



PLANNING COMMISSION

SUPPLEMENTAL MEMORANDUM VII.4a.

MEETING DATE: APRIL 11, 2011

SUBJECT: MASTER PLAN PA-10-26 FOR COMMERCIAL DEVELOPMENT AND TENTATIVE PARCEL MAP 2010-135 FOR SUBDIVISION AT 3135, 3141, 3151, 3161, 3181, AND 3195 HARBOR BLVD.

DATE: APRIL 6, 2011

FOR FURTHER INFORMATION CONTACT: MINOO ASHABI, AIA, SENIOR PLANNER
(714) 754-5610 or mashabi@ci.costa-mesa.ca.us

The purpose of this supplemental memo is to provide additional information related to bike rack locations and pedestrian access to the site. In addition, Revised Exhibit "B" includes the revisions requested by the applicant as well as corrections made by staff.

Bike Racks

The proposed master plan provides for bike racks as depicted at four locations in Attachment 1.

Pedestrian Access

Continuous pedestrian path of travel is required from public sidewalks to the entrance of all buildings and this code requirement is reviewed during plan check. The applicant has provided a preliminary site plan for depicting the pedestrian access (Attachment 1).

Revised Conditions

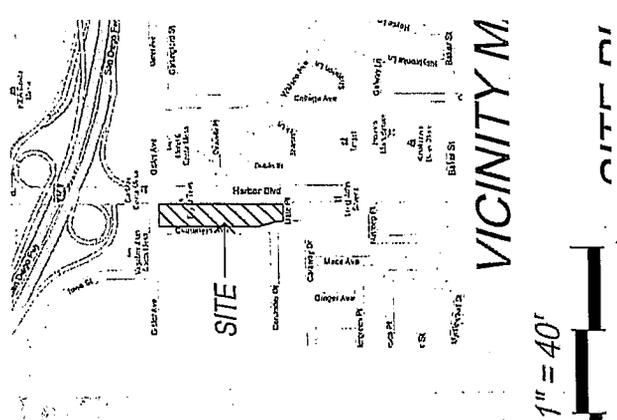
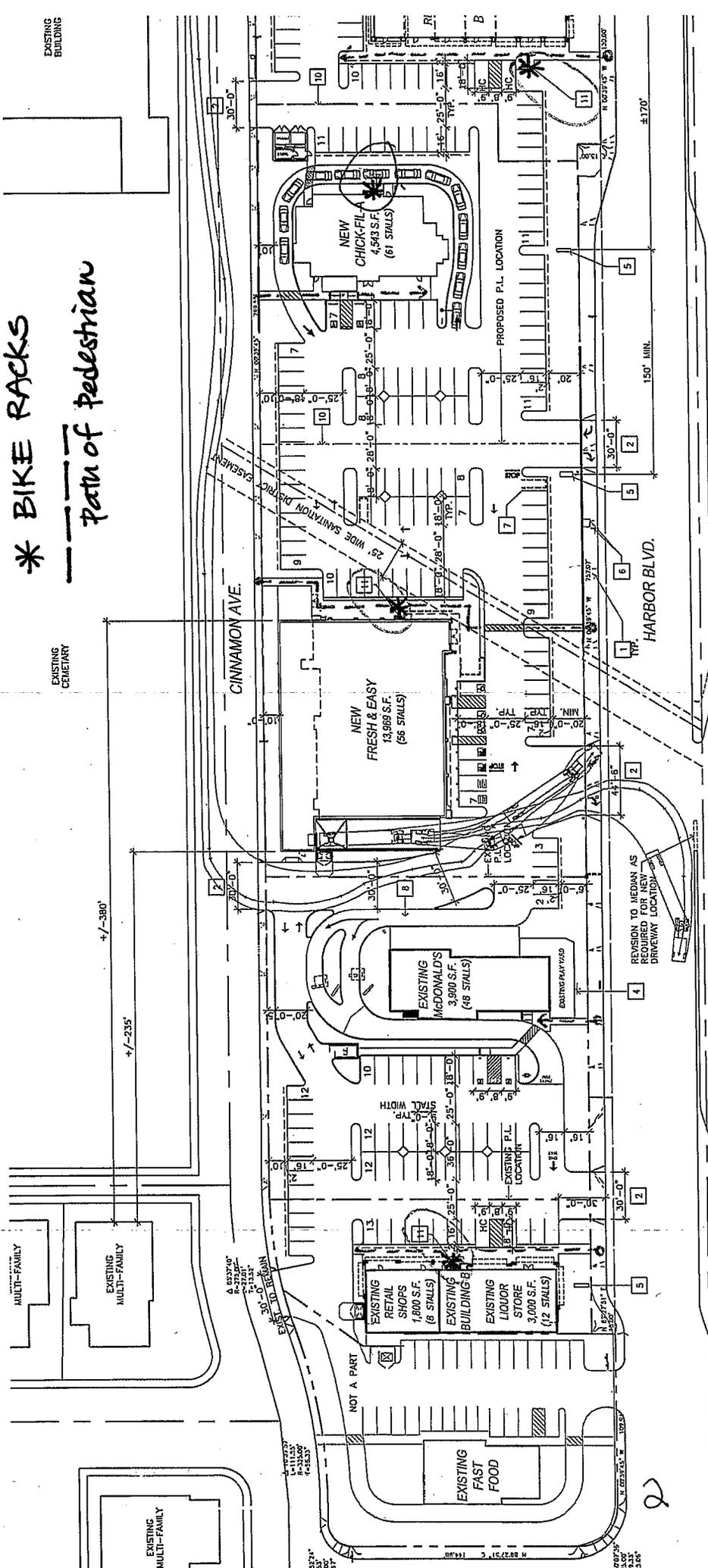
The applicant has requested clarification on conditions related to cross drainage between parcels. This is subject to execution of a Land Use Restriction to be recorded on properties as noted in Condition No. 17 and revised in Condition Nos. 23 and 25. Please refer to the attached Revised Exhibit "B".

Attachments:

1. Site Plan with Bike Locations and Pedestrian Access
2. Revised Exhibit "B"

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

* BIKE RACKS
 Path of Pedestrian



ATTACHMENT 1

Category	Area 1	Area 2	Area 3	Area 4	Area 5
NEW BUILDING AT SHOPS	3,888 SF	1,204 SF	2,408 SF	7,500 SF	
RETAIL					
FOOD					
MEDICAL/DENTAL					
TOTAL	16 STALLS	12 STALLS	14 STALLS	42 STALLS	
PARKING REQUIRED					
RETAIL @ 1/250 SF					
FOOD @ 1/100 SF					
MEDICAL @ 1/1000 SF					
TOTAL	30 STALLS	31 STALLS	61 STALLS		
NEW CHICK-FIL-A FAST FOOD BUILDING	4,543 SF	4,543 SF			
TOTAL					
PARKING REQUIRED					
RETAIL @ 1/250 SF					
FOOD @ 1/100 SF					
MEDICAL @ 1/1000 SF					
TOTAL	227 STALLS	210 STALLS			
NEW FRESH + EASY/MARKET	13,699 SF	3,900 SF	3,000 SF	4,800 SF	25,999 SF
PARKING REQUIRED @ 1/250 SF	56 STALLS	3,900 SF	30 STALLS	4,800 SF	25,999 SF
EXISTING McDONALD'S FAST FOOD					
PARKING REQUIRED					
1ST 3,000 SF @ 1/100 SF					
ADD'L SF @ 1/60 SF					
TOTAL	18 STALLS	18 STALLS	18 STALLS	18 STALLS	18 STALLS
EXISTING BUILDING BI RETAIL SHOPS					
PARKING REQUIRED @ 1/250 SF					
TOTAL BUILDING SF					
RETAIL					
FOOD					
TOTAL	8,443 SF	8,443 SF	8,443 SF	8,443 SF	8,443 SF
TOTAL PARKING REQUIRED	227 STALLS	210 STALLS			
TOTAL PARKING PROVIDED					

SUMMARY

DRIVEWAY LOCATIONS TO BE REMOVED + REPLACED BY PER CITY STANDARDS - SEE PRELIMINARY GRADING PLAN. SEWAGE TREATMENT PLANT LOCATIONS PER CITY STANDARDS - SEE PRELIMINARY PLAN. OTHER DIAMONDS IN DOUBLE PARKING ROWS 5'x5' CLEAR.

POLE SIGN
 URGENT SIGN - 15' HIGH
 BUS STOP SIGN + BENCH
 T CURRAL (PER FRESH + EASY)
 UNFIGURED DRIVE-THRU LANES @ McDONALD'S
 3H ENCLOSURE PER CITY STANDARDS
 FERRY LINE (PER NEW PARCEL MAP)
 RACK
 WINE POCKETS @ REAR SIDEWALK FOR METAL WALL GRILLES.
 ESCAPE PLAN

ADDRESSES:
 3195 HARBOR BLVD.
 -FIL-A:
 + EASY:
 McDONALD'S:
 BUILDING B:
 3161 HARBOR BLVD.
 3151 HARBOR BLVD.
 3141 HARBOR BLVD.
 3135 HARBOR BLVD.

EXHIBIT "B" Revised**CONDITIONS OF APPROVAL (PA-10-26, TPM-10-135)**

- Plng.
1. The applicant shall install a total of ten 24-inch box trees (instead of 15-gallon) within the landscaped setback area along Cinnamon Avenue including six trees within the Chick-Fil-A site.
 2. All ground mounted signs and landscaping palette for the new development along Harbor Blvd. shall be consistent for a master plan street frontage on Harbor Blvd.
 3. The expiration of Master Plan PA-10-26 shall coincide with the expiration of the approval of the Tentative Parcel Map 2010-135 which is valid for two years. An extension request is needed to extend the expiration for each additional year after the initial 2-year period.
 4. The uses shall be limited to the type of operation described in the staff report, subject to conditions. Any change in the operational characteristics shall be subject to Planning Division review and may require an amendment to the approval, subject to either Zoning Administrator or Planning Commission approval, depending on the nature of the proposed change. The applicant is reminded that Code allows the Planning Commission to modify or revoke any planning application based on findings related to public nuisance and/or noncompliance with conditions of approval [Title 13, Section 13-29(o)].
 5. The conditions of approval for PA-10-26 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
 6. The subject property's ultimate finished grade level may not be filled/raised in excess of 30 inches above the finished grade of any abutting property. If additional fill dirt is needed to provide acceptable on-site storm water flow to a public street, an alternative means of accommodating that drainage shall be approved by the City's Building Official prior to issuance of any grading or building permits. Such alternatives may include subsurface tie-in to public storm water facilities, subsurface drainage collection systems and/or sumps with mechanical pump discharge in-lieu of gravity flow. If mechanical pump method is determined appropriate, said mechanical pump(s) shall continuously be maintained in working order. In any case, development of subject property shall preserve or improve the existing pattern of drainage on abutting properties. Applicant is advised that recordation of a drainage easement across the private street may be required to fulfill this requirement.
 7. Prior to issuance of grading or building permits, the applicant shall obtain approval of a hydrology and drainage study showing the method of disposal of storm water.
 8. The applicant shall contact the Planning Division to arrange a Planning inspection of the site prior to the release of occupancy/utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.

9. No modification(s) of the approved building elevations including, but not limited to, changes that increase the building height, removal of building articulation, or a change of the finish material(s), shall be made during construction without prior Planning Division written approval. Failure to obtain prior Planning Division approval of the modification could result in the requirement of the applicant to (re)process the modification through a discretionary review process or a variance, or in the requirement to modify the construction to reflect the approved plans.
10. No exterior roof access ladders, roof drain scuppers, or roof drain downspouts are permitted.
11. Transformers, backflow preventers, and any other approved above-ground utility improvement shall be located outside of the required street setback area and shall be screened upon view, under direction of Planning staff. Any deviation from this requirement shall be subject to review and approval of the Development Services Director.
12. The applicant shall control litter originating from the site (i.e. paper/plastic goods, food items, drink containers, etc.) on a daily basis. On-site trash receptacles visible from the public right-of-way shall be emptied and litter be removed on a regular basis.
13. Once the uses are legally established, PA-10-26 herein approved shall be valid until revoked. The Development Services Director or his designee may refer the application to the Planning Commission for modification or revocation at any time if, in his opinion, any of the following circumstances exist: 1) the use is being operated in violation of the conditions of approval; 2) the use is being operated in violation of applicable laws or ordinances or 3) one or more of the findings upon which the approval was based are no longer applicable.
14. 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.
15. The applicant shall incorporate a minimum of three bicycle racks adjacent to the new buildings within the center.
16. Provide proof of recordation of TPM-2010-135, which shall also include reciprocal easements for shared access, parking, common area landscaping and drainage across all parcels prior to issuance of building permits. The Development Services Director shall have the discretion to consider alternative timing arrangements for the reciprocal easements if necessary.
17. A Land Use Restriction (LUR), executed by and between the property owner and the City of Costa Mesa, shall be approved and recorded prior to building final. The Land Use Restriction shall contain and inform future property owner(s) of subject parcels of the following information:
 - (1) Highlight the reciprocal easements for shared access, parking, common area landscaping and drainage across all parcels;
 - (2) Applicant shall submit to the Planning Division a copy of the legal

description of the property, and either a lot book report or current title report identifying the current legal property owner so that the document may be prepared.

18. Prior to the grand opening of the Fresh and Easy market, the applicant shall submit an interim parking plan to the Planning Division for review and approval to ensure that adequate employee parking is available on-site or on at an authorized site through an agreement with an adjacent property owner. In addition, the plan shall indicate that employees shall be available to minimize any impacts to circulation on the adjacent streets and surrounding properties. This interim plan shall be in place for a minimum of 60 days during the "Grand Opening" and may be extended for an additional 30 days to meet customer demands as deemed appropriate by the Development Services Director. The interim plan shall be approved prior to issuance of certificate of occupancy.
19. The double drive-through lanes for the McDonalds shall be each 11 feet minimum in width.
20. The loading truck well for Fresh and Easy market shall be enclosed by a 15'-3" wall on the south and west side:
- Bldg. 21. Submit grading plans including a hydrology report and soils report.
22. Provide an erosion control plan.
- Eng. 23. At the time of development submit for approval an Offsite Plan to the Engineering Division and Grading Plan to the Building Division that shows Sewer, Water, Existing Parkway Improvements and the limits of work on the site, and hydrology calculations, both prepared by a registered Civil Engineer or Architect. Cross lot drainage shall not occur will require a drainage easement. Construction Access approval must be obtained prior to Building or Engineering Permits being issued by the City of Costa Mesa. ~~Pay Offsite Plan Check fee per Section 13-29(2)(b) of the C.C.M.M.C. and an approved Offsite Plan shall be required prior to Engineering Permits being issued by the City of Costa Mesa.~~
24. Pay Offsite Plan Check fee per Section 13-231 of the C.C.M.M.C. and an approved Offsite Plan shall be required prior to Engineering Permits being issued by the City of Costa Mesa.
25. The Subdivider's engineers shall furnish to the Engineering Division a storm runoff study showing existing and proposed facilities and the method of draining this area and tributary areas without exceeding the capacity of any street or drainage facility on-site or off-site to the satisfaction of the City Engineer. This study to be furnished with the first submittal of the Final Map. Cross lot drainage shall not occur will require a drainage easement. Ownership and maintenance of the private on-site drainage facilities and parkway culverts and other common areas shall be transferred by the owner to the Homeowner's maintenance Association to be formed pursuant to C.C.M.M.C. Section 13-41 (e).
26. Construction Access Permit and deposit of \$2230 will be required by City of Costa Mesa, Engineering Division prior to start of any on-site work, necessary during construction for street sweeping and to guarantee

- replacement costs in case of damage to existing public improvements.
27. Maintain the public Right-of-Way in a "wet-down" condition to prevent excessive dust and remove any spillage from the public Right-of-Way by sweeping or sprinkling.
 28. Haul routes must be approved by the City of Costa Mesa, Transportation & Engineering Division.
 29. Submit required cash deposit or surety bond to guarantee construction of off-site street improvements at time of permit per Section 15-32, C.C.M.M.C. and as approved by City Engineer. Cash deposit or surety bond amount to be determined by City Engineer.
 30. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then construct P.C.C. commercial sidewalk per City of Costa Mesa Standards as shown on the Offsite Plan, including four (4) feet clear around obstructions in the sidewalk.
 31. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then construct P.C.C. driveway approach per City of Costa Mesa Standards as shown on the Offsite Plan. Location and dimensions are subject to the approval of the Transportation Services Manager. ADA compliance required for all new driveway approaches.
 32. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then remove any existing driveways and/or curb depressions that will not be used and replace with full height curb.
 33. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then reconstruct wheelchair ramp on the corner of Gisler Avenue and Cinnamon Avenue to comply with ADA.
 34. Dedicate a 3-foot public sidewalk easement behind existing right of way line on Cinnamon Avenue.
 35. Per requirements of Real Property, City of Costa Mesa, Engineering Division, dedicate a diagonal corner cut-off at the corner of Gisler Avenue and Cinnamon Ave.
 36. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then relocate any catch basins that would have a conflict with any future drive approaches. Submit a hydrology report to determine the size of the new catch basin.
 37. Fulfill Drainage Ordinance Fee requirements prior to approval of Final Map.
 38. Fulfill City of Costa Mesa Drainage Ordinance No. 06-19 requirements prior to Approval of Final Map.
 39. Development shall comply with City of Costa Mesa Water Quality Ordinance No. 97-20.
 40. Applicant/Developer is hereby advised that no removal of trees from the public right-of-way will be permitted without specific approval from the Parks and Recreation Commission and compliance with mitigation measures as determined by the Commission to relocate the trees and/or to compensate the City for the loss of trees from the public right-of-way.

Conditions of the Commission must be incorporated onto the plans prior to plan approval. The approval process may take up to three months, therefore, the applicant/developer is advised to identify all tree affected by the proposed project and make timely application to the Parks and Recreation Commission to avoid possible delays.

41. Two copies of the Final Map and one copy of the Property Boundary closure calculations shall be submitted to the City of Costa Mesa Engineering Division for checking.
42. Submit updated Title Report of subject property.
43. The Parcel Map shall be developed in full compliance of CCMC Sec. 13-208 through 13-261 inclusive.
44. Release and relinquish all vehicular and pedestrian access rights to Harbor Boulevard and Cinnamon Drive to the City of Costa Mesa except at approved locations.
45. Dedicate ingress-egress easement for emergency and public security vehicle purposes.
46. Submit seven copies, one duplicate mylar and an electronic copy of recorded map to Engineering Division, City of Costa Mesa 90 days after recordation of the final map.
47. In accordance with C.C.M.M.C. Section 13-230, the Subdivider shall submit street improvement plans and/or off-site plans at the time of first submittal of the Final Tract Map. Plan check fee shall be paid per C.C.M.M.C. Section 13-231.
48. Prior to recordation of a final map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County
49. Survey Monuments shall be preserved and referenced or set pursuant to Section 8771 of the Professional Land Surveyors Act and Business and Professional code.
50. Submit cash deposit or surety bond to guarantee monumentation prior to approval of the map. Amount to be determined by City Engineer.
51. Comply with code requirements for PA-10-26
- Fire 52. The final Master Plan for development in the project area shall provide sufficient capacity for fire flows required by the City of Costa Mesa Fire Department.
53. Vehicular access must be provided and maintained serviceably throughout construction to all required fire hydrants.

- 54. Prior to issuance of building permits, the applicant shall submit project designs and specifications for review and approval by the Fire Department with respect to compliance with all standard conditions for building design regarding public safety, including but not limited to, fire flow capacity, fire hydrant location, vehicular access, and sprinkler systems. The City of Costa Mesa Fire Department shall review and approve the developer's project design features to assess compliance with the California Building Code and California Fire Code. Emergency vehicle parking areas shall be designated within proximity to buildings to the satisfaction of the Fire Marshal.
- Trans. 55. Submit reciprocal ingress and egress easement for adjacent properties for shared parking access and traffic circulation.
- 56. The applicant shall install traffic signal and associated modification and pavement legends for Harbor Blvd. and Date Place intersection. The design shall be submitted to City's Transportation Services Division for review prior to construction.
- 57. The applicant shall construct commercial driveway approaches at locations specified on the submitted site plan.
- 58. The applicant shall close any unused driveway approaches with full height curb and gutter per City standards.
- 59. For relocating the existing traffic pull box with the proposed driveway approach, the applicant is responsible for the following:
 - Provide new #5 fiberlite pullbox, conduit and sweeps outside the driveway approach area.
 - Remove existing signal interconnect and fiber optic cable from controller cabinet at Gisler Ave.
 - Blow and clean existing conduit run and re-pull existing signal interconnect and fiber optic cable to cabinet at Gisler Ave.
 - Re-terminate both signal interconnect and fiber optic cable at Gisler Ave.
 - Signal interconnect and fiber optic cable shall be down for no longer than 24 hours.
- 60. The applicant shall reserve 10 feet of frontage along Gisler Ave. from Cinnamon Ave. to Harbor Blvd. for potential future dedication that may be requested in the future subject to reasonable financial compensation to the property owner as determined by a qualified appraiser.
- Utilitie
s 61. Prior to the issuance of a connection permit, the applicant shall pay the applicable water connection fees.