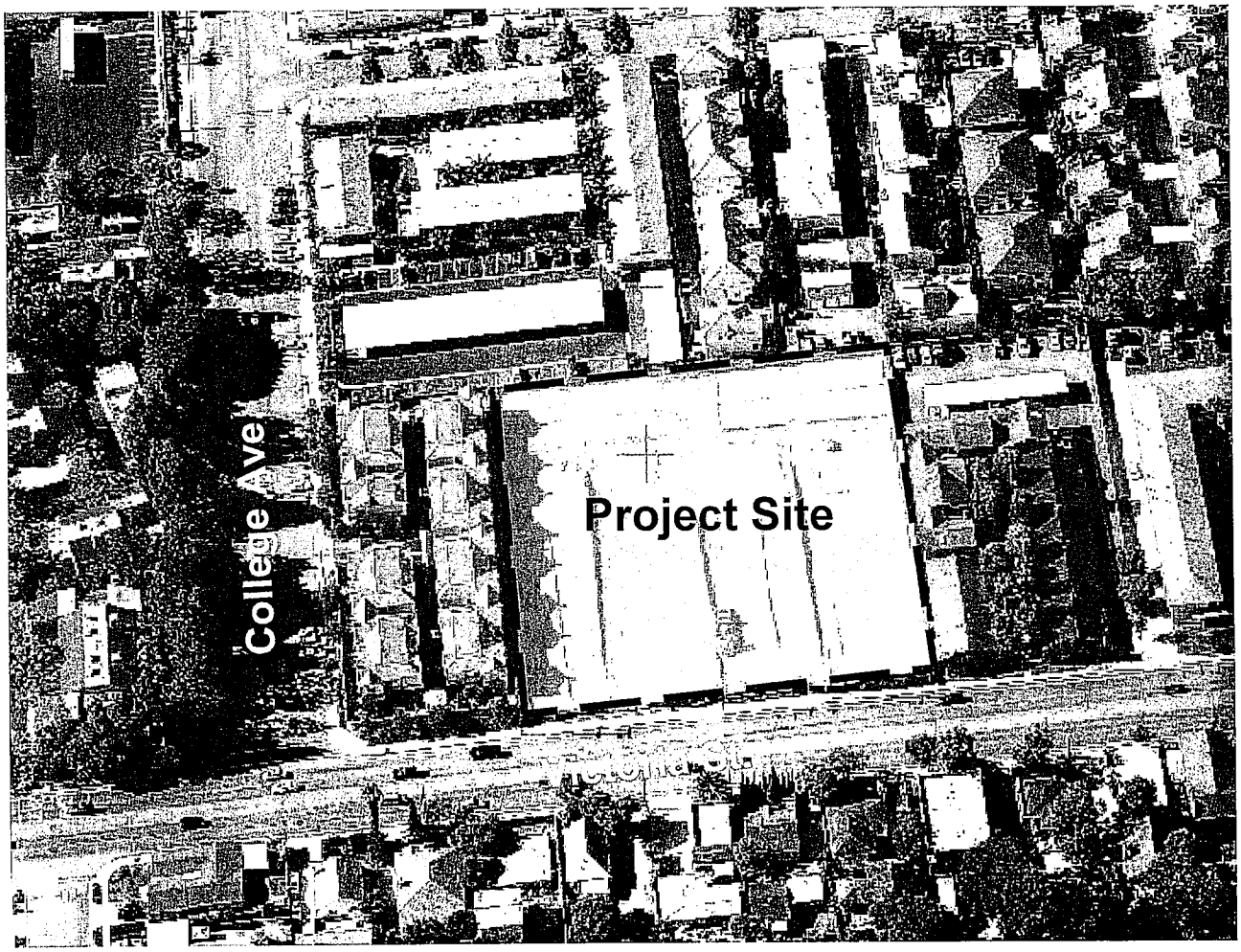
Erick Van Wechel
Van Wechel Architects
C20666

ATTACHMENT 3

VICINITY MAP

372, 378, 382 VICTORIA ST.

PA-07-02



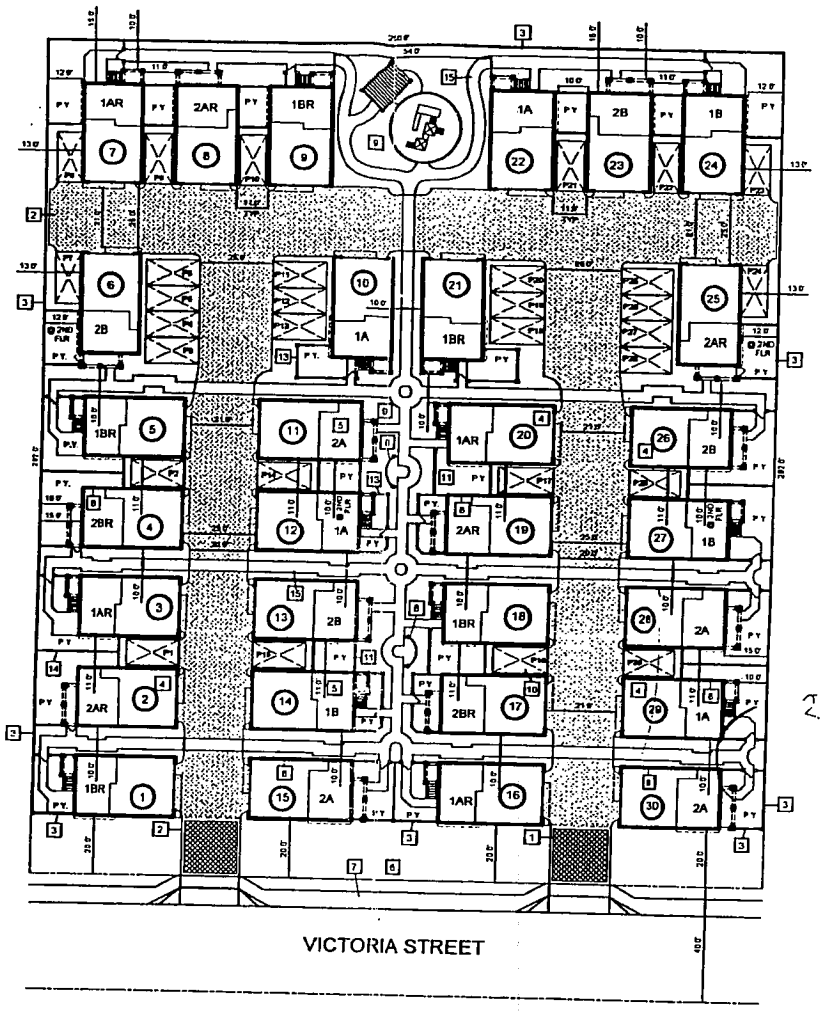
ATTACHMENT 4

FIRE DEPARTMENT NOTES

1. FIRE SPRINKLERS REQUIRED
2. PROVIDE WATER MAINS, FIRE HYDRANTS, AND FIRE FLOWS AS REQUIRED BY THE FIRE DEPARTMENT
3. REQUIRED FIRE FLOW SHALL BE 1,250 GPM AT 20 PSI FOR 2 HOURS ABOVE MAXIMUM DAILY DOMESTIC DEMAND
4. PROVIDE ALL WEATHER ACCESS DURING CONSTRUCTION
5. INDICATE PRIVATE DRIVEWAY AS "PRIVATE DRIVEWAY AND FIRELANE ON FINAL MAP.
6. ALL FIRE HYDRANTS SHALL BE INSTALLED, TESTED AND INSPECTED PRIOR TO CONSTRUCTION
7. VEHICULAR ACCESS MUST BE PROVIDED AND MAINTAINED SERVICABLE THROUGHOUT CONSTRUCTION TO ALL REQUIRED FIRE HYDRANTS.
8. PROVIDE FIRE DEPARTMENT OR CITY APPROVED STREET SIGNS AND BUILDING ACCESS NUMBERS PRIOR TO OCCUPANCY
9. NO PARKING SHALL BE ALLOWED ALONG EITHER SIDE OF PRIVATE DRIVEWAY

SITE PLAN NOTES

1. FIRE LANE
2. DECORATIVE CONCRETE INTERLOCKING PAVERS
3. 6' HIGH SPLIT FACE BLOCK WALL - TAN COLOR
4. 2 CAR GARAGE WITH 18' WIDE DOOR
5. 3 STORY DWELLING, TYP.
6. CONDUCT SITE DRAINAGE TO APPROVED DRAINAGE OUTLET
7. EXISTING SIDEWALK
8. OFFSET PRIMARY WINDOWS - TYPICAL AT SIDE ELEVATIONS TO AVOID DIRECT NEIGHBOR TO NEIGHBOR VIEWS
9. COMMON LANDSCAPE AREA WITH GAZEBO, BBQ PATIO, AND TOT LOT
10. 8.5 X 18 MIN. GUEST PARKING STALL
11. PRIVATE OPEN SPACE (P.Y.)
12. LINE OF 2ND FLOOR ABOVE
13. 36" HIGH COURTYARD WALL
14. CAPTURED TOP WOOD FENCE
15. CONCRETE WALKWAY



Development Review No. PM-07-02 / T-16990
Approval in Concept
SUBJECT TO CONDITIONS
CITY OF COSTA MESA
PLANNING DEPT.
BY _____ DATE 7/03/07

Site Plan

North

30 Unit Planned Development

372-378-382 Victoria Street
Costa Mesa, California
Scale: 1" = 20' Dec. 15, 2006

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

SITE PLAN SUMMARY

OWNER	THE PREFACE GROUP
SITE ADDRESS	372-378-382 VICTORIA STREET
APN	419-042-05, -06, -07
EXISTING ZONING	R-3
PROPOSED ZONING	PDR-HD
PROPOSED UNITS:	30 DETACHED HOMES
LOT AREA	73,000 S.F. (1.68 ACRES)
DENSITY:	17.85 UNITS PER ACRE
REQ'D OPEN SPACE.	73,000 X 42% = 30,660 S.F.

SITE SUMMARY:

BLDG FOOTPRINTS:	22,050 S.F. (30.2%)
DRIVEWAY:	15,873 S.F. (21.5%)
GUEST PARKING:	4,590 S.F. (6.3%)
OPEN SPACE:	30,687 S.F. (42.0% PROVIDED AT GRADE)
BALCONIES	1,978 S.F. (2ND FLOOR OPEN SPACE)

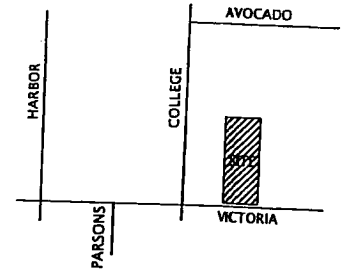
PLAN SUMMARY: 2 BEDROOM UNITS TYPICAL

PLAN 1	
1ST FLOOR LIVABLE	285 S.F.
2ND FLOOR LIVABLE	714 S.F.
3RD FLOOR LIVABLE	668 S.F.
TOTAL LIVABLE AREA	1,667 S.F.
BALCONY	58 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	1,750 S.F.
BALCONY	75 S.F.

PARKING PROVIDED: 2 CAR ATTACHED GARAGE/UNIT (60 STALLS TOTAL)
30 OPEN GUEST STALLS
90 STALLS PROVIDED (3 STALLS PER UNIT)

LOT AREA SUMMARY

1 - 1,560 SF
2 - 1,639 SF
3 - 1,639 SF
4 - 1,639 SF
5 - 1,639 SF
6 - 1,645 SF
7 - 2,009 SF
8 - 1,672 SF
9 - 1,481 SF
10 - 1,297 SF
11 - 1,323 SF
12 - 1,397 SF
13 - 1,267 SF
14 - 1,445 SF
15 - 1,559 SF
16 - 1,560 SF
17 - 1,446 SF
18 - 1,322 SF
19 - 1,446 SF
20 - 1,322 SF
21 - 1,361 SF
22 - 1,485 SF
23 - 1,640 SF
24 - 2,028 SF
25 - 1,849 SF
26 - 1,841 SF
27 - 1,641 SF
28 - 1,841 SF
29 - 1,641 SF
30 - 1,563 SF
Lot A - 43,255 SF



Brian Van Wechel
Architect
3373 COUNTRY ROAD
FALLBROOK, CA 92028
PHONE (760) 723-4404

Paseo Elevation

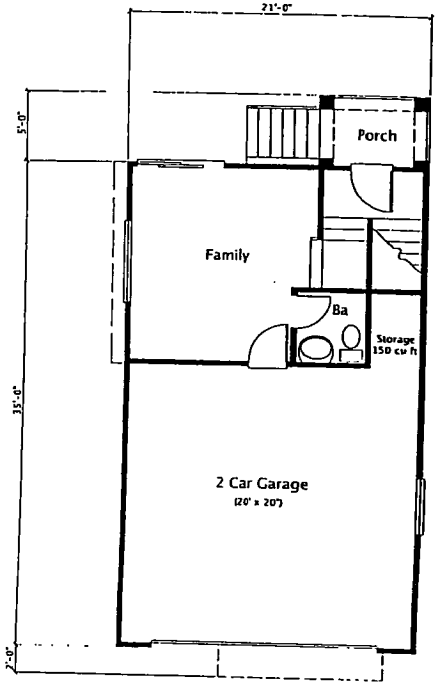
Victoria Elevation

30 Unit Planned Development

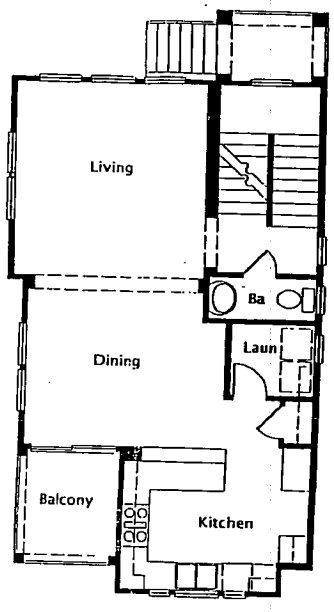
372-378-382 Victoria Street
Costa Mesa, California
Scale: 1" = 4' Mar. 19, 2007

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

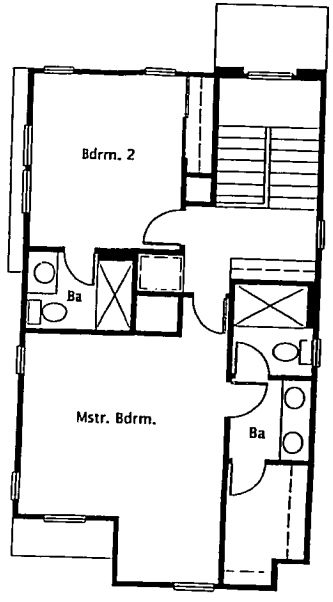
Erick Van Wechel
Architect



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

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

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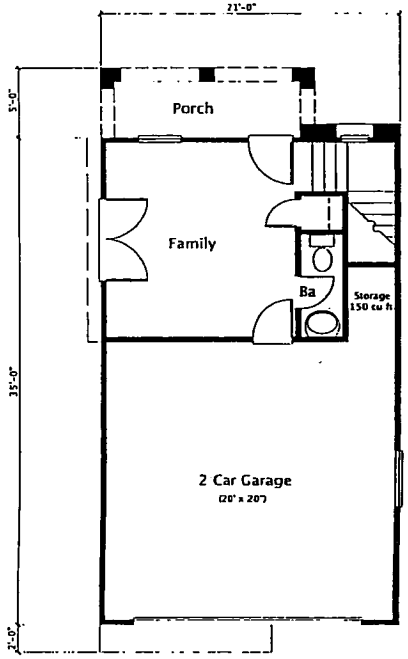
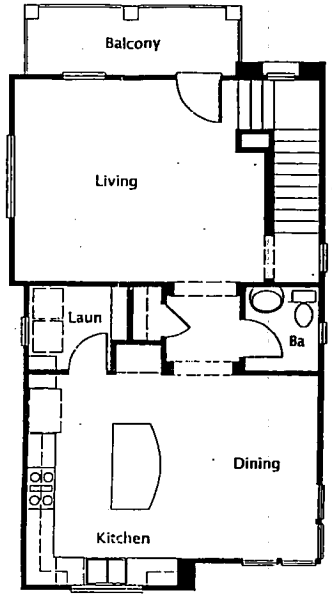
1835 Newport Blvd., Suite A109
Costa Mesa, CA 92627
(949) 350-6657

Erick Van W
Architect

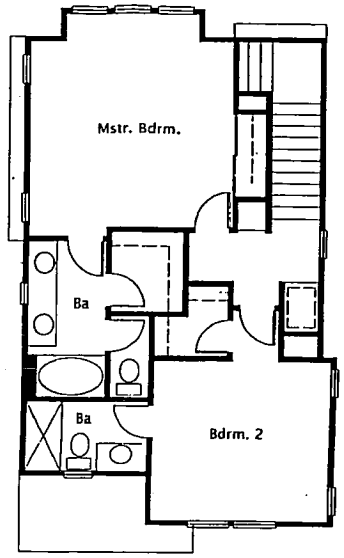
24



First Floor Plan



Second Floor Plan



Third 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.

30 Unit Planned Development

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

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

Irish Van Wechel
Architect
3320 COUNTRY ROAD
FALLBROOK, CA 92028
PH/FAX (760) 723-0484

Plan 1B | Plan 2B | Plan 1A | Plan 2A

Material Schedule

1. 2x Resawn Wood Trim
2. Shake Pattern Concrete Tile Roof
3. Stucco – Sand Finish
4. Decorative Wrought Iron
5. Decorative Wood Shutter
6. Sectional Garage Door
7. 2 x 8 Resawn Wood Fascia/Rake
8. 3 x 6 Resawn Rafter Tails
9. 6" Lap Siding
10. Shingle Siding
11. Board and Batten Siding
12. Wood Outlooker
13. Foam Trim

Front Elevation

30 Unit Planned Development

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

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

Erik Van Wechel
Architect
3373 COUNTRY ROAD
FALLBROOK, CA 92028
PH/FAX (760) 723-0484

Plan 1B | Plan 2B | Plan 1A | Plan 2A

Driveway Elevation

30 Unit Planned Development

372-378-382 Victoria Street
Costa Mesa, California
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The Preface Group
1835 Newport Blvd., Suite A109
Costa Mesa, CA 92627
(949) 350-6657

Erick Van Wechel
Architect
3373 COUNTY ROAD
FALLBROOK, CA 92028
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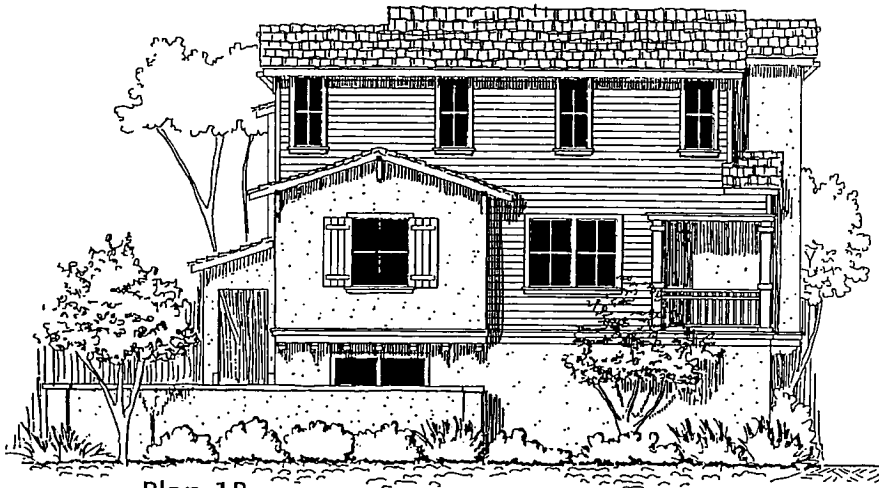
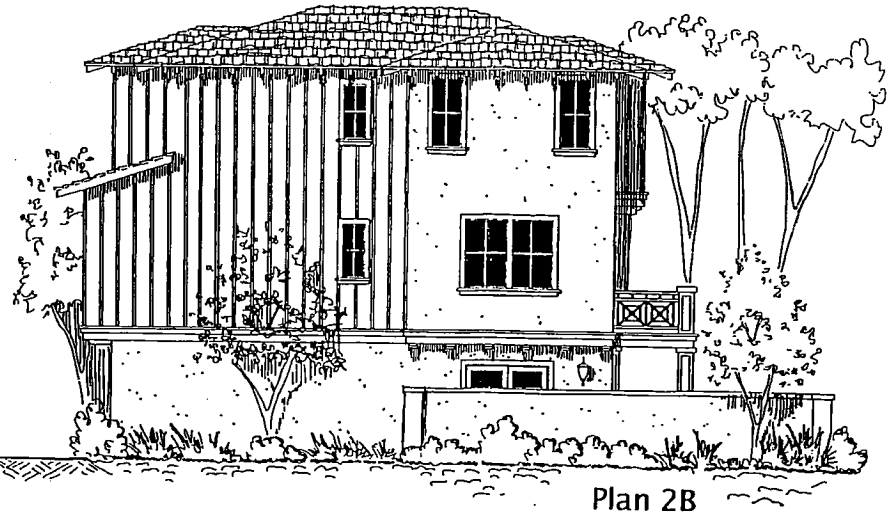
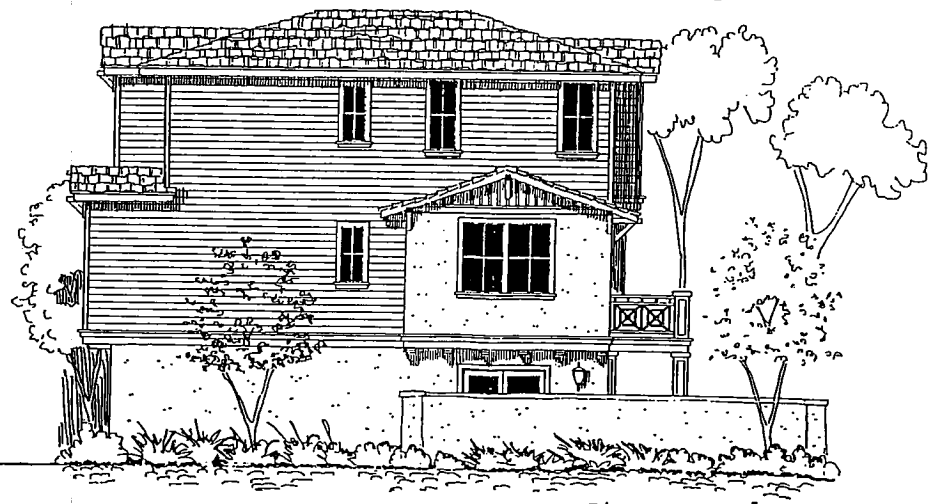


Plan 1B



Plan 2B

Plan 1A



Plan 2A

Victoria Elevation

30 Unit Planned Development

372-378-382 Victoria Street
Costa Mesa, California
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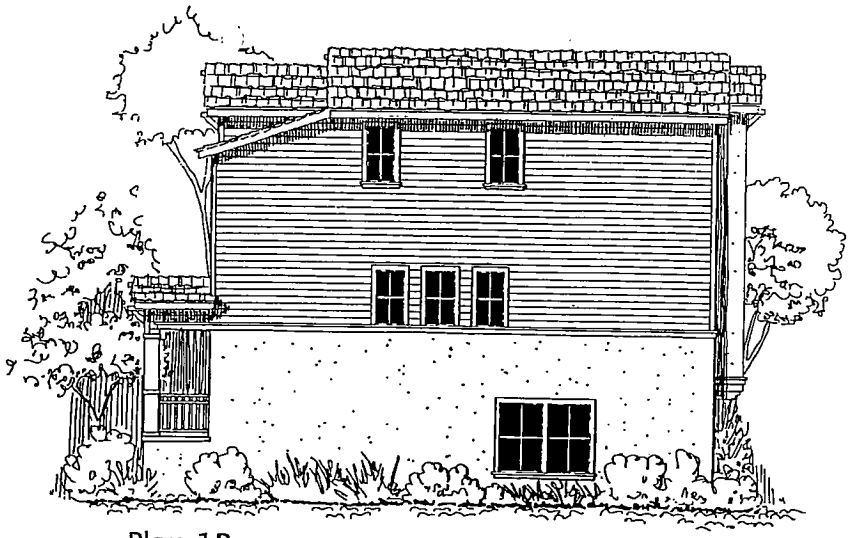
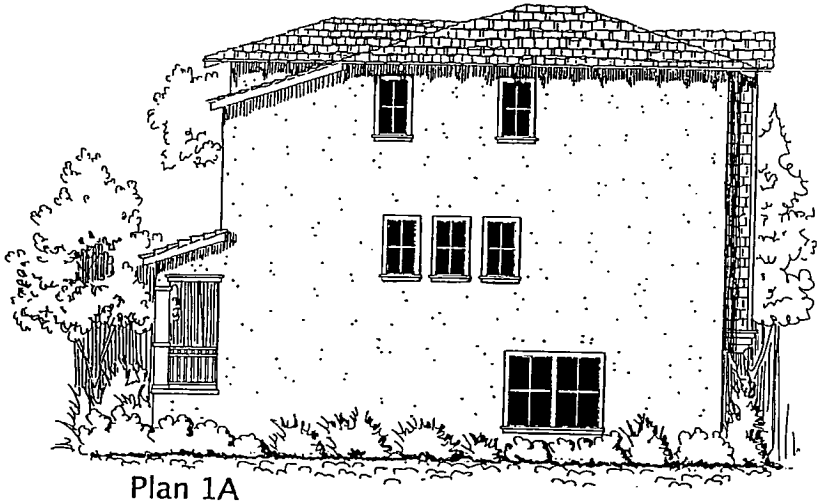
The Preface Group
1835 Newport Blvd., Suite A109
Costa Mesa, CA 92627
(949) 350-6657

Erick Van Wechel
Architect
3372 COUNTRY ROAD
FALLBROOK, CA 92028
PH/FAX (760) 723-0484

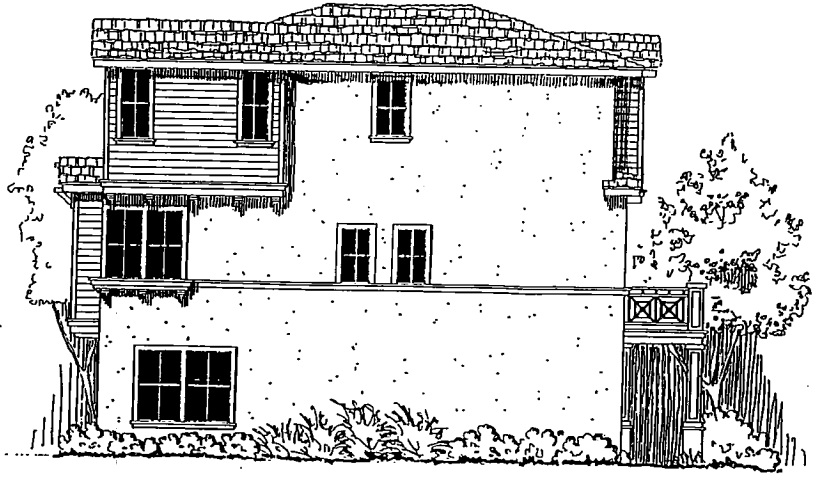


Plan 1B

Plan 2B



Plan 1A



Plan 2A

Side Elevations

30 Unit Planned Development

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

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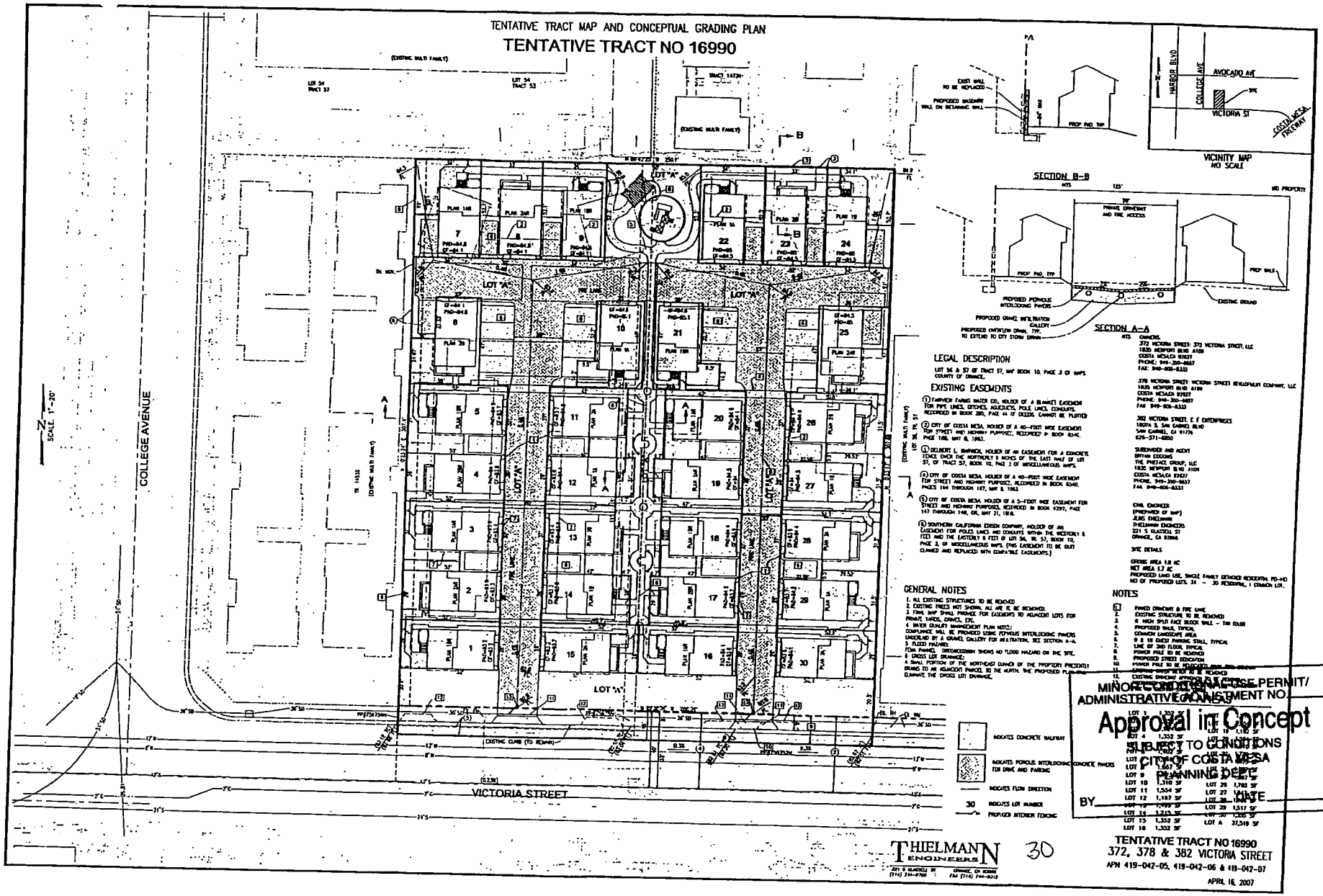
1835 Newport Blvd., Suite A109
Costa Mesa, CA 92627
(949) 350-6657

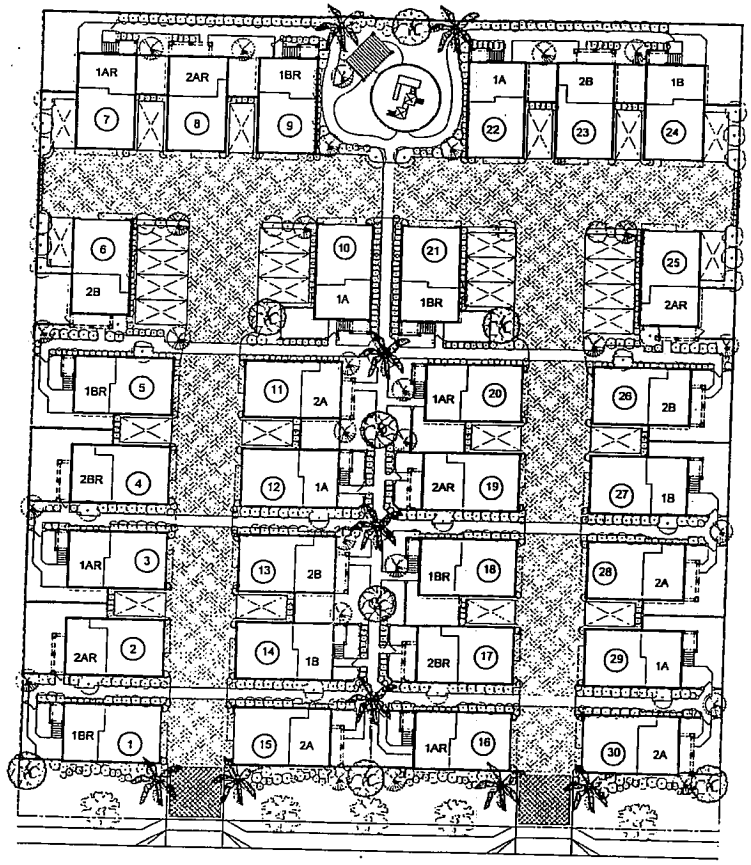
Erick Van Wechel
Architect
2073 COUNTRY ROAD
FALLBROOK, CA 92028
PH/FAX (760) 723-0484



MAY 1 1 2007

MINOR CONDITIONAL USE PERMIT/
ADMINISTRATIVE ADJUSTMENT NO.

Approval in Concept
SUBJECT TO CONDITIONS
CITY OF COSTA MESA
PLANNING DEPT.
BY_____ DATE_____



CONCEPTUAL TREE PALATTE		QUANTITY
25% @ 36" BOX 35% @ 24" BOX 45% @ 15 GALLON		
CINNAMOMUM CAMPHORA (CAMPHOR TREE)		20
TRISTANIA CONFERTA (BRISBANE BOX)		30
PRUNUS C. 'KRATER VESUVIUS' (PURPLE LEAF PLUM)		6
LAGERSTROEMIA INDICA (CRAPE MYRTLE)		15
ARECASTRUM ROMANZOFFIANUM (QUEEN PALM) - 10' BROWN TRUNK HEIGHT		9
STREET TREES PER CITY REQUIREMENTS		5
TOTAL TREES PROVIDED		80

CONCEPTUAL PLANT PALETTE		QUANTITY
25% @ 15 GALLON 35% @ 5 GALLON 45% @ 1 GALLON		170 238 306
ABELIA EDWARD GOUCHER	PINK ABELIA	
AGAPANTHUS AFRICANUS	LILY OF THE NILE	
HEMEROCALLIS HYBRID	DAYLILY	
LIGUSTRUM TEXANUM	TEXAS PRIVET	
NANDINA DOMESTICA 'NANA'	DWARF HEAVENLY BAMBOO	
PHOTINIA X FRASERI	NCN	
PITTISPORUM TOBIRA 'WHEELERS DWARF'	WHEELERS DWARF	
PITTISPORUM TOBIRA VARIEGATA	NCN	
RAPHIOLEPIS INDICA 'PINK LADY'	INDIAN HAWTHORN	
XYLOSMA CONGESTUM 'COMPACTA'	COMPACT SHINY XYLOSMA	
TOTAL SHRUBS PROVIDED		680

CONCEPTUAL GROUND COVERS		QUANTITY
GAZANIA SPLENDONS	GAZANIA	80 FLATS
TRACHELOSPERMUM JASMINOIDES	STAR JASMINE	80 FLATS
TALL FESCUE MIX	TURF	AS SHOWN

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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