



PLANNING COMMISSION

AGENDA REPORT

VII. 2

MEETING DATE: JANUARY 10, 2011

ITEM NUMBER:

SUBJECT: RETROACTIVE TIME EXTENSION FOR APPLICATION PA-06-52, INCLUDING MASTER PLAN FOR A 14-UNIT CONDOMINIUM DEVELOPMENT, VARIANCES, AND MINOR MODIFICATION MM-06-36 FOR PROPERTY LOCATED AT 2460/2472 NEWPORT BOULEVARD

DATE: DECEMBER 23, 2010

FOR FURTHER INFORMATION CONTACT: MINOO ASHABI, AIA, SENIOR PLANNER
(714) 754-5610

DESCRIPTION

The proposed request is a time extension request for the following entitlements:

1. *Master Plan* to construct a 14-unit, two-story, attached multi-family residential project as a condominium development.
2. *Variance* from open space requirements (42% required, 35% proposed).
3. *Minor Modification* MM-06-36 for an 8-foot block wall (maximum 6-foot height allowed). In addition to the previously approved deviations, the applicant is requesting to install a decorative sound wall in the front setback (20-foot required, 16-foot proposed).

APPLICANT

Pete Volbeda is the authorized agent for Craig Avenue Properties LLC.

RECOMMENDATION

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


MINOO ASHABI, AIA
Senior Planner


KHANH NGUYEN
Asst. Development Services Director

BACKGROUND

This is a retroactive time extension request. The project site consists of two parcels (total .91 acres) located at 2460 and 2472 Newport Boulevard located in the Newport Boulevard Specific Plan area, which encompasses the east side of Newport Boulevard between 19th Street and Mesa Drive (Attachment 3). The General Plan land use designation is Commercial Residential, and the zoning is Planned Development Residential – High Density (PDR-HD).

On February 20, 2007, the City Council approved Rezone application R-06-04 for rezoning the property from C1 (Local Business) to PDR-HD (High Density Residential) to allow residential development. The rezone ordinance included a variance from the minimum lot area required in a planned development zone (one acre required; 0.91 proposed). The City Council also approved Planning Application PA-06-52 including a Master Plan to construct a 14-unit, two-story, attached multi-family residential condominium development, and variance from open space requirements (42% required, 35% proposed).

On July 9, 2007, the Planning Commission approved a tentative tract map (T-17192) for the 14-unit condominium project. The map approval was valid for two years. However, with passage of Senate Bill 1185 and Assembly Bill AB 333, the map was extended an automatic three-year time extension until July 9, 2012.

On May 27, 2008, the Planning Commission approved a one-year time extension that extended the master plan approval until February 20, 2009.

The Planning Commission reports and approved plans can be viewed at the following link:

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

Since expiration of the entitlement, the property has been purchased by a new developer who is requesting to extend the previous entitlement for two years to be consistent with the tentative tract map expiration date of July 9, 2012.

The applicant is also desirous to revise the project elevations with a more traditional residential design instead of the previous modern design and add a decorative sound wall at the frontage on Newport Boulevard. The new elevations and site plan with no change to the footprint of the buildings are included as Attachment 5.

ANALYSIS

Existing Condition of Property:

The new property owner has maintained the perimeter fencing and access gate in a good repair and clean condition.

Time Extension Request:

The applicant has requested a retroactive time extension for financing of the project. The project entitlements include the following:

Master Plan PA-06-52

The project master plan included 14 loft-style multiple family units with front patios. The original design included contemporary architecture including metal roofing, and aluminum surfaces to reinforce the urban village concept. However, the new developer would like to develop a more traditional project with concrete roofing and Spanish colonial accent. The project provides 28 parking spaces in two-car garages and 22 open parking spaces, for a total of 50 parking spaces.

Variance from Open Space

The master plan involves a variance request from open space requirement (42% required – 35% provided) that was approved due to constraints of the lots, incentive for consolidation of two marginal commercial properties, and encouraging redevelopment and ownership housing within the Newport Boulevard Specific Plan area.

Minor Modification MM-06-36

The project site is located within noise contours that range from 65 to 70 CNEL because of proximity to the Costa Mesa Freeway and Newport Boulevard; therefore, the project includes an 8-foot perimeter sound wall and landscape berming authorized by a minor modification. The perimeter wall was also added to minimize visual and privacy impacts from adjacent commercial properties.

Tentative Tract Map T-17192

Development of the project would require a one-lot airspace condominium subdivision, which was approved on July 9, 2007.

Revised Elevations

The applicant is desirous to revise the project elevations approved in 2007 with a more traditional residential design (Attachment 4). The previous design included metal roofing and wall panels and grid patterns to depict a modern design. The new elevations include concrete roof tiles, stucco walls and accent wrought iron elements typical of Spanish Colonial residential designs.

Sound Walls

On September 10, 2007, the applicant submitted a noise analysis for the project that recommended an eight-foot block wall along the Newport Boulevard frontage to mitigate the noise to the living room of Unit A (Attachment 4). The applicant is proposing a decorative block wall topped with a trellis beam at 16 feet from the front property line on Newport Boulevard. The wall height was previously considered as a minor modification. The revised plans include a reduced setback on Newport Boulevard (20 feet required; 16 feet proposed).

Justification for Approval of Time Extension Request

Staff supports the request for the time extension for the vesting parcel map and final master plan for the following reasons:

- The previously-approved Planning Application PA-06-52 is in substantial compliance with the General Plan, Zoning Code, and the Newport Boulevard Specific Plan. There have been no significant changes to these documents that would materially affect the proposed project as originally approved.
- The previously-approved master plan, variance and minor modification for the 14-unit loft project has not changed. The proposed time extension will allow the applicant to proceed with the project upon securing funding. Consequently, the City would realize public benefits in the form of consolidation of a marginally commercial properties and development of a contemporary loft project as intended by the Newport Boulevard Specific Plan.

ALTERNATIVES:

The Commission has the following alternatives:

1. Approve time extension for PA-06-52 that will extend the approval of the project until July 7, 2012 consistent with tentative tract map approval.
2. Deny the time extension request. If denied, the tentative tract map will still be valid until July 7, 2012 without a development project.

ENVIRONMENTAL DETERMINATION

The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), CEQA Guidelines, and the City's environmental processing procedures. Pursuant to Section 15332 (In-Fill Development Projects) of the California Environmental Quality Act (CEQA) Guidelines, this project is exempt from CEQA.

CONCLUSION

The applicant is interested in developing the subject property as a multi-family residential, common interest development and has requested a time extension for implementation of the project. This development would contribute 14 multi-family residences to the City's housing stock. Staff believes that the additional time would provide the applicant a good opportunity to convert an existing marginal commercial property to residential and ultimately provide increased homeownership opportunities in Costa Mesa.

- Attachments:
1. Planning Commission Resolution
 2. Applicant's Letter
 3. Vicinity Map
 4. Letter and Exhibit from Noise Consultant
 5. Approved Elevations and Revised Plans

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

Pete Volbeda
180 N. Benson No. D
Upland, CA 91786

Craig Avenue Properties
5238 Temple City Blvd.
Temple City, CA 91780

File: 011011PA0652R0604MM0636	Date: 122310	Time: 11:00 a.m.
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RESOLUTION NO. PC-11-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING RETROACTIVE TIME EXTENSION FOR PLANNING APPLICATION PA-06-52, INCLUDING A MASTER PLAN, VARIANCE FOR OPEN SPACE REQUIREMENT, AND A MINOR MODIFICATION MM-06-36 FOR AN 8-FOOT TALL PERIMETER BLOCK WALL AND A GARDEN WALL AT 16-FOOT SETBACK AT 2460/2472 NEWPORT BOULEVARD

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

WHEREAS, an application was filed by Pete Volbeda, authorized agent for Craig Avenue Properties LLC for a retroactive time extension of Planning Application PA-06-52 with respect to the real property located at 2460/2472 Newport Boulevard;

WHEREAS, the time extension of the project involves Master Plan PA-06-52 for a 14-unit residential common interest development including variances from open space requirement and minimum lot size area; and, Minor Modification MM-06-36 for an 8-foot high block wall and a sound wall at 16-foot front setback;

WHEREAS, the Planning Commission adopted Resolution No. PC-07-07 recommending approval of Planning Application PA-06-52 on January 25, 2007;

WHEREAS, on February 20, 2007, City Council approved Planning Application PA-06-52 by adoption of Resolution No. 07-18 attached hereto as Exhibit "1".

WHEREAS, the Planning Commission approved a one-year time extension on May 27, 2008 that expired on February 20, 2009;

WHEREAS, the applicant requests approval of a retroactive time extension to coincide with the expiration of Tentative Tract Map T-17192 until July 7, 2012;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on January 10, 2011 to allow for public comments on the proposed time extension and with all persons having been given the opportunity to be heard both for and against the proposed project;

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

WHEREAS, the time extension does not change the previously-adopted findings and conditions of approval for Planning Application PA-06-52, as specified in Exhibits "A" and "B", respectively, of Resolution No. 07-18. These findings and conditions of approval in their entirety are still applicable to the proposed project;

BE IT RESOLVED that the Planning Commission hereby **APPROVES** a retroactive time extension for the time period from February 20, 2009 to July 7, 2012 to coincide with the expiration date Tentative Tract Map T-17192.

BE IT FURTHER RESOLVED that the Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the staff reports for Planning Application PA-06-52. This action is also based on the evidence in the record and findings and subject to applicant's compliance with each and all conditions of approval, as specified in Resolution No. 07-18.

BE IT FURTHER RESOLVED that the applicable findings for PA-06-52 are highlighted by asterisk in Exhibit "1".

PASSED AND ADOPTED this 10th day of January, 2011.

Sam Clark, Vice-Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, KHANH NGUYEN, 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 January 10, 2011, by the following votes:

AYES: COMMISSIONERS:
NOES: COMMISSIONERS:
ABSENT: COMMISSIONERS:
ABSTAIN: COMMISSIONERS:

Khanh Nguyen, Secretary, Costa Mesa
Planning Commission

RESOLUTION NO. 07-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, APPROVING PLANNING APPLICATION PA-06-52, INCLUDING MASTER PLAN, A VARIANCE FROM OPEN SPACE REQUIREMENTS AND A MINOR MODIFICATION MM-06-36 FOR AN 8-FOOT TALL PERIMETER BLOCK WALL AT 2460/2472 NEWPORT BOULEVARD.

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

WHEREAS, an application was filed by Johnny Lu, of, authorized agent for T4 Development Company, for Planning Application PA-06-52 with respect to the real property located at 2460/2472 Newport Boulevard;

WHEREAS, the proposed project involves the following: A Master Plan for a 14-unit residential common interest development, including a variance from open space requirements (42% required, approximately 35% proposed) and Minor Modification MM-06-36 for an 8-foot block wall (6-foot maximum allowed);

WHEREAS, a duly noticed public hearing was held by the Planning Commission on January 22, 2007 and by the City Council on February 20, 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 No. PC-07-07 recommending that City Council take the following actions: (a) Give first reading to Ordinance for Rezone R-06-04, and (b) approve Planning Application PA-06-52, including master plan, variances from open space requirements and minimum lot size, and minor modification MM-06-36;

WHEREAS, the proposed project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City

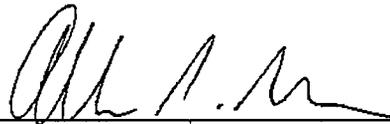
environmental procedures, and is considered an exempt activity under CEQA Guidelines Section 15332, Class 32, related to infill development;

BE IT FURTHER RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", subject to the conditions contained in Exhibit "B", the City Council **HEREBY APPROVES** the following: (1) Planning Application PA-06-52 for a Master Plan for a 14-unit residential common interest development, including a variance for open space requirements (42% required, approximately 35% proposed) and Minor Modification MM-06-36 for an 8-foot block wall (6-foot maximum allowed);

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 Planning Application PA-06-52 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;

BE IT FURTHER RESOLVED that the City Council finds and determines that the approval of Planning Application PA-06-52 is expressly predicated on Rezone R-06-04 becoming final and effective.

PASSED AND ADOPTED this 20th day of February, 2007.



Allan R. Mansoor, Mayor

ATTEST:


Julie Folcik, City Clerk

APPROVED AS TO FORM:

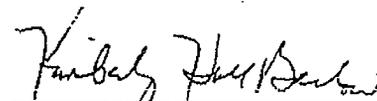

Kimberly Hall Barlow, City Attorney

EXHIBIT "A"

FINDINGS

- A. The proposed Rezone R-06-04 is consistent with the General Plan, Zoning Code, and Newport Boulevard Specific Plan adopted in 1996. The rezone of the property from C1 to PDR-HD will meet the central objectives of the Newport Boulevard Specific Plan to allow a complementary mix of residential and commercial zoning along Newport Boulevard, unlike any other land use designation in the General Plan. The PDR-HD zoning is within the density limits of 17.4 units per acre allowed in the Newport Boulevard Specific Plan. The rezone to PDR-HD would result in a significant reduction in traffic compared to the maximum allowable commercial development in the current C1 designation. The rezone also included an analysis of the interface and compatibility between residential and adjacent nonresidential uses which resulted in requirements for an 8-foot perimeter block wall and relocation of private open spaces areas in the central areas of the property.
- * 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, provisions of the Zoning Code, and Newport Boulevard Specific Plan. Specifically, the master plan is in conformance with the broader goals of the General Plan and Newport Boulevard Specific Plan for a multi-family residential condominium project and exhibits excellence in design, site planning, integration of uses and structures and protection of the integrity of neighboring development. Lot consolidation is a goal of the Specific Plan. In addition, the siting of front yard patios along Building Complex A place landscaping and passive recreation areas in central, visible locations of the development and thereby eliminate impacts that would have been associated with rear yards abutting a two-story self-storage facility located on a zero lot line. While the proposed master plan does not strictly conform to recommended lot size and width requirements of the Specific Plan, the Specific Plan allows variations from these guidelines based on the merits of the proposed project. Overall the proposed master plan represents a desirable product type in conformance with the Newport Boulevard Specific 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 an existing commercial development. New 8-foot tall perimeter block walls will provide noise attenuation and privacy from the adjacent commercial 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 Newport Boulevard 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.

* Findings applicable to PA-06-52

d. The cumulative effects of Rezone R-06-04, Planning Application PA-06-52, and Minor Modification MM-06-36 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 does not feature a 10-foot average side setback along the development property lines, however, architectural treatments and other vertical/horizontal plane breaks achieve the intent of this guideline. In addition, enhanced architectural treatment is provided for Unit A of Building Complex A, which is visible from Newport Boulevard. This project is considered similar in scale and design with the desired residential development along Newport Boulevard.
- * E. The unusual shape of the newly-created flag lot exhibits unique physical conditions required for variance approval and the constraints imposed by Fire access requirements limit the available open space. The combination of 2460 and 2472 Newport Boulevard properties results in a flag-shaped lot that would eliminate the need for an access easement and provide an opportunity for residential development on an odd-shaped property. Development potential on the flag lot will be limited, and would exclude ownership residential development as encouraged by the Newport Boulevard Specific Plan, unless special considerations are made. Therefore, the unusual shape as a justification for approval of the variances from the minimum lot size and open space requirements.
- * F. The long-term vision of the Newport Boulevard Specific Plan is to encourage viable commercial businesses to continue to prosper and to encourage marginal uses to redevelop. The strict application of code requirements for minimum lot size and open space would discourage redevelopment and thereby deprive the property owner of special privileges afforded to other standard-sized properties in the Specific Plan. Strict adherence of these code requirements may preclude and discourage future applications in the Specific Plan area, and this would conflict with the plan vision. The variance requests are considered reasonable and would result in implementation of a residential ownership project supportive of the Specific Plan vision.
- * G. The minor modification for an 8-foot high block wall will not be materially detrimental to the health, safety and general welfare of persons residing or working within the immediate vicinity of the project. The block wall is to provide noise attenuation and privacy from the adjacent commercial properties and is compatible with the design of the development. The 8-foot high block wall is expected to provide noise attenuation in conformance with the City's Noise Ordinance and these interior and exterior noise standards shall be verified by a noise study prior to issuance of building permits.
- * 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.
- * H. The proposed project complies with minimum requirements for fire apparatus access through the provision of a hammerhead configuration for adequate turnaround of fire

apparatus and a 20-foot wide driveable area with grasscrete surfaces to support a 68,000 pound fire truck. Due to the 300-foot depth of the lot, the challenges associated with fire access may be minimized by the installation of residential sprinkler systems for all 14 dwelling units.

- * I. 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.
- * J. 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.
- * K. 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).
- * L. The evidence presented in the record as a whole indicates that the project will not individually or cumulatively have an adverse affect on wildlife resources or habitat. There project site consists of ornamental, non-native vegetation and does not contain, nor is in proximity to, any sensitive habitat areas.

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-06-52 and MM-06-36 is contingent upon City Council's final approval of the Rezone R-06-04 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 Planning Application PA-06-52/MM-06-36 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. Prior to issuance of building plans for plancheck, applicant must submit a subdivision application for processing. The subdivision map must be final and recorded prior to issuance of building permits.
 6. Street addresses shall be displayed on the front of each unit and on a complex identification sign visible from the street. Street address numerals shall be a minimum 6 inches in height with not less than 1/2-inch stroke and shall contrast sharply with the background.
 7. The subject property's ultimate finished grade level may not be filled/raised unless necessary to provide proper drainage, and in no case shall it be raised in excess of 30 inches above the finished grade of any abutting property. If additional fill dirt is needed to provide acceptable on-site storm water flow to a public street, an alternative means of accommodating that drainage shall be approved by the City's Building Official prior to issuance of any grading or building permits. Such alternatives may include subsurface tie-in to public stormwater facilities, subsurface drainage collection systems and/or sumps with mechanical pump discharge in-lieu of gravity flow. If mechanical pump method is determined appropriate, said mechanical pump(s) shall continuously be maintained in working order. In any case, development of subject property shall preserve or improve the existing pattern of drainage on abutting properties. No cross lot drainage to adjacent properties shall be allowed.
 8. To avoid an alley-like appearance, the private street shall not be entirely paved with asphalt nor be developed with a center concrete swale. The entry/exit drive of the private street shall be made of stamped concrete or pervious pavers. The final landscape concept plan shall indicate the landscape palette and the design/material of paved areas, and the landscape/hardscape plan shall be approved by the Planning Division prior to issuance of building permits.
 9. The site plan submitted with initial working drawings shall contain a notation specifying that the project is a "one-lot airspace common interest development" and shall specify the ultimate interior property lines.
 10. The "hourglass" configuration of the driveway between Building Complex B

and C shall be removed to restore the driveway width to a minimum 20-foot wide driveway.

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 8-foot tall decorative block/sound wall around the perimeter of the project site, excluding the side property line abutting the self-storage facility. 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.
14. The developer shall contact the current cable service provider prior to issuance of building permits to arrange for pre-wiring for future cable communication service.
15. Enhanced architectural treatment shall be provided to the satisfaction of the Development Services Director for Unit A facing Newport Boulevard. Building plans submitted for plancheck shall include additional treatment for Unit A.
16. 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.
17. 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.
18. No exterior roof access ladders, roof drain scuppers, or roof drain downspouts shall be permitted.
19. The design, construction, and materials contained in the grasscrete area along the private drive and the hammerhead shall be reviewed and approved by the City's Planning Division and Fire Chief to ensure that the grasscrete supports 68,000 pound fire truck. In addition, a minimum 2' x 2' sized sign indicating "NO PARKING ANYTIME" or other identifier as deemed appropriate by the Planning Division shall be placed in the grasscrete area around the hammerhead.
20. Applicant shall submit floor plans for all models, including reverse plan models, with the working drawings for plan check.
21. 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.
22. 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.
23. 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.

24. 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.
25. Prior to submittal of working plans for plan check, 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.
26. 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.
27. 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) and (2) require that the HOA contract with a towing service to enforce the parking regulations. 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.
28. Applicant shall provide proof of establishment of a homeowner's association prior to release of any utilities.
29. Garages for individual units shall be equipped with automatic garage door openers and roll-up garage doors.
30. Final tract map shall be approved and recorded prior to issuance of building permits.
- Trans. 31. Applicant shall close unused drive approach(es) with curb and gutter.
32. The residential driveway approach shall be constructed to suit approved entry design to the satisfaction of the Transportation Manager. Drive aisles, parking stall configurations, and turning radius must comply with the City's parking design standards.
33. Vehicle Entry/Security gates shall be prohibited unless an acceptable security gate plan is approved by the Transportation Manager.
- Eng. 34. 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.
35. Submit subdivision application and comply with conditions of approval and code requirements.
36. Applicant shall contact the Engineering Division in advance of submission of the subdivision map to discuss requirements for on-site retention of

stormwater flows.

- Fire
37. Landscape and river rock area within fire access and hammer-head turn around shall be designed, constructed, and maintained to support Costa Mesa Fire Department apparatus (68,000 lbs). A letter or statement, wet-stamped and signed by a registered civil engineer, shall be provided on the plans certifying that the roadway meets these requirements.
 38. Overhangs, eaves, awnings, etc. shall not encroach into the fire access area along the driveway.
 39. Provide Residential Fire Sprinklers per NFPA Standard 13R for all dwelling units and a fire hydrant.

RESOLUTION NO. PC-10-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DENYING RETROACTIVE TIME EXTENSION FOR PLANNING APPLICATION PA-06-52, INCLUDING A MASTER PLAN, VARIANCE FOR OPEN SPACE REQUIREMENT, AND A MINOR MODIFICATION MM-06-36 FOR AN 8-FOOT TALL PERIMETER BLOCK WALL AND A GARDEN WALL AT 16 FEET FRONT SETBACK AT 2460/2472 NEWPORT BOULEVARD

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

WHEREAS, an application was filed by Pete Volbeda, authorized agent for Craig Avenue Properties LLC for a retroactive time extension of Planning Application PA-06-52 with respect to the real property located at 2460/2472 Newport Boulevard;

WHEREAS, the time extension of the project involves Master Plan PA-06-52 for a 14-unit residential common interest development including variances from open space requirement and minimum lot size area; and, Minor Modification MM-06-36 for an 8-foot high block wall and a sound wall at 16-foot front setback;

WHEREAS, the Planning Commission adopted Resolution No. PC-07-07 recommending approval of Planning Application PA-06-52 on January 25, 2007;

WHEREAS, on February 20, 2007, City Council approved Planning Application PA-06-52 by adoption of Resolution No. 07-18.

WHEREAS, the Planning Commission approved a one-year time extension on May 27, 2008 that expired on February 20, 2009;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on January 10, 2011 where all persons had the opportunity to speak for and against the proposed 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 retroactive time extension for Planning Application PA-06-52 with respect to the property described above.

PASSED AND ADOPTED this 10th day of January, 2011.

Sam Clark, Vice-Chair
City of Costa Mesa Planning Commission

EXHIBIT "A"

FINDINGS:-(DENIAL)

- A. The proposed project does not comply with Costa Mesa Municipal Code Section 13-29(e) because:
 - 2. The project is not compatible and harmonious with uses on surrounding properties.
 - 3. The project is not 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. Granting the retroactive time extension will be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.

- C. The Costa Mesa Planning Commission has denied Planning Application PA-10-33. Pursuant to Public Resources Code Section 21080(b)(5) and CEQA Guidelines Section 15270(a), CEQA does not apply to this project because it has been rejected and will not be carried out.

- D. The project is exempt from Chapter IX, Article 11, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

CITY OF COSTA MESA

27 FAIR DR, COSTA MESA
DATE: 11-15-2010

RE: 2460-2472 NEW PORT BLVD

WE HEREBY REQUEST
A RETROACTIVE TIME EXTENSION
FOR TENTATIVE TRACT MAP NO
.... 17192
AND PD 06-52

PETE VOLSEDA


VICINITY MAP



2460 AND 2472 Newport Blvd.

PA-06-52



September 10, 2007

Mr. Johnny C Lu, AIA
Principal - Architect
T4 Development | Associates
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Suite 207
Pasadena, CA 91105
(626) 395-0600

3151 Airway Avenue
Building I-2
Costa Mesa, CA 92626
Tel (714) 540-3120
Fax (714) 540-3303
www.BridgeNet-Intl.com

Subject: Noise Control Requirements for 2460 Newport Boulevard, Costa Mesa

Dear Mr. Lu,

BridgeNet International conducted a review of the proposed multi-family residential development to be located at 2460 Newport Boulevard in the City of Costa Mesa. The project will be exposed to noise from traffic on SR-55, the Costa Mesa Freeway, and from traffic on Newport Boulevard. This project is very similar to another multi-family project we analyzed which is located at 2436 Newport Boulevard, just down the street from the subject project. The noise control requirements for that project are contained within the report "Exterior Noise Analysis for Tract 300 – Lot 55, City of Costa Mesa", report number 2004-178 by BridgeNet International and dated November 9, 2004.

Within the aforementioned report, the future noise levels for the Costa Mesa Freeway and Newport Boulevard are based upon the average daily traffic volume projections (year 2020) provided by CalTrans and the City of Costa Mesa, respectively. These traffic projections are provided in Table 1 below, and according to information we have been able to receive from both CalTrans and the City of Costa Mesa, these projected values have not changed.

Table 1
Future Traffic Volumes and Speeds

Roadway	Traffic Volume (ADT)	Speed (MPH)
Costa Mesa Freeway	171,000	65
Newport Boulevard	8,000	45

Utilizing the traffic data presented above along with the FHWA Model, distances to the 60 dB, 65 dB and 70 dB CNEL contours were determined. The contour values, which are listed below in Table 2, represent the distance from the centerline of the roadway to the contour values listed. These projections do not take into account any barriers, topography, or buildings that may reduce noise levels.

Table 2
 Distance to Noise Contours for Future Conditions

Roadway	Distance to CNEL Contour (ft.)		
	70 dB	65 dB	60 dB
Costa Mesa Freeway	482	1,039	2,238
Newport Boulevard	26	55	119

Noise from Costa Mesa Freeway

The dwelling units located along the western side of the project will be exposed to noise from traffic on the Costa Mesa (SR-55) Freeway. The exterior living spaces on the western side of the project will be located approximately 222 feet from the centerline of the freeway. The freeway elevation in the area of the project site is about 22 feet below the elevation of Newport Boulevard and the existing grade of the project site. There is a slope located between the freeway and Newport Boulevard which breaks the line of sight between the centerline of the freeway and a receiver located on the western edge of the project site. This berm reduces the level of noise impacting the project site. The projected noise exposure level at the first floor elevation of the project site is 72.6 dB CNEL. The projected noise exposure level at the second floor elevation of the project site is 75 dB CNEL.

Noise from Newport Boulevard

The dwelling units located along the western side of the project will be exposed to noise from traffic on the northbound lanes of Newport Boulevard. The exterior living spaces on the western side of the project will be located approximately 30 feet from the centerline of the boulevard. At this distance, it is estimated that the unmitigated noise level at the project site from traffic on Newport Boulevard will be as high as 69 dB CNEL.

Total Roadway Noise

The total noise exposure level will consist of the sum of the traffic noise combined on an energy basis. The worst case of noise exposure will occur at the western portion of the project site because these homes will be exposed to the greatest amount of noise from the roadways adjacent to the project site. The analysis shows that the worst case unmitigated noise level at the first floor elevation will be 74.1 dB CNEL for the units closest to Newport Boulevard. The worst case unmitigated noise level at the second floor elevation will be 75.9 dB CNEL for the units closest to Newport Boulevard. Since the projected exterior noise levels are in excess of the exterior noise standard of 65 dB CNEL, exterior mitigation measures will be required.

Required Noise Barriers along Newport Boulevard

In order to protect the exterior living spaces from excessive noise exposure, noise barriers should be constructed around the perimeter of these areas within the project site.

- A perimeter noise barrier, 8.0 feet in height, should be constructed between the exterior living spaces on the west side of Unit A within Building A and Newport Boulevard.
- A perimeter noise barrier, 6.0 feet in height, should be constructed on the west side of the exterior living spaces associated with Building C and Newport Boulevard.

Refer to Figure 1 for the location and heights of the required perimeter noise barriers. These perimeter noise barriers will reduce the exterior noise exposure levels at the 1st floor outdoor living spaces to 64 dB CNEL or less. The heights of these noise barriers is relative to the finish grade elevations of the exterior living areas being protected.

Noise Barrier Construction

These perimeter noise barriers may be constructed using an earthen berm, a free standing wall, or a combination of these methods. The wall portion of the noise barriers are required to have a surface density of at least 3.5 pounds per square foot, and have no openings or gaps. They may be constructed of wood studs with stucco exterior, 3/8-inch plate glass, 5/8-inch Plexiglas, any masonry material, or a combination of these materials.

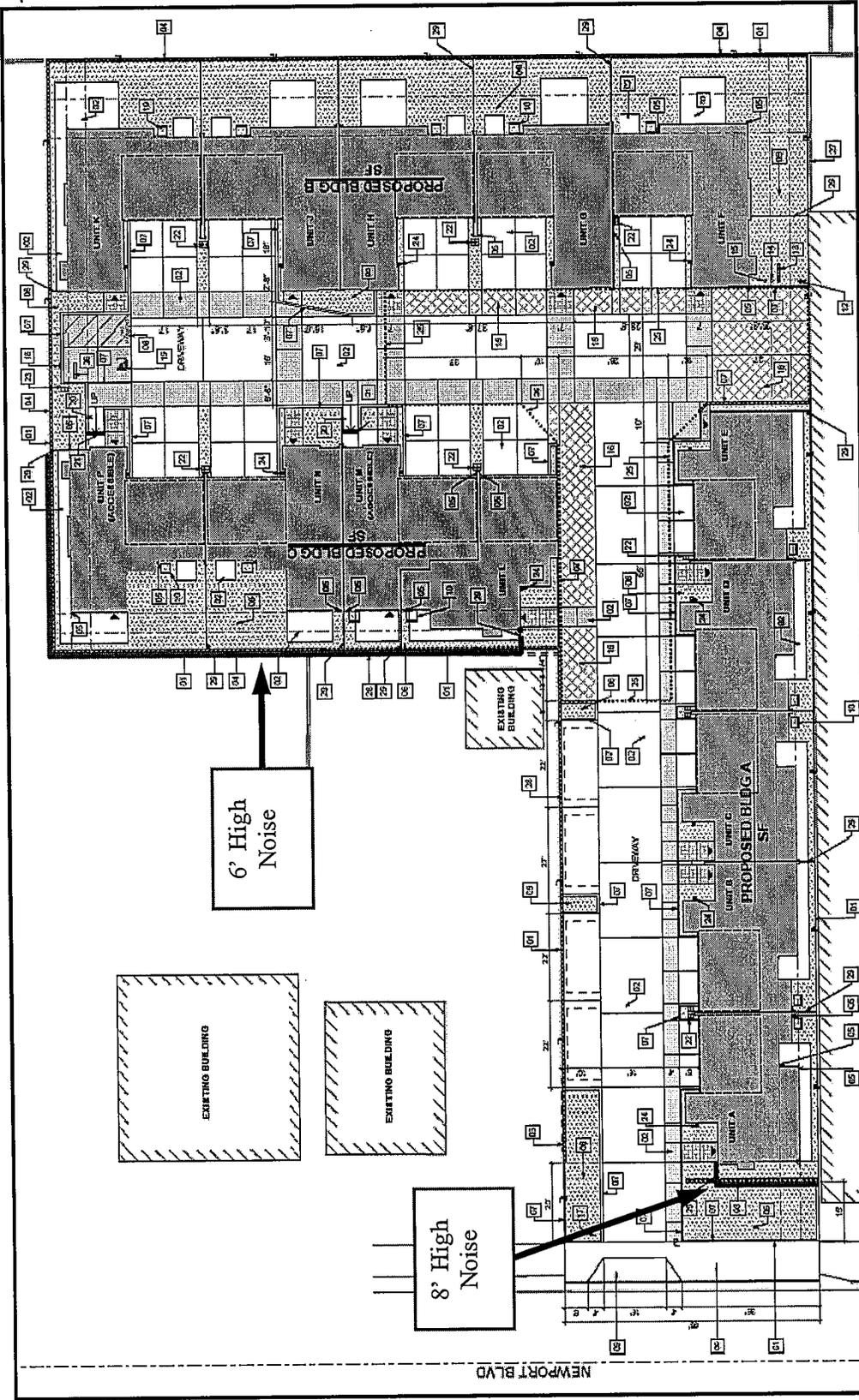


Figure 1
Location and Heights of Required Noise Barriers



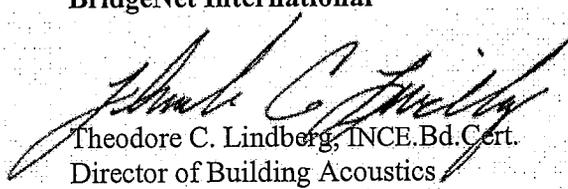
Interior Noise Levels

The proposed project must also comply with the City's interior noise standard of 45 dB CNEL. To comply with the interior noise standard, the proposed homes must provide sufficient outdoor-to-indoor noise attenuation to reduce the interior noise exposure to acceptable levels. The projected unmitigated noise exposure levels at the second floor building faces could be as high as 75.9 dB CNEL depending upon the location of the proposed dwelling units. This means the structures must provide at least 30.9 dB of exterior-to-interior noise reduction in order to meet the interior standard.

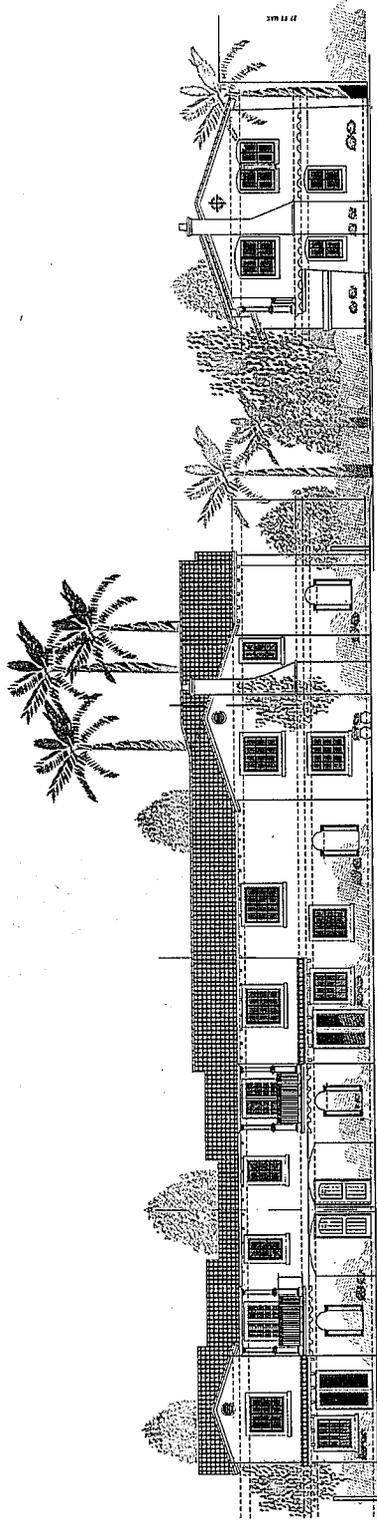
When the exterior-to-interior noise reduction exceeds 20 dB, the City requires that engineering calculations be shown. Therefore, an interior noise analysis will be required for the homes in this project when the architectural plans become available.

If you have any questions regarding the noise level calculations or noise mitigation measures presented above, please give me a call.

Sincerely,
BridgeNet International



Theodore C. Lindberg, INCE.Bd.Cert.
Director of Building Acoustics

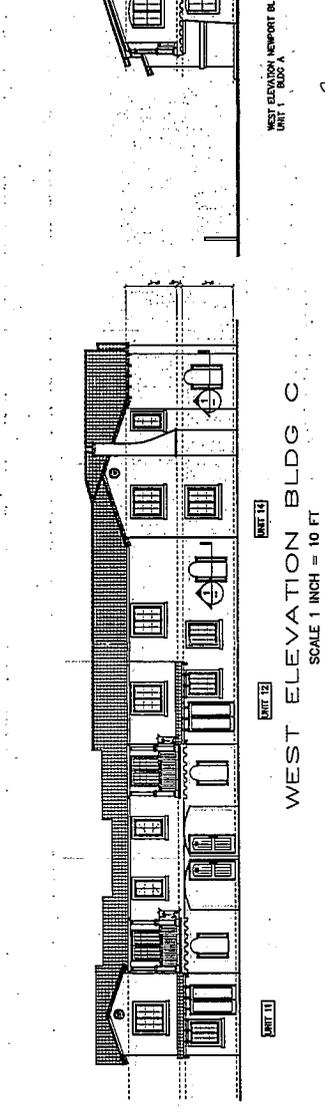
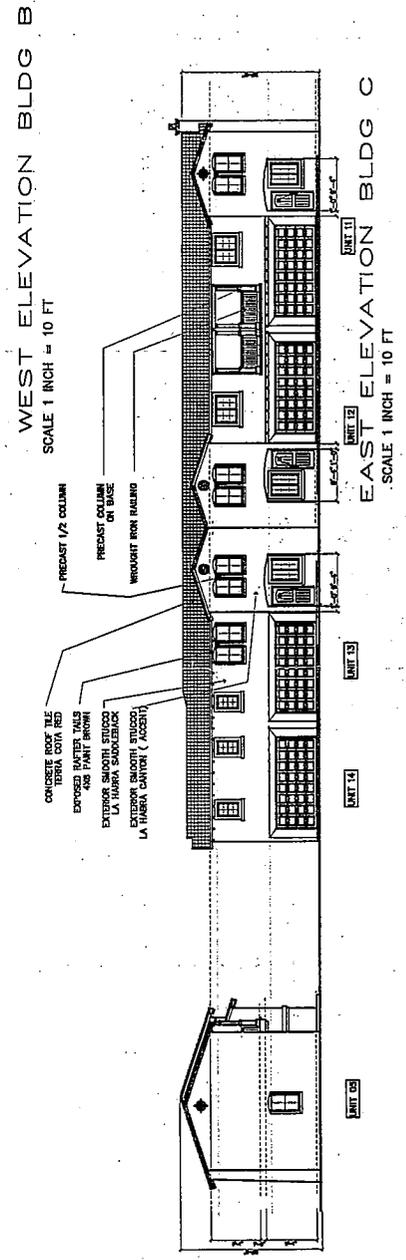
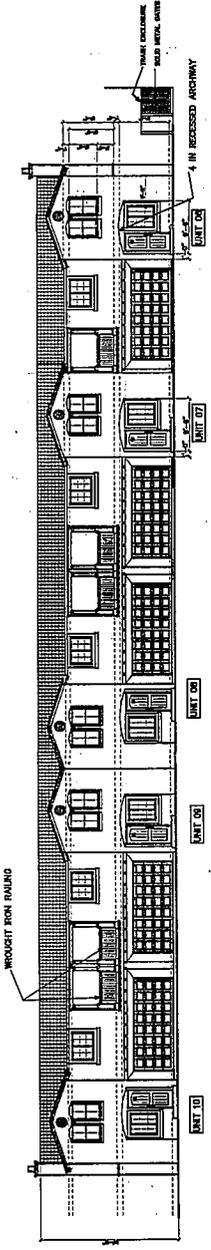
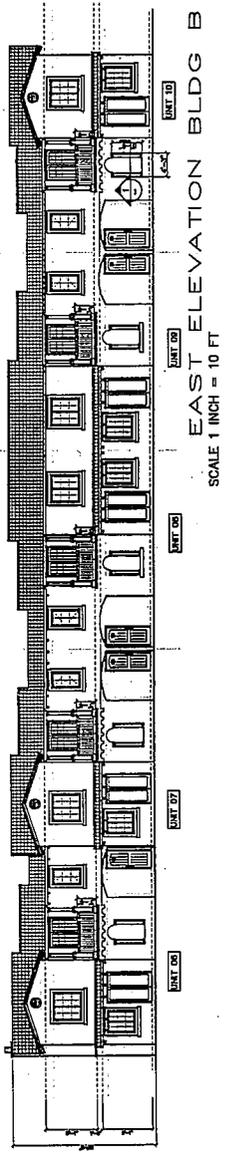


WEST ELEVATION BLDG C WEST ELEVATION NEWPORT BL BLDG A

SCALE 1 INCH = 10 FT.

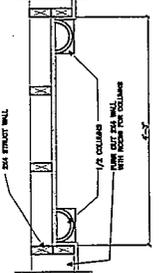
14 UNIT CONDOMINIUM
2460-72 NEWPORT BLVD, COSTA MESA

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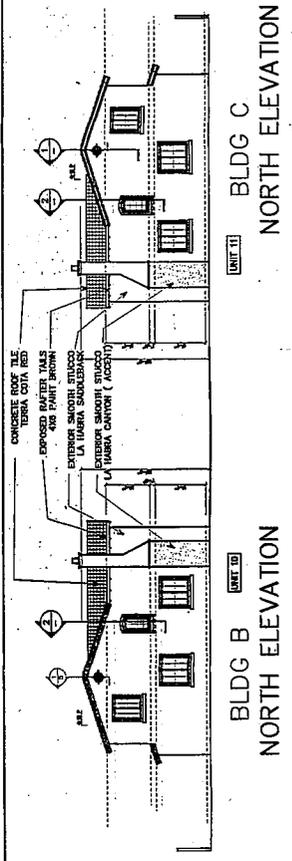
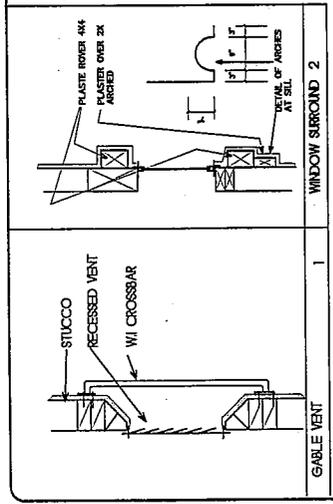
CONCRETE ROOF 1/2 IN. TERRAZZO COVA RED
 EXPOSED BRASS TALS 408 PAINT BROWN
 EXTERIOR SMOOTH STUCCO LA HABRA SUDDEBACK
 EXTERIOR SMOOTH STUCCO LA HABRA LANTON (ACCENT)

PRECAST 1/2 COLUMN ON BASE
 WROUGHT IRON RAILING



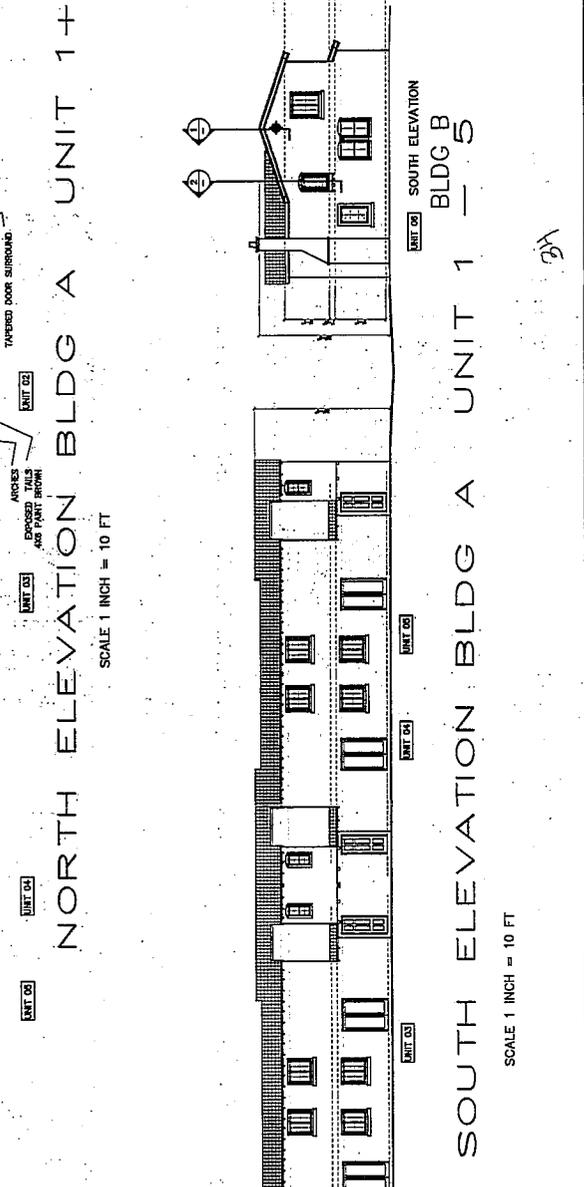
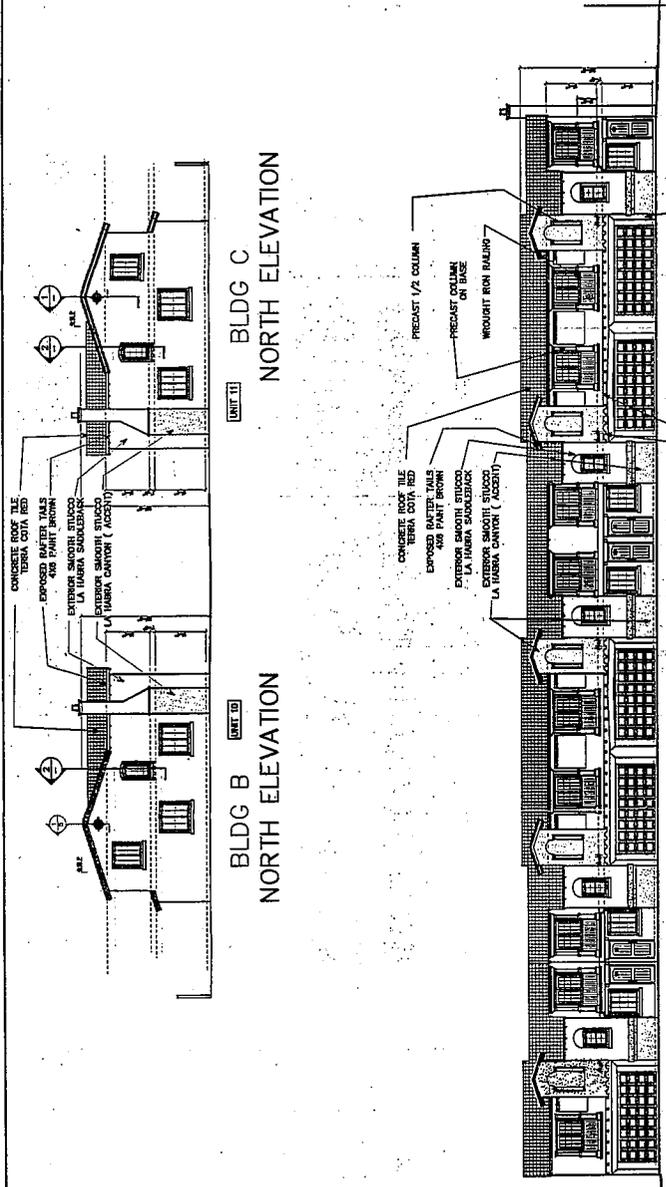
WEST ELEVATION NEWPORT BL UNIT 1 - BLDG A

32



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CRAIG LLC 14 UNIT PA-06052
 2460-2472 NEWPORT BLVD, COSTA MESA



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