



# **PLANNING COMMISSION AGENDA REPORT**

VI. 6

MEETING DATE: AUGUST 8, 2011

ITEM NUMBER:

**SUBJECT: GENERAL PLAN AMENDMENT GP-11-01 / REZONE R-11-01 / PLANNING APPLICATION PA-11-06 / TENTATIVE TRACT MAP NO. 17423 FOR A 33-UNIT RESIDENTIAL COMMON INTEREST DEVELOPMENT AT 2626 HARBOR BLVD**

**DATE: JULY 26, 2011**

**FOR FURTHER INFORMATION CONTACT: MINOO ASHABI, AIA SENIOR PLANNER  
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## **DESCRIPTION**

The purpose of the meeting is to provide an opportunity for public comment on the project and environmental document. An Initial Study/Mitigated Negative Declaration is available for public review/comment through August 15, 2011. A detailed project description and environmental analysis are contained in that document. It can be viewed on the Planning Division webpage of the City's website at: [www.ci.costa-mesa.ca.us](http://www.ci.costa-mesa.ca.us).

The proposed project involves the development of 33-unit single family detached homes on a 3.71-acre site located at the northeast corner of the Harbor Boulevard and Merrimac Way intersection in the City of Costa Mesa. It will be located on the former and now vacant Lincoln-Mercury auto dealership. The proposal ranges in size from 2,002 square feet (sf) to 2,164 sf. On-street and off-street parking for the project would be located entirely within the proposed development. The proposed project includes the following:

- **Initial Study/Mitigated Negative Declaration (IS/MND)**
- **General Plan Amendment GP-11-01** to change the land use from General Commercial to Medium Density Residential
- **Rezone R-11-01** from C1 (Local Business District) and P (Parking) to R2-MD
- **Design Review PA-11-06** for development of 33-unit Residential Common Interest Development, including minor modifications to reduce rear yard setbacks for the second story (20 feet required; 16 feet proposed) and perimeter wall height (6 feet required; 8 feet proposed)
- **Tentative Parcel Map No. 17423** for residential subdivision

[Draft resolutions are attached for Planning Commission action on August 22, 2011.]

## **APPLICANT**

The applicant is Waterpointe Homes LLC.

## **RECOMMENDATION**

Receive public comments and continue to the August 22, 2011 Planning Commission meeting.

## PLANNING APPLICATION SUMMARY

Location: 2626 Harbor Blvd. Application Number: GPA-11-01, R-11-01, PA-11-06, TTM 17423

Request: Master plan for development of thirty three residential units and a subdivision map for condominium purposes.

**SUBJECT PROPERTY:**

Zone: C1 and P  
 General Plan: General Commercial  
 Lot Dimensions: 279' x 600'  
 Lot Area: 3.7-acres

**SURROUNDING PROPERTY:**

North: C1 (Local Business)  
 South: C1 (Local Business)  
 East: C1 (Local Business)  
 West: C1 and PDR-HD

Existing Development: Five parcels previously developed with commercial buildings and a motel (motel and one commercial building recently demolished)

### DEVELOPMENT STANDARD COMPARISON

Development Standard	Required/Allowed R2-MD zone	Proposed/Provided
Lot Area	12,000 SF	29,514 SF 42,616 SF 56,527 SF
Maximum Site Coverage	N/A	N/A
Density:		
Medium Density Residential Land Use	Max. 12 units per acre	10 dwelling units per acre
Zone – R2-MD	Max. 44 dwelling units 1 du/3,630 sq. ft.	33 dwelling units 1 du/4,884 sq. ft.
Min. Lot Size for Ind. Dwelling Unit Lot	3,000 sq. ft. 3,500 sq. ft. average	Range from 3,100 to 4,557 SF
Building Height	Two-stories / 27 feet	26 feet
Building Setbacks:		
Front (Harbor Blvd.)	20 ft.	20 feet
Side (Merrimac Way)	10 ft.	10 feet
Rear*	10 ft.	10 feet (1 <sup>st</sup> floor) 16 feet second floor*
Interior Side	5	5
Average Side Setback of 2 <sup>nd</sup> Floor (DG)	10	Varies; about 5-7 feet
% ratio of 1 <sup>st</sup> floor to 2 <sup>nd</sup> floor (DG)	80%	Plan 1: 113% Plan 2: 130%
Common Lot	7 lots	A-H for street, setbacks and open space
Separation between units	10 ft.	10 ft.
Parking:		
	Two garage and two open per unit 66 garages and 66 open parking	66 garage spaces 66 open parking spaces Approx. 12-16 on-street parking spaces**
Total	132 spaces	148 spaces
Open space	40% minimum	40% minimum
Block Wall Height	6 feet	8 feet *** (recommended by noise analysis)
* The second floor setback may be reduced to 16 feet with approval of a minor modification		
** The final street parking design is pending location of fire hydrants. ***Minor Mod for wall height.		
DG: Design Guideline		
Final Action	City Council	2
CEQA Review	IS/MND – review period from July 15, 2011 to August 15, 2011	

## **BACKGROUND**

### ***Project Site***

The 3.7-acre project site is located at the northeast corner of Harbor Boulevard and Merrimac Way (Attachment 4). The site was formerly occupied by Lincoln/Mercury dealership and has been vacant since January of 2011. The site is bounded by Commercial uses (Southern California Auto House and an ACE Hardware) and a two-story multi-family housing on the north, Casa Granada three-story multi-family residential use on the east, and Merrimac Way and an auto dealership (South Coast Cadillac) on the south.

### ***Existing Conditions***

Several car dealerships (occupied and vacant) are located along Harbor Boulevard. The project site contains vacant structures associated with a former Lincoln Mercury car dealership. The vacant car dealership and associated buildings were developed in the 1960s. The property has remained a car dealership until its closing in January 2011. Since its closing, the dealership has been undergoing transition and operated in a reduced capacity. The dealership's focus of activities since closure have involved the removal and auctioning of car repair equipment as well as the relocation of general office equipment, supplies, and vehicle inventory.

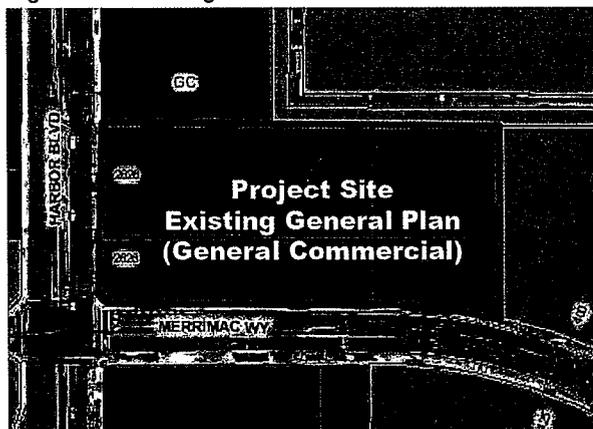
## **ANALYSIS**

### ***Project Description***

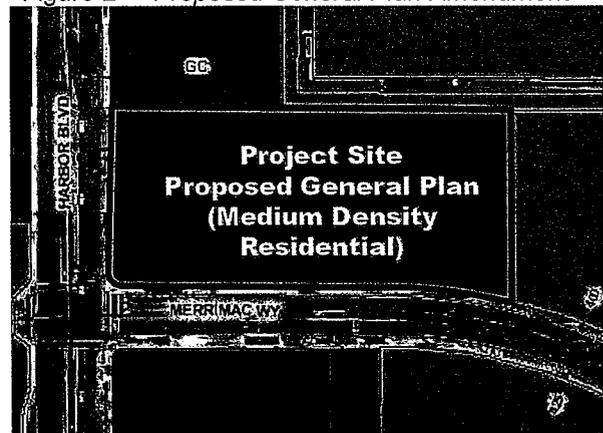
#### ***General Plan Amendment GP-11-01***

The proposed project involves an amendment to the City's General Plan in order to change the existing land use designation from General Commercial to Medium-Density Residential. The MDR designation would allow a maximum density of 12 dwelling units per acre, or 44 dwelling units.

*Figure 1 – Existing General Plan*



*Figure 2 – Proposed General Plan Amendment*



## **Rezone R-11-01**

The proposed project would also require a rezone of the existing zoning designation of C1 (Local Business) and P (Off-Street Parking) to R2-MD (Multiple Family Residential). The R2-MD zoning district allows a maximum of twelve (12) dwelling units per acre.

The C1 zone (Local Business District) is intended to meet the local business needs of the community by providing a wide range of goods and services in a variety of locations throughout the City. The project is also zoned P (Off-Street Parking District), which is intended to allow parking lots, and buildings incidental to the operation of a parking lot. The existing C1 and P zoning districts do not allow residential development.

Figure 3 – Existing Zoning

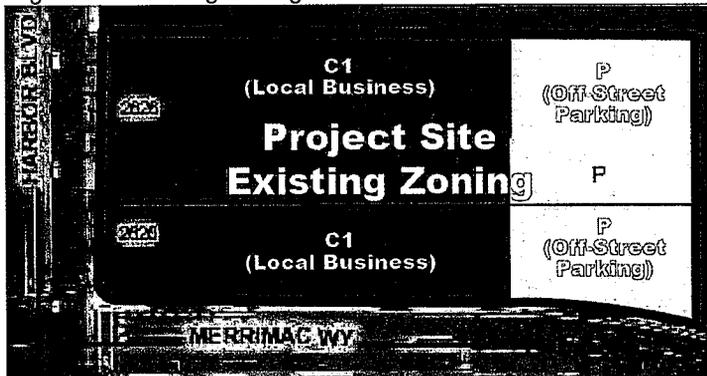


Figure 4 – Proposed Rezone



## **Planning Application PA-11-01 for the Design Review**

### **Site Design**

The 33-unit detached Residential Common Interest Development project would subdivide four vacant parcels, comprising the former Lincoln Mercury auto dealership, into thirty-three (33) residential lots, one (1) private street, and seven (7) open space lots on approximately 3.71 acres. The proposal includes a new storm drain to serve the project site within Merrimac Way and minor road improvements along Merrimac Way, including the removal of portions of the existing median and a striped continuous two-way left turn lane to provide access to the project.

The site design is oriented towards Merrimac Way with one gated vehicular access. There are two residential lots abutting Harbor Blvd. and the remaining parcels are located around a loop street. Each unit includes a two-car garage and two open parking spaces, and a private yard. Lots 4, 5, 6 and 7 require a minimum 10-foot setback for the first floor and 20-foot setback for the second floor. The applicant is proposing a floor plan with bathrooms facing the adjacent property and a minor modification to reduce the second floor setback to 16 feet.

## ***Architecture***

The proposed residential lots range from 3,018 square feet (SF) to 4,621 SF and currently provide three product options (Attachment 5). Plan 1 would consist of approximately 2,056 SF including 3 bedrooms, a loft, and 2.5 baths. As an alternative, Plan 1 could have 4 bedrooms. Plan 2 would consist of approximately 2,151 SF including 4 bedrooms and 3.5 baths. As an alternative, Plan 2 could have 5 bedrooms.

Architectural styles would consist of Spanish Colonial and Craftsman design and treatments. Maximum building heights would be 25 feet. The proposed project includes eight (8) Plan 1 products, eight (8) Plan 1 Alternative products and seventeen (17) Plan 2 products totaling thirty-three dwelling units.

## ***Access and Parking***

The proposed project would be a private neighborhood with a sliding gate and call box entry. A full access entry to the development would include one primary ingress and egress on Merrimac Way. All plans include a two-car garage and a driveway for two additional parking spaces totaling 132 spaces (i.e. 66 garage spaces and 66 parking spaces on private driveways). Eighteen (18) on-street parallel parking spaces in addition to the required spaces are proposed along the private in-tract street. The location and number of these spaces are subject to location of fire hydrants and approval of the fire prevention for emergency vehicle turn radius; therefore this number may be reduced to no less than 12 spaces.

Pedestrian access would be provided via a public sidewalk located along the project site's southern frontage on Merrimac Way, as well as along the western border on Harbor Boulevard.

## ***Landscaping***

The project includes more 10-12 feet of perimeter landscaping along Harbor Boulevard and 5-7 feet along Merrimac Way frontage. Landscaping would be installed at the project site entry, the private street and within the front of each of the thirty-three parcels and common areas. The central portion of the project site would include open space and a vegetated swale to enhance water quality. Landscaping will conform to Chapter VII., Landscape Standards, of the City's Zoning Code and the Water Efficient Landscape Guidelines. The landscaping would consist of a variety of native and ornamental plant species, in combination with the irrigation system would meet or exceed current water efficiency requirements.

## ***Noise Impacts***

The noise level for several parcels along Harbor Boulevard will exceed the City's maximum noise standard for outdoor of 65 dBA. Therefore, a seven-foot high block wall is proposed on the west side of the project and the immediate corners that will decrease in height to six feet adjacent to the commercial site and along Merrimac Way. The sound wall is designed with varying setbacks to reduce the massiveness of the wall.

### **Traffic Analysis**

A traffic study was prepared to address change of the land use from commercial to residential and queuing at the vehicular gate accessed from Merrimac Way. The study concluded that with the change in land use, the intersection at Harbor Boulevard and Merrimac will continue to operate at an acceptable level of service. In addition, since the site design provides for with of two vehicles (side by side) at the gate call box no delays to the traffic flow on Merrimac Way is anticipated.

### **Tentative Tract Map 17423**

The 2626 Harbor Blvd project would subdivide four vacant parcels comprising the former Lincoln Mercury auto dealership into thirty-three (33) residential lots for fee ownership, one (1) private street, and seven (7) open space lots on approximately 3.71-acres.

### **Project Phasing**

Demolition of existing structures and construction activities would occur between February 2012 and September 2013. All new infrastructures will be completed during the first phase of the construction. Construction of the residential units would be phased throughout the construction period. The project is anticipated to be completed in three phases (per applicant) and provide an estimate of 300-400 construction jobs.

### **JUSTIFICATIONS FOR APPROVAL**

Staff recommends approval of the requested entitlements for the following reasons:

- *The Initial Study/Mitigated Negative Declaration complies with State law.*

The environmental analysis indicates that there are no significant, unmitigated environmental impacts associated with proposed project. Mitigation measures are primarily required for short-term, construction-related impacts for air quality, hazards/hazardous materials, and hydrology/water quality. A sound barrier up to 8-feet high is required to mitigate noise.

- *Proposed General Plan amendment is consistent with many important housing and land use objectives of the City's General Plan*

The proposed development of medium-density residential uses and owner-occupied housing will improve the balance between rental and ownership housing opportunities. The project is proposed for ownership housing and provides a great opportunity for first time home buyers. The proposed small single family detached product is typically very popular with young families.

The project provides housing within proximity to bus transit service, replaces a marginal commercial use with ownership housing, and provides better housing opportunities for first time home buyers. In addition, a residential project at this

location would improve the overall housing/job balance in the community, provide housing opportunity in close proximity to a major transit route and incrementally decreases trip generation on Harbor Boulevard.

- Proposed Rezone is consistent with the Zoning Code and General Plan, if amended.

The proposed rezone request involves both environmental and policy issues. These policy issues do not relate to the proposed residential design or land use intensity which are considered compatible with the existing land uses and in conformance with General Plan policies. Instead, the most significant policy issue is the suitability of the project site for residential development.

The environmental analysis finds that there are no significant environmental impacts that cannot be mitigated to below a level of significance. The larger policy decision relates to whether or not the City of Costa Mesa finds that the proposed rezone strengthens and reinforces the City's land use vision for the overall area.

If the General Plan Amendment and rezone are approved, the proposed 33-unit development at a maximum 12 du/acre is consistent with the medium density residential development standards and the density limits of the medium density residential land use and R2-MD zoning designation (44 units allowed, 33 units proposed).

- Project complies with Zoning Code and intent of Residential Design Guidelines.

The overall architectural design promotes excellence and compatibility. The two-story structures are simple in design and accented with entry porch, low-pitch hipped roof. The proposed units are not within the limits of 80 percent second-floor to first-floor ratio recommended in the City's Residential Design Guidelines; however the staggered wall design at the rear and front diminishes the boxy design appearance from the front and side views.

- Project will reduce traffic compared to commercial uses on the property.

The master plan eliminates commercial access from Harbor Boulevard and reduces number of vehicular trips because of residential development of the site. The project will reduce the trip generation by 80 percent in comparison with the existing commercial use of the site. The project master plan including traffic improvements will provide for adequate on-site circulation and with the main access from Merrimac Way traffic on Harbor Boulevard is decreased.

- Minor modification for maximum 8-foot high block wall is justified for sound attenuation purposes (6-foot height allowed, 8-foot height proposed).

With installation of the 8-foot high block wall on Harbor Boulevard, exterior noise level for parcels adjacent to Harbor Boulevard will be reduced to acceptable levels

for residential development. The proposed 8-foot block wall reduces the exterior noise level for the lots adjacent to Harbor Boulevard to an acceptable level per city's noise ordinance. Furthermore, it will provide a buffer from the immediately adjacent commercial property (Nash Auto) to the north.

- Minor modification for 16-foot rear yard setback for the second story is compatible with the neighboring apartments with regard to privacy (20-foot setback required; 16-foot setback proposed).

There are four proposed two-story structures along the rear property line (Lots 4, 5, 6, and 7). The second story of these homes is proposed at 16 feet to the rear yard property line. However, the portion of the building that encroaches into the required setback is a master bathroom with small high windows and will not compromise the privacy of the homeowners and the residents of the apartment complex to the east. In fact, the structures on Lot 6 and 7 overlook the parking area of the apartment complex. Structures on Lots 4 and 5 do not have direct views into neighboring windows.

- The project, despite the requested deviation from average second story side setbacks and ratio of 1<sup>st</sup> floor to 2<sup>nd</sup> floor,, meets the purpose and intent of the Residential Design Guidelines and exhibits excellence in architectural design.

The design guidelines are intended to promote design excellence in new residential construction, with consideration being given to compatibility with the established residential community. The building elevations incorporate variation in surface materials to create interest and visual relief from off-site. Architectural elements include exposed rafters, varying roof planes, and ornamental porches.

- The proposed Tentative Tract Map is consistent with subdivision requirements.

The property is physically suitable to accommodate the subdivision for condominium purposes. Engineering staff have confirmed that there are no interferences with the City's or other utility right-of-way areas and/or easements within the tract.

### **GENERAL PLAN CONFORMITY**

The project requires approval of a general plan amendment for residential development. If approved, the proposal will be in accordance with the General Plan Medium Density land use designation with maximum density of 12 du/acre (44 units allowed, 33 units proposed).

## **ENVIRONMENTAL DETERMINATION**

Approval of the projects requires adoption of the IS/MND that has been prepared in accordance with the CEQA and the State CEQA Guidelines.

Pursuant to CEQA and the State CEQA Guidelines, an IS/MND has been prepared. The analysis contained in this IS/MND has found that the project may have a significant effect on the environment unless mitigation is included to lessen or avoid the environmental effects of the project related to noise and geology. Mitigation measures have been identified in the IS/MND (Exhibit C of Planning Commission Resolution). With incorporation of these measures, potential environmental effects would be reduced to less than significant levels. Therefore, the City has determined that an MND is the appropriate environmental documentation for the proposed project.

A notice of availability of the Draft IS/MND was distributed to the property owners within 500-foot radius of the property, responsible and trustee agencies, other affected agencies, surrounding cities, and interested parties, home owners associations, as well as any other parties requesting a copy of the environmental document pursuant to Public Resources Code (PRC) Section 21092. The public comment period was from July 15, 2011 to August 15, 2011. Since the public review is still in progress, any public comments received will be provided to the Planning Commission on August 22, 2011. A hard copy of the IS/MND was distributed to the Planning Commission on July 14, 2011. The document is also available on the Planning Webpage at the following link:

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

## **LEGAL REVIEW**

The City Attorney's office has approved the attached resolutions and rezone ordinance as to form.

## **ALTERNATIVES**

At this time, the staff recommendation is to take public comment and Commissioner questions on the proposed project. Since the public review period is still open until August 15<sup>th</sup> for the IS/MND, Planning Commission action on this project is not recommended until the August 22, 2011 meeting. At that time, a full record of all comments received will be presented to the Planning Commission.

At the August 22nd meeting, the Planning Commission may make the following recommendations to City Council:

1. Approve the proposed project by approving the following:

1. Resolution to adopt IS/MND and approve General Plan Amendment
2. Rezone Ordinance R-11-01 to rezone the property to R2-MD.
3. Resolution to approve Planning Application PA-11-06 and TTM 17423.

2. Denial of the proposed project. The existing land use designations will remain in place for use/development of this property for commercial purposes. Residential development is strictly prohibited under the current zoning.

## CONCLUSION

The proposed general plan amendment and rezone will provide an opportunity for residential development on this commercial site in close proximity to transit opportunities and major arterials. Staff supports the project in that the proposed building design and the residential use are compatible with the adjacent commercial and residential uses.

The environmental analysis finds that there are no significant environmental impacts that cannot be mitigated to below a level of significance. The larger policy decision relates to whether or not the City of Costa Mesa finds that the proposed General Plan amendment and rezone strengthen and reinforce the City's land use vision for the overall area.

If the General Plan Amendment and rezone are approved, the proposed 33-unit development at a maximum 12 du/acre is consistent with the medium density residential development standards and the density limits of the medium density residential land use and R2-MD zoning designation (44 units allowed, 33 units proposed).

- Attachments:
1. Planning Commission Resolution (IS/MND, GPA 11-01)
  2. Rezone Ordinance
  3. Planning Commission Resolution (PA-11-06, TTM 17423)
  4. Location Map
  5. Plans/Elevation Drawings

**Note:** Initial Study/Mitigated Negative Declaration previously provided to the Planning Commission by separate cover. It may be viewed online on the Planning Division webpage of the City's website at: [www.ci.costa-mesa.ca.us](http://www.ci.costa-mesa.ca.us)

  
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Transportation Manager  
Fire Protection Analyst  
Staff (4)  
File (2)

RESOLUTION NO. PC-11-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA RECOMMENDING THAT THE CITY COUNCIL ADOPT THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION AND GENERAL PLAN AMENDMENT GP-11-01 FOR THE 33-UNIT RESIDENTIAL PROJECT LOCATED AT 2626 HARBOR BLVD.**

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

WHEREAS, an application was filed by Waterpointe Homes LLC on behalf of, owner of real properties located at 2626 Harbor Boulevard, requesting approval of the following:

- Initial Study/Mitigated Negative Declaration (IS/MND).
- General Plan Amendment GPA-11-01 to change the land used designation from General Commercial to Medium Density Residential.
- Rezone R-10-01 to rezone the property located at 2626 Harbor Boulevard from C-1 and P zone to R2-MD zone;
- Planning Application PA-11-06 for development of a 33-unit detached residential common interest development, including minor modifications to reduce rear yard setbacks for the second story (20 feet required; 16 feet proposed) and perimeter wall height (6 feet required; 8 feet proposed)
- Tentative Tract Map 17423 for residential subdivision of the property for fee ownership.

WHEREAS, the City Council of the City of Costa Mesa adopted the 2000 General Plan on January 22; 2002;

WHEREAS, the General Plan is a long-range, comprehensive document that serves as a guide for the orderly development of Costa Mesa;

WHEREAS, by its very nature, the General Plan needs to be updated and refined to account for current and future community needs;

WHEREAS, an amendment to the General Plan Land Use Element is proposed to allow for development of the proposed residential common-interest development (44 units as allowed in the Medium Density Residential Land Use designation; 33 units proposed);

WHEREAS, duly noticed public hearings were held by the Planning Commission on August 8 and August 22, 2011 with all persons provided an opportunity to speak for and against the proposed project;

WHEREAS, the Initial Study/Mitigated Negative Declaration (IS/MND) was prepared and identified potentially significant impacts related to air quality, hazards and hazardous materials, hydrology and water quality, and noise;

WHEREAS, the IS/MND identified appropriate measures that will mitigate the identified impacts to a level that is less than significant;

WHEREAS, the Planning Commission finds that the environmental review for the project was processed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines, the Council on Environmental Quality Regulations implementing the National Environmental Policy Act, and the City of Costa Mesa Environmental Guidelines, and the IS/MND was available for public review from July 15, 2011 to August 15, 2011;

WHEREAS the Costa Mesa Planning Commission hereby recommends that the City Council find that proposed residential project will not have a significant negative impact on the environment with the incorporation of the mitigation measures identified in the IS/MND;

WHEREAS, the General Plan Amendment involves an amendment to the Land Use Map of the City of Costa Mesa (Exhibit "A") and a text amendment to TABLE LU-1 of the Land Use Element of the City's General Plan (Exhibit "B");

WHEREAS, approval of the project is pending adoption of Ordinance No. 10-\_\_ for Rezone 11-01;

WHEREAS, the Planning Commission recommends approval of the Planning Application and Tentative Tract Map by separate resolution;

BE IT RESOLVED that, based on the evidence in the record, the Planning Commission hereby **RECOMMENDS CITY COUNCIL APPROVAL** of General Plan Amendment GPA-11-01 which amends the General Plan Land Use Map as set forth in Exhibit "A" and Land Use Element as set forth in Exhibit "B", attached to this resolution with respect to the property described above.

**PASSED AND ADOPTED this 22<sup>nd</sup> day of August 2011.**

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Colin McCarthy, Chair  
Costa Mesa Planning Commission



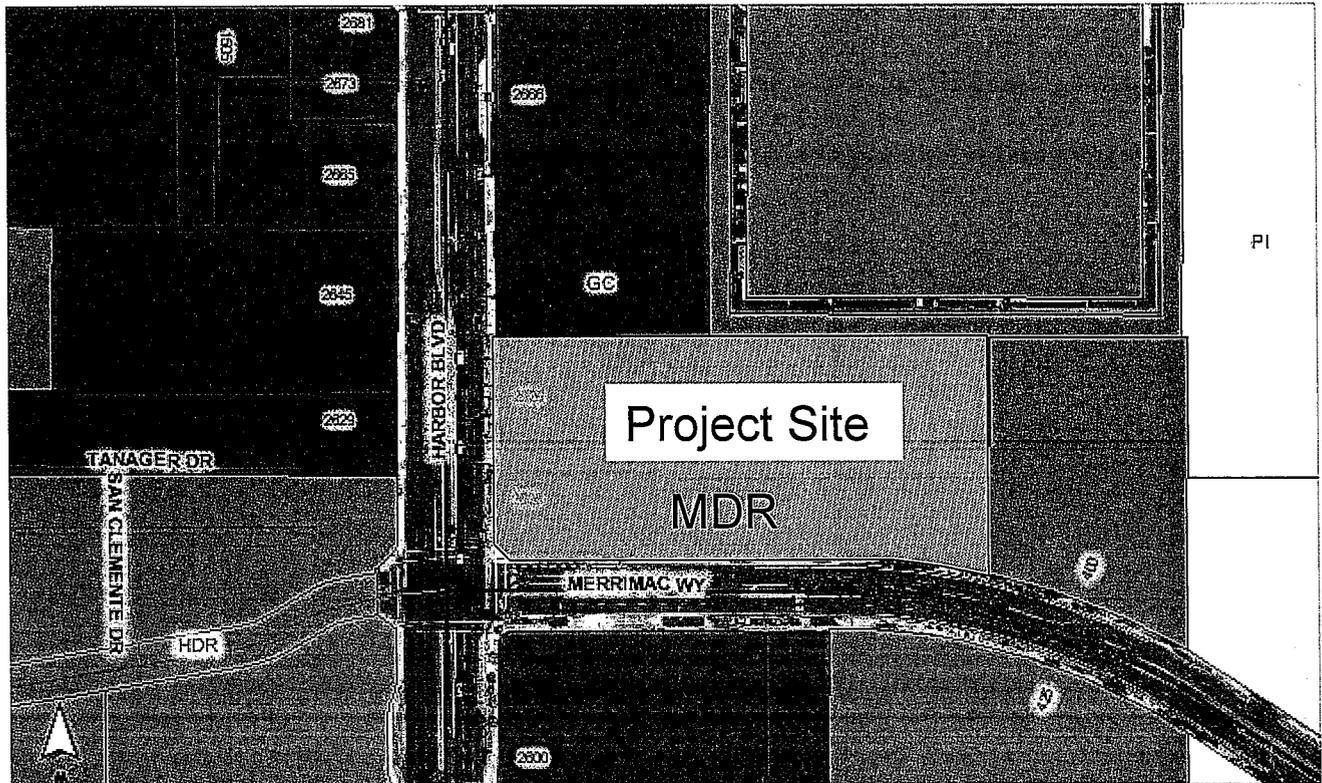
**EXHIBIT "A"**

**Map Amendment to the Land Use Map**

# General Plan Amendment GPA-11-01

## Exhibit "A"

### 2626 Harbor Blvd.



**EXHIBIT "B"**

**Text Amendment to Land Use Element**

TABLE LU-1: LAND USE DESIGNATIONS (20052011)

Land Use Designation	Residential Density DU/Acre*	Floor Area Ratio	Acres Developed	Acres Undeveloped (1999)	Total Acres	% of City
Low-Density Residential	≤8	Same as Neighborhood Commercial	2,143.4	1.8	2,145.2	26.6%
Medium-Density Residential <sup>1,6</sup>	≤12	Same as Neighborhood Commercial	777.3	<del>34.4</del> 30.7	<del>811.7</del> 808.0	10.0%
High-Density Residential <sup>1,6</sup>	≤20 <sup>2</sup>	Same as Neighborhood Commercial	824.1	42.0	866.1	10.7%
Commercial-Residential	≤17.4	0.20/High Traffic 0.30/Moderate Traffic 0.40/Low Traffic	42.6	0.9	43.5	0.5%
Neighborhood Commercial <sup>6</sup>	-	0.15/High Traffic 0.25/Moderate Traffic 0.35/Low Traffic 0.75/Very Low Traffic	42.4	2.5	44.9	0.6%
General Commercial <sup>6</sup>	≤20	0.20/High Traffic 0.30/Moderate Traffic 0.40 Low Traffic 0.75/Very Low Traffic	<del>601.4</del> 605.1	20.8	<del>622.2</del> 625.9	7.7%
Commercial Center <sup>6</sup>	≤20 ≤40 site-specific density for 1901 Newport Blvd <sup>3</sup>	0.25/High Traffic 0.35/Moderate Traffic 0.45 Low Traffic 0.75/Very Low Traffic 0.70 Site-Specific FAR for 1901 Newport Blvd <sup>3</sup>	29.4	63.3	92.7	1.1%
Regional Commercial	≤20	0.652/0.89 <sup>4</sup>	114.7	0.0	114.7	1.4%
Urban Center Commercial	≤20 <sup>5</sup> ≤100 Site-Specific Density for South Coast Metro Center <sup>5</sup>	0.50 Retail 0.60 Office 0.79 Site-Specific FAR for South Coast Metro Center <sup>5</sup>	134.2	26.2	160.4	2.0%
Cultural Arts Center	Varies <sup>7</sup>	1.77 <sup>7</sup>	49.0	5.0	54.0	0.7%
Industrial Park	≤20	0.20/High Traffic 0.30/Moderate Traffic 0.40/Low Traffic 0.75/Very Low Traffic	696.5	17.7	714.2	8.8%
Light Industry <sup>6</sup>	≤20	0.15/High Traffic 0.25/Moderate Traffic 0.35/Low Traffic 0.75/Very Low Traffic	375.5	6.6	382.1	4.7%
Public/Institutional	-	0.25	1,281.3	0.5	1,281.8	15.9%
Golf Course	-	<0.01	560.1	0.0	560.1	6.9%
Fairgrounds	-	<0.10	146.4	0.0	146.4	1.8%
<b>Total</b>			<b>7,822.0</b>	<b>218.0</b>	<b>8,040.0</b>	<b>100.0%</b>

1. Within the Medium- and High-Density Residential designation, existing residential units legally built in excess of the dwelling units per acre standard may be rebuilt at the same higher density subject to other zoning code standards. The allowable density or number of units to be redeveloped would be limited to the 1990 General Plan density with a 25% incentive bonus for Medium-Density or a 50% incentive bonus for High-Density; or the existing number of units, whichever is less. 2. See High-Density Residential text regarding areas in North Costa Mesa where the density allowance exceeds 20 units per acre. 3. See Commercial Center text. 4. See Regional Commercial text. 5. See Urban Center Commercial text. 6. See text for Mixed-Use Development provisions. 7. See Cultural Arts Center text for additional discussion.

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## ORDINANCE NO. 11-\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, TO REZONE A 3.7-ACRE PARCEL FROM C1 (LOCAL BUSINESS DISTRICT) AND P (PARKING) TO R2-MD (MULTIPLE FAMILY RESIDENTIAL) FOR PROPERTY LOCATED AT 2626 HARBOR BLVD.

THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY ORDAIN AS FOLLOWS:

WHEREAS, City Council adopted General Plan Amendment GP-11-01 by separate resolution to change the land use designation of the 3.7-acre property at 2626 Harbor Boulevard from General Commercial to Medium Density Residential;

WHEREAS, Rezone R-11-01 involves a change in the zoning district of real property located at 2626 Harbor Boulevard from C-1 (Local Business District) and P (Parking) to R2-MD (Multiple Family Residential);

WHEREAS, Rezone R-11-01 is consistent with the 2000 General Plan adopted in January, 2002 as amended by GP-11-01;

WHEREAS, Rezone R-11-01 will allow residential development at a maximum density of 12 du/ac, as allowed by the General Plan;

WHEREAS, the R2-MD zone is a consistent zone in the Medium Density Residential land use designation;

**SECTION 1. REZONE.** The City of Costa Mesa Official Zoning Map is hereby amended as follows:

a. There is hereby placed and included in the R2-MD (Multiple Family Residential) zoning district a 3.7-acre parcel, identified as Assessor Parcel Numbers 141-361-29, 141-361-30, 141-731-02 and 401-731-03 and as shown in attached Exhibit "1," situated in the City of Costa Mesa, County of Orange, State of California.

b. Pursuant to the provisions of Section 13-22 of the Costa Mesa Municipal Code, the Official Zoning Map of the City of Costa Mesa is hereby amended by the change of zone described in subsection a hereof and in the respective Exhibit "1". A copy of the Official Zoning Map is on file in the office of the Planning Division.

**SECTION 2. ENVIRONMENTAL DETERMINATION.** The proposed rezone was processed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the City of Costa Mesa Environmental Guidelines. An Initial Study/Mitigated Negative Declaration (IS/MND) was prepared and circulated from July 15, 2011 to August 15, 2011. The City Council found that proposed residential project will not have a significant negative impact on the environment with the incorporation of the mitigation measures identified in the IS/MND.

**SECTION 3. INCONSISTENCIES.** Any provision of the Costa Mesa Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to affect the provisions of this Ordinance.

**SECTION 4. SEVERABILITY.** If any provision or clause of this ordinance or the application thereof to any person or circumstances is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions or clauses or applications of this ordinance which can be implemented without the invalid provision, clause or application; and to this end, the provisions of this ordinance are declared to be severable.

**SECTION 5. PUBLICATION.** This ordinance shall take effect and be in full force thirty (30) days from and after the passage thereof, and, prior to the expiration of fifteen (15) days from its passage, shall be published once in the ORANGE COAST DAILY PILOT, a newspaper of general circulation, printed and published in the City of Costa Mesa or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the office of the City Clerk five (5) days prior to the date of adoption of this Ordinance, and within fifteen (15) days after adoption, the City Clerk shall cause to be published the aforementioned summary and shall post in the office of the City Clerk a certified copy of this Ordinance together with the names of the members of the City Council voting for and against the same.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

\_\_\_\_\_  
Mayor of the City of Costa Mesa

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
City Clerk of the City of Costa Mesa

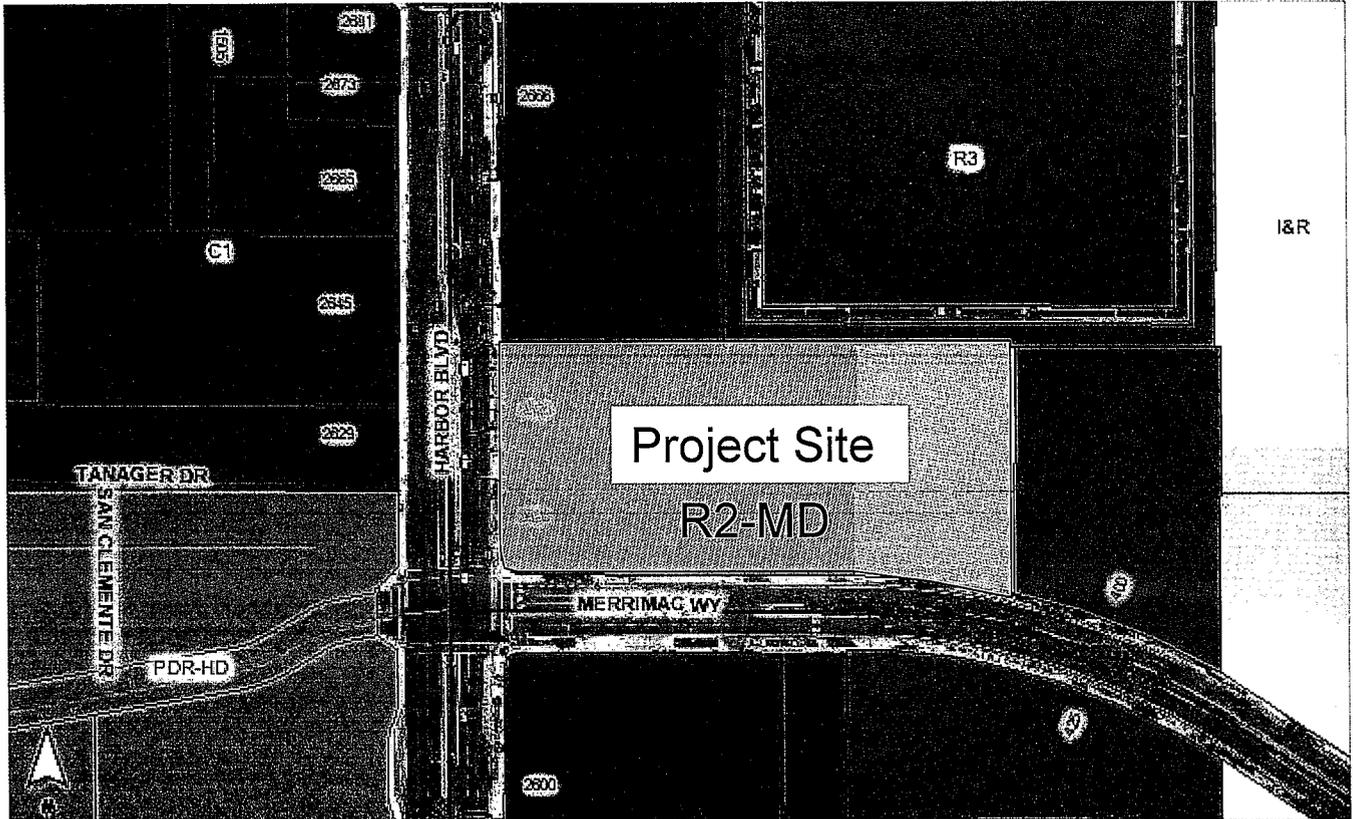
\_\_\_\_\_  
City Attorney

Exhibit A

# Rezone R-11-01

## Exhibit "A"

2626 Harbor Blvd.



## RESOLUTION NO. PC-11-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA RECOMMENDING THAT THE CITY COUNCIL APPROVE PLANNING APPLICATION PA-11-06 AND TENTATIVE TRACT MAP 17423 FOR THE 33-UNIT RESIDENTIAL PROJECT LOCATED AT 2626 HARBOR BLVD.**

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

WHEREAS, an application was filed by Waterpointe Homes LLC on behalf of, owner of real properties located at 2626 Harbor Boulevard, requesting approval of the following:

- Initial Study/Mitigated Negative Declaration (IS/MND).
- General Plan Amendment GPA-11-01 to change the land used designation from General Commercial to Medium Density Residential.
- Rezone R-10-01 to rezone the property located at 2626 Harbor Boulevard from C-1 and P zone to R2-MD zone;
- Planning Application PA-11-06 for development of a 33-unit detached residential common interest development, including minor modifications to reduce rear yard setbacks for the second story (20 feet required; 16 feet proposed) and perimeter wall height (6 feet required; 8 feet proposed)
- Tentative Tract Map T-17423 for residential subdivision of the property for fee ownership.

WHEREAS, duly noticed public hearings were held by the Planning Commission on August 8 and August 22, 2011, with all persons provided an opportunity to speak for and against the proposed project;

WHEREAS, the Planning Commission recommended adoption of the Initial Study/Mitigated Negative Declaration (IS/MND) and General Plan Amendment GPA-11-01 to change the land use designation from General Commercial to Medium Density Residential by separate resolution;

NOW, THEREFORE, BE IT RESOLVED that based on the evidence in the record, the findings contained in Exhibit" A", and subject to conditions of approvals/mitigation measures indicated in the Mitigation Monitoring Program

contained in Exhibits "B" and "C", the Planning Commission does hereby recommend **CITY COUNCIL APPROVAL** of Planning Application PA-11-06 and Tentative Tract Map T-17423 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 GPA-11-01, R-11-01, PA-11-06, and T-17423 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B", Mitigation Monitoring Program contained in Exhibit "C", as well as with compliance of all applicable federal, state, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

**PASSED AND ADOPTED this 22<sup>nd</sup> day of August 2011.**

---

Colin McCarthy, Chair  
Costa Mesa Planning Commission

STATE OF CALIFORNIA)  
  )ss  
COUNTY OF ORANGE )

I, CLAIRE FLYNN, 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 22, 2011, by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

---

Secretary, Costa Mesa  
Planning Commission

## EXHIBIT "A"

### FINDINGS

- A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(e) because:
- The proposed use is compatible and harmonious with uses on surrounding properties.
  - Safety and compatibility of the design of the parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.
  - The project, as conditioned, is consistent with the General Plan as amended by General Plan Amendment GP-11-01.
  - The property has been rezoned to R2-MD pursuant to an adopted Rezone Ordinance.
  - The planning application is for a project-specific case and does not establish a precedent for future development.
- B. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(14) in that:
- a. The project complies with the City of Costa Mesa Zoning Code and meets the purpose and intent of the Residential Design Guidelines, which are intended to promote design excellence in new residential construction, with consideration being given to compatibility with the established residential community. This design review includes site planning, preservation of overall open space, landscaping, appearance, mass and scale of structures, location of windows, varied roof forms and roof plane breaks, and any other applicable design features.
- b. The visual prominence associated with the construction of a two-story house or addition in a predominately single-story neighborhood has been reduced through appropriate transitions between the first and second floors and the provision of second floor offsets to avoid unrelieved two-story walls.
- C. The proposed development plan and subdivision meets the broader goals of the General Plan, and the Zoning Code by exhibiting excellence in design, site planning, integration of uses and structures and protection of the integrity of neighboring development. The project also meets the maximum Floor Area Ratios allowed pursuant to General Plan and provisions of the Zoning Code.
- C. Pursuant to Section 13-29(g)(13) of the Municipal Code, the subject property is physically suitable to accommodate Tentative Tract Map 17423 in terms of type, design and intensity 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. The applicant has requested deviations from development standards and conditions of approval have been applied to the project to compensate for specified deviations.

- D. 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.
- E. The subdivision 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.
- F. 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).
- G. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City's environmental procedures. An Initial Study/Mitigated Negative Declaration was prepared for the proposed project, pursuant to the California Environmental Quality Act. Although the proposed project could have a significant effect on the environment, mitigation measures have been included as conditions of approval that reduce impacts to the fullest extent reasonable and practicable.
- H. Mitigation Measures from the IS/MND have been included as conditions of approval. If any of these conditions are removed, the Planning Commission must make a finding that the project will not result in significant environmental impacts, that the condition(s) are within the responsibility and jurisdiction of another public agency, or that specific economic, social, or other considerations make the mitigation measures infeasible.
- I. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(6) in that:
  - a. The improvement will not be materially detrimental to the health, safety and general welfare of persons residing or working within the immediate vicinity of the project or to property and improvements within the neighborhood.

With a minor modification for the 8-foot high block wall on Harbor Boulevard, exterior noise level for parcels adjacent to Harbor Boulevard will be reduced to acceptable levels for residential development (6-foot height allowed; 8-foot height proposed).

With a minor modification for 16-foot rear yard setback for the second story, the proposed development is considered compatible with the neighboring apartments with regard to privacy (20-foot setback required; 16-foot setback proposed).
  - b. The improvement is compatible and enhances the architecture and design of the existing and anticipated development in the vicinity.
- J. The project is exempt from Chapter IX, Article 11, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

## EXHIBIT "B"

### CONDITIONS OF APPROVAL

- Plng.
1. The expiration of Master Plan PA-11-06 shall coincide with the expiration of the approval of the Tentative Tract Map 17423 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.
  2. The conditions of approval for PA-11-06 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
  3. 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.
  4. Applicant shall defend, indemnify and hold harmless the City, its officials and employees, against all legal actions filed challenging City's approval of the applicant's project and/or challenging any related City actions supporting the approval. City shall have the right to select the attorney defending it, if it elects to do so.
  5. Prior to issuance of building permits, applicant shall provide a Buyer's Notice for review/approval to the Development Services Director. It will serve as written notice of the then-existing noise environment and commercial operations of neighboring properties. Prospective tenants must sign a disclosure to acknowledge that they have read and understand the existing land use conditions. The disclosure notice shall be kept on file by the facility operator and shall be approved in form and substance by the City Attorney's office prior to use. For example, the disclosure can be an exhibit within the lease agreement.
  6. An 8-foot high perimeter wall surrounding the entire development is required. Design of the perimeter wall shall incorporate landscape elements to soften the appearance of the block wall and incorporate materials, color, and texture that will be compatible with the surrounding community. A wall treatment plan shall be prepared that includes wall locations, heights, landscape treatments, and materials and submitted for review and approval by the Development Services Director. The block wall shall be Orco Block, La Paz color, with a brick cap, or other similar design as approved by the Development Services Director.
  7. The private, interior fences or walls between the homes shall be a minimum of six feet in height.
  8. Second floor windows on Lots 4, 5, and 6 shall be smaller view-obscuring windows and be offset to avoid direct lines of sight into abutting second story windows abutting the project, subject to approval by Planning staff.
  9. Prior to issuance of grading permits, developer shall identify to the Development Services Director a construction relations officer to act as a community liaison concerning on-site activity, including resolution of issues related to dust generation from grading/paving activities.
  10. Prior to issuance of grading permits, developer shall submit for review and approval a Construction Management Plan. This plan features methods to minimize disruption to the neighboring residential uses to the

fullest extent that is reasonable and practicable. The plan shall include construction parking and vehicle access and specifying staging areas and delivery and hauling truck routes. The plan should mitigate disruption to residents and also businesses during construction.

The truck route plan shall preclude truck routes through residential areas and major truck traffic during peak hours. The total truck trips to the site shall not exceed 200 trucks per day (i.e., 100 truck trips to the site plus 100 truck trips from the site) unless approved by the Development Services Director or Transportation Services Manager.

11. 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.
12. 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.
13. 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.
14. 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 private street shall be complemented by 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.
15. 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.

16. 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.
17. Street trees in the landscape parkway shall be selected from Appendix D of the Streetscape and Median Development Standards and appropriately sized and spaced (e.g. 15-gallon size planted at 30' on centers), or as determined by the Development Services Director once the determination of parkway size is made. The final landscape concept plan shall indicate the design and material of these areas, and the landscape/hardscape plan shall be approved by the Planning Division prior to issuance of building permits.
18. Along Harbor Boulevard and Merrimac Way, 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. Specifically, the 10-foot wide landscape area in front of the proposed block wall along Harbor Boulevard shall be landscaped with dense trees and vegetation to the fullest extent possible. The landscape plan shall be approved prior to issuance of building permits.
19. Prior to issuance of building permits, the building plans shall demonstrate that all residences are equipped with a mechanical ventilation system that will properly filter the indoor air. The ventilation system can be a component of the air conditioning system, with the distinction being that clean, ventilated air flow does not necessarily need coolant. The ventilation system shall be effective with all doors and windows closed. It shall be required to have a filtration efficiency of at least 90 percent and the ability to remove particulate matter with diameters equal to or greater than 0.5 micron.
20. Provide proof of recordation of TTM 17423 and CC&RS prior to issuance of building permits.
21. Applicant shall provide proof of establishment of a homeowners association prior to release of any utilities.
22. Prior to the issuance of building permits, the applicant shall submit a Lighting Plan and Photometric Study for the approval of the City's Development Services Department. The Lighting Plan shall demonstrate compliance with the following:
  - The mounting height of lights on light standards shall not exceed 18 ft in any location on the project site unless approved by the Development Services Director;
  - The intensity and location of lights on buildings shall be subject to the Development Services Director's approval;
  - All site lighting fixtures shall be provided with a flat glass lens. Photometric calculations shall indicate the effect of the flat glass lens fixture efficiency;
  - Lighting design and layout shall limit spill light to no more than 0.5 foot-candle at the property line of the surrounding neighbors,

consistent with the level of lighting that is deemed necessary for safety and security purposes on site; and,

- Glare shields may be required for select light standards.
23. In the event that archeological resources are unearthed during project subsurface activities, all earth-disturbing work within a 100-ft radius shall be temporarily suspended or redirected until an archeologist has evaluated the nature and significance of the find.
  24. In the event that paleontological resources are unearthed during subsurface construction activities, all earth-disturbing work within a 100-ft radius of the find shall be temporarily suspended or redirected until a paleontologist has evaluated the nature and significance of the find.
  25. If human remains are unearthed, State Health and Safety Code Section 7050.5 require that no further disturbance shall occur until the County coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC will then contact the most likely descendant of the deceased Native American, who will then serve as consultant on how to proceed with the remains.
  26. Design, grading, and construction shall be performed in accordance with the requirements of the California Building Code applicable at the time of grading as well as the appropriate local grading regulations, and the recommendations of the project geotechnical consultant as summarized in a final written report, subject to review by the City of Costa Mesa Building official prior to issuance of grading permits.
  27. Prior to issuance of building permits, the developer 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 requirements: (1) require that the homeowner's association (HOA) effectively manage parking. If onsite parking is not appropriately managed by the HOA, the Development Services Director shall require implementation of corrective measure(s) to address onsite parking problems in the future; (2) require that the HOA contract with a towing service to enforce the parking regulations; (3) Any subsequent revisions to the CC&Rs related to these provisions must be reviewed and approved by the City Attorney's office and the Development Services Director before they become effective.
  28. Prior to issuance of building permits, developer 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.
  29. Applicant shall provide proof of establishment of a homeowner's association prior to release of any utilities.
  30. If the project is constructed in phases, the perimeter wall, landscaping

along the frontages, and irrigation shall be installed prior to the release of utilities for the first phase.

- Bldg. 31. Submit grading plans including a hydrology report and soils report.
- 32. Provide an erosion control plan.
- Eng. 33. 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. Construction Access approval must be obtained prior to Building or Engineering Permits being issued by the City of Costa Mesa.
- 34. 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 Cit of Costa Mesa.
- 35. Applicant shall work with Engineering staff towards the provision of an 8-foot wide sidewalk along Harbor Boulevard and Merrimac Way. The sidewalk shall meander within the 22' area between the curb and proposed blockwall. Applicant shall provide a sidewalk easement, as needed.
- 36. The Subdividers' 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. This study to be furnished with the first submittal of the Final Map.
- 37. Construction Access Permit and deposit of \$1500 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
- 38. 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.
- 39. Haul routes must be approved by the City of Costa Mesa, Transportation & Engineering Division.
- 40. Submit subdivision application and comply with conditions of approval and code requirements.
- 41. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then construct P.C.C. commercial sidewalk on Harbor Blvd and residential sidewalk on Merrimac Way per City of Costa Mesa Standards as shown on the Offsite Plan, including four (4) feet clear around obstructions in the sidewalk.
- 42. 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.
- 43. 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

44. 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
45. 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 and sidewalk at applicant's expense.
46. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then construct Wheelchair Ramp on the corner of Harbor Blvd and Merrimac Way.
47. Per requirements of Real Property, City of Costa Mesa, Engineering Division, dedicate a diagonal corner cut-off at the corner of Harbor Blvd and Merrimac Way.
48. Fulfill City of Costa Mesa Drainage Ordinance No. 06-19 requirements prior to approval of Final Map.
49. Private on-site drainage facilities and parkway culverts or drains will not be maintained by the City of Costa Mesa, they shall be maintained by the owner of the property.
- Fire 50. Homes shall be provided with Residential Fire Sprinkler Systems per NFPA 13 w/CA amendments.
51. Provide Click to enter and Knox fire keyswitch for Fire Department access at drive gate.
52. Provide (4) fire hydrants to be located per Fire Department direction. See Fire Prevention.
53. Provide smoke detectors.
54. Fire lane marking and signage shall be provided per direction of Fire Prevention.
- Trans. 55. A meandering sidewalk shall be provided within the 10-foot right-of-way and 10-12 foot landscape setback along the Harbor Boulevard frontage subject to approval of the Transportation and Planning Divisions.
- Utilities 56. Prior to the issuance of a connection permit, the applicant shall pay the applicable water connection fees.



# CITY OF COSTA MESA

CALIFORNIA 92628-1200

P.O. BOX 1200

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PUBLIC SERVICES DEPARTMENT

July 5, 2011

Costa Mesa Planning Commission  
City of Costa Mesa  
77 Fair Drive  
Costa Mesa, CA 92626

SUBJECT: Tract No. 17423  
LOCATION: 2626 Harbor Boulevard

Dear Commissioners:

Tentative Tract Map No. 17423 as furnished by the Planning Division for review by the Public Services Department consists of a one lot subdivision to construct thirty three residential units common interest development. Tentative Tract Map No. 17423 meets with the approval of the Public Services Department, subject to the following conditions:

1. The Tract shall be developed in full compliance with the State Map Act and the City of Costa Mesa Municipal Code (C.C.M.M.C.), except as authorized by the Costa Mesa City Council and/or Planning Commission. The attention of the Subdivider and his engineer is directed to Section 13-208 through 13-261 inclusive, of the Municipal Code.
2. Two copies of the Final Tract Map shall be submitted to the Engineering Division for checking. Map check fee shall be paid per C.C.M.M.C. Section 13-231.
3. A current copy of the title search shall be submitted to the Engineering Division with the first submittal of the Final Tract Map.
4. Dedicate an ingress/egress easement to the City for emergency and public security vehicles purposes only. Maintenance of easement shall be the sole responsibility of a Homeowners Association formed to conform to Section 13-41 (e) of the C.C.M.M.C.
5. Vehicular and pedestrian access rights to Harbor Boulevard and Merrimac Way shall be released and relinquished to the City of Costa Mesa except at approved access locations.
6. A Construction Access permit and cash deposit will be required by the Engineering Division prior to start of any on-site work for street sweeping and to guarantee replacement costs in case of damage to existing public improvements.
7. Fulfill City of Costa Mesa Drainage Ordinance No. 06-19 requirements prior to approval of Final Map.
8. Fulfill Drainage Ordinance Fee requirements prior to approval of Final Map.

9. Sewer improvements shall meet the approval of the Costa Mesa Sanitary District; call (949) 645-8400 for information.
10. Water system improvements shall meet the approval of Mesa Consolidated Water District; call (949) 631-1200 for information.
11. Dedicate easements as needed for public right-of-way.
12. 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. Construction Access approval must be obtained prior to Building or Engineering Permits being issued by the City of Costa Mesa. Payment of 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.
13. 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 is to be furnished with the first submittal of the Final Map. Cross lot drainage shall not occur. 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 Association to be formed pursuant to C.C.M.M.C. Section 13-41.
14. A Construction Access Permit and deposit of \$1500 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.
15. 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.
16. Haul routes must be approved by the City of Costa Mesa, Transportation & Engineering Division.
17. The Subdivider shall conduct soil investigations and provide the results to the City of Costa Mesa Engineering and Building Divisions pursuant to Ordinance 97-11 and Section 66491 of the Subdivision Map Act.
18. Prior to recordation of a Final Tract Map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Subarticle 12, Section 7-9-337 of the Orange County Subdivision Code.
19. Prior to recordation of a Final Tract Map, the surveyor/engineer preparing the map shall submit to the County Surveyor a digital-graphics file of said map in a manner described in Subarticle 12, Section 7-9-337 of the Orange County Subdivision Code.

20. Survey monuments shall be preserved and referenced before construction and replaced after construction, pursuant to Section 8771 of the Business and Profession Code.
21. The elevations shown on all plans shall correspond with Orange County benchmark datum.
22. Prior to recordation of a Final Tract Map, submit required cash deposit or surety bond to guarantee monumentation. Deposit amount to be determined by the City Engineer.
23. Prior to Tract occupancy, the surveyor/engineer shall submit to the City Engineer a Digital Graphic File, reproducible mylar of the recorded Tract Map, and approved off-site plan and seven copies of the recorded Tract Map.
24. Comply with previous conditions listed under General Plan Screening GPS-11-01.

Sincerely,



Ernesto Muñoz, P. E.  
City Engineer

(Engr. 2011/Planning Commission Tract 17423)

## EXHIBIT "C"

### MITIGATION MONITORING PROGRAM (PA-11-06, TTM 17423)

#### AIR QUALITY

AQ-1 Prior to issuance of any Grading Permit, the Director of Public Works and the Building Official shall confirm that the Grading Plan, Building Plans, and specifications stipulate that, in compliance with SCAQMD Rule 403, excessive fugitive dust emissions shall be controlled by regular watering or other dust prevention measures, as specified in the SCAQMD's Rules and Regulations. In addition, SCAQMD Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. Implementation of the following measures would reduce short-term fugitive dust impacts on nearby sensitive receptors:

- All active portions of the construction site shall be watered at least twice daily to prevent excessive amounts of dust;
- On-site vehicle speed shall be limited to 15 miles per hour;
- All on-site roads shall be paved where feasible, watered as needed (to maintain a moisture content of 12 percent), or chemically stabilized;
- Visible dust beyond the property line which emanates from the project shall be prevented to the maximum extent feasible;
- All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust prior to departing the job site;
- Track-out devices shall be used at all construction site access points;
- All delivery truck tires shall be watered down and/or scraped down prior to departing the job site;
- Replace ground cover on disturbed areas quickly; and
- Implement street sweeping program with Rule 1186-compliant PM<sub>10</sub> efficient vacuum units.

AQ-2 All trucks that are to haul excavated or graded material on-site shall comply with State Vehicle Code Section 23114 (Spilling Loads on Highways), with special attention to Sections 23114(b)(F), (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads. Prior to the issuance of grading permits, the Applicant shall coordinate with the appropriate City of Costa Mesa Engineer on hauling activities compliance.

#### HAZARDS AND HAZARDOUS MATERIALS

HAZ-1 Prior to demolition activities, removal and/or abatement of asbestos containing building materials and hazardous materials associated with the existing building materials shall be conducted by a qualified environmental

professional in consultation with the City of Costa Mesa Fire Department. An asbestos and hazardous materials abatement specification shall be developed by the qualified environmental professional in order to clearly define the scope and objective of the abatement activities.

HAZ-2 Prior to issuance of a building permit, soil sampling shall occur within the portions of the project site that have historically been utilized for agricultural purposes and may contain pesticide residues in the soil, as determined by a qualified environmental professional with Phase II/site characterization experience. The sampling shall determine if pesticide concentrations exceed established regulatory requirements and shall identify further site characterization and remedial activities, if necessary.

HAZ-3 Prior to issuance of a grading permit, a Construction Contingency Plan shall be developed by a qualified environmental professional in consultation with the City of Costa Mesa Fire Department. At a minimum, the Construction Contingency Plan shall include guidance for handling, segregating, and characterizing subsurface structures and potentially impacted soil generated during the demolition and redevelopment activities, if found, in order to minimize impacts to worker safety and the environment.

### **HYDROLOGY AND WATER QUALITY**

HYD-1 Prior to the issuance of any Grading Permit, the Applicant shall:

- Prepare a detailed hydrology study, approved by the City Engineer.
- Analyze, design, and construct the new storm drain between the project site and the existing 4.5-foot-high by eight-foot-wide RCB box.
- Design all storm drain facilities, approved by the City Engineer, for 25-year storm event protection
- All storm drain in public right-of-way shall be a minimum of 24 inches by City of Costa Mesa requirements and will be designed in accordance with the Orange County Local Drainage Manual including a minimum spacing between manholes of 300 feet.

### **NOISE**

NOI-1 Prior to Grading Permit issuance, the Contractor shall demonstrate, to the satisfaction of the City of Costa Mesa Public Works Department that the project complies with the following:

- Construction contracts specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other state required noise attenuation devices.
- Construction haul routes shall be designed to avoid noise sensitive uses (e.g., residences, convalescent homes, etc.).

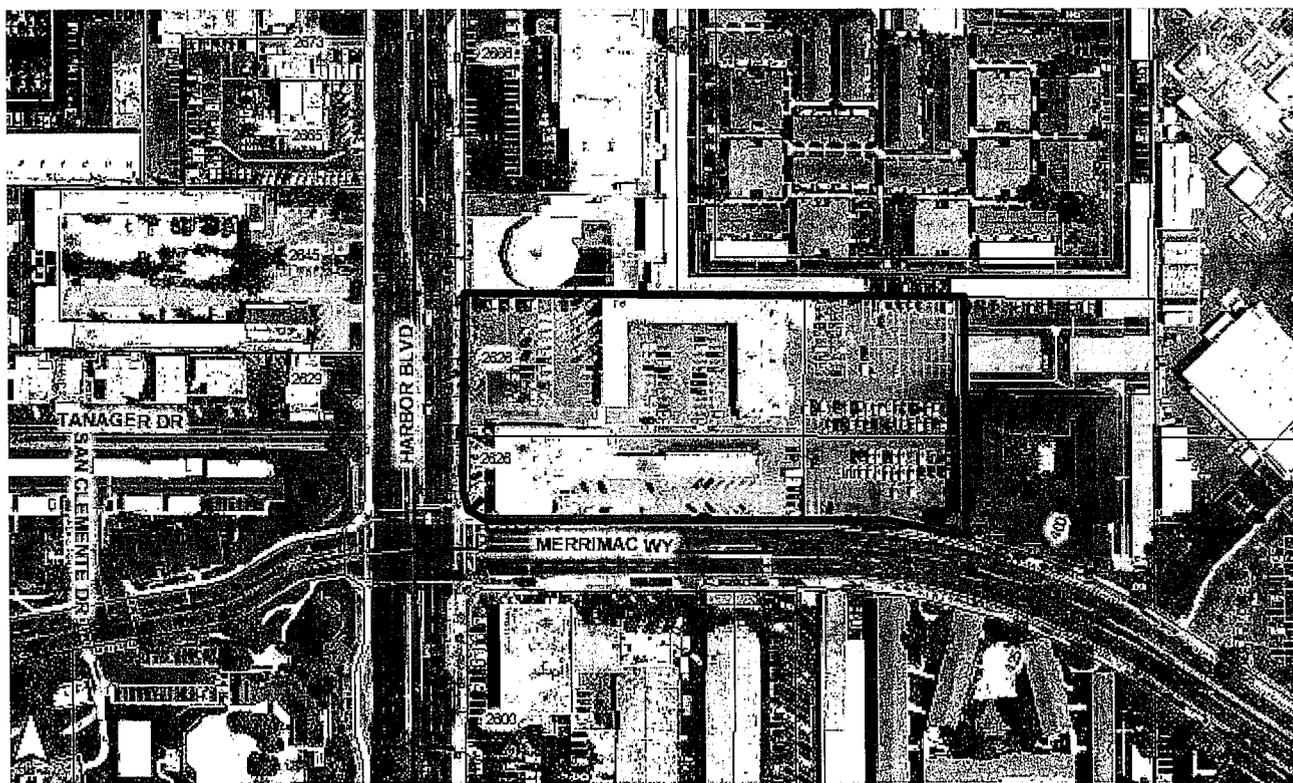
- During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers.

NOI-2 Prior to the issuance of grading permits, the applicant shall provide final project plans for approval by the Development Services Director, indicating that a sound barrier has been incorporated into and noted on the project plans. The barrier shall be a minimum of 7 feet high from finished grade for Lots 15 and 30 and located along the project's westerly border with a return of approximately 50 feet. The location and orientation of the barrier is depicted on Exhibit 4.12-1, *Required Noise Mitigation*.

VICINITY MAP

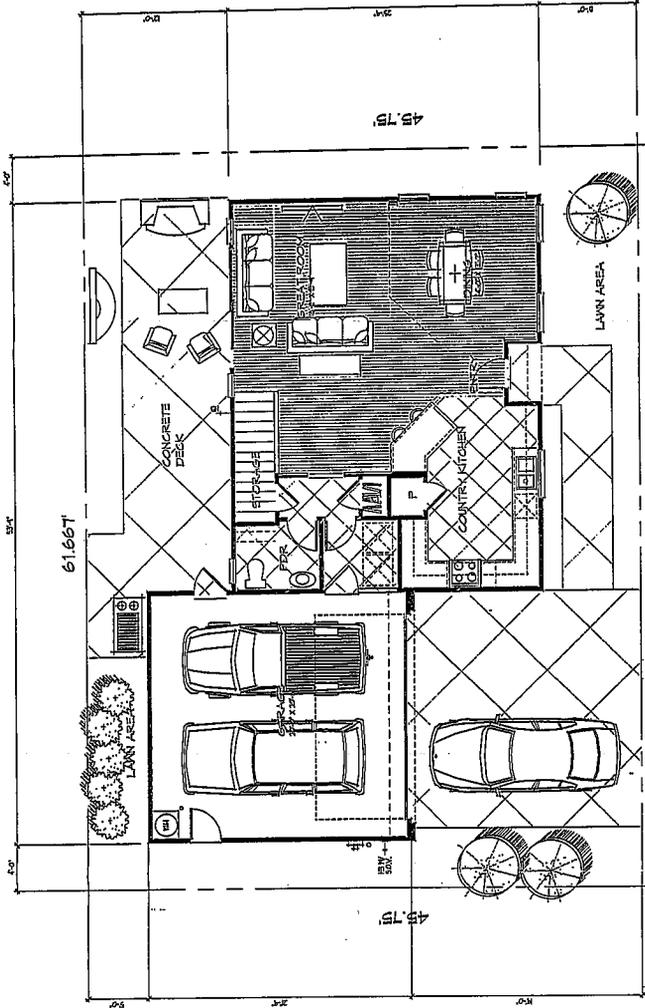
GPS11-01

2626 HARBOR BLVD.









61.66'

**FIRST FLOOR**

842 S.F.

**PLAN 1-ALT 2002 S.F.**

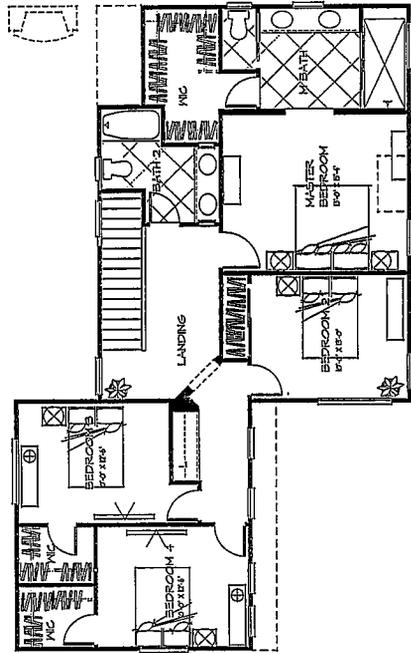
4 BEDROOMS, 2-1/2 BATH

61'-8" X 45'-9" / 2821 SF LOT

COSTA MESA

**Waterpointe homes**

44



**SECOND FLOOR**

1160 S.F.

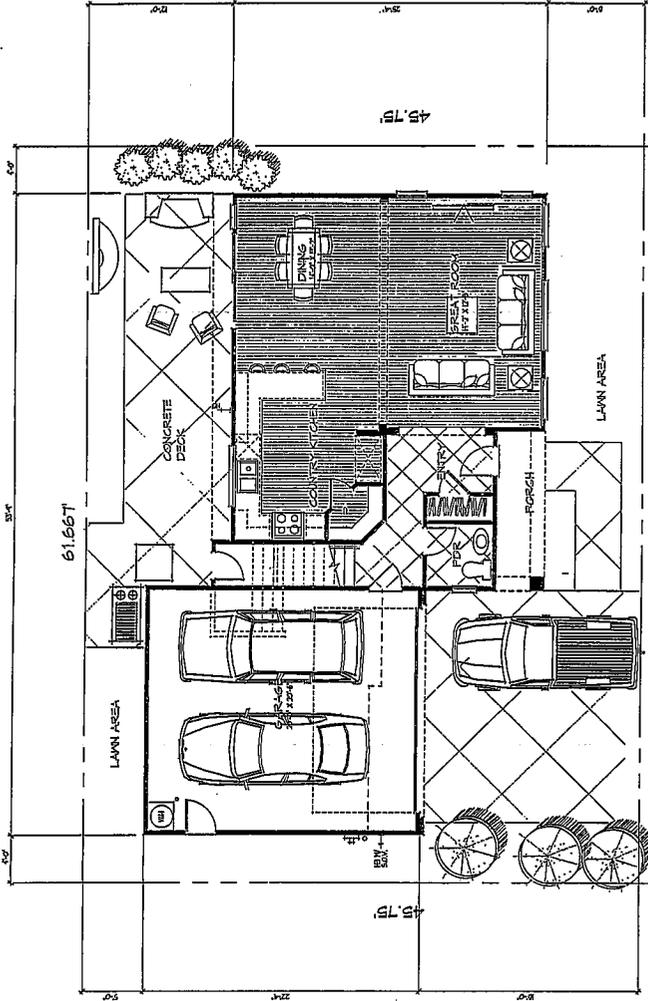
1 1/2" = 10'  
 1/4" = 1/4"



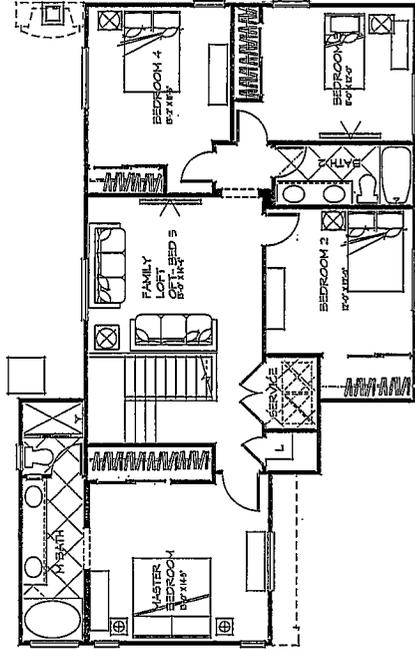
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**FIRST FLOOR**  
806 S.F.



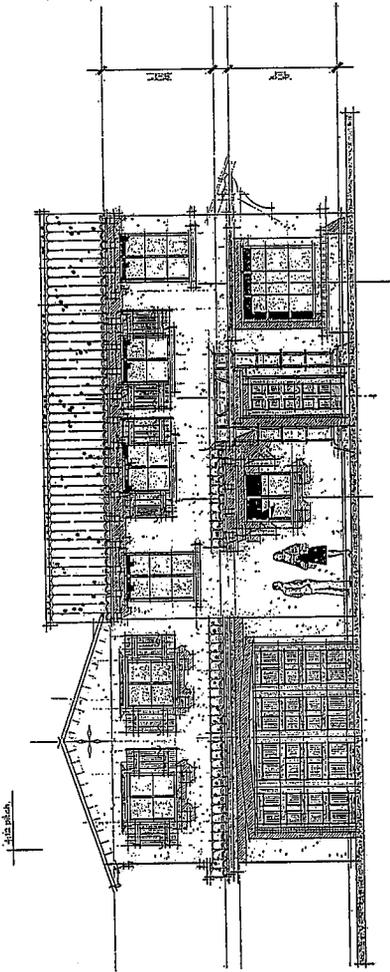
**SECOND FLOOR**  
1358 S.F.

1 2 3 4 5 10  
SCALE: 1/8" = 1'-0"

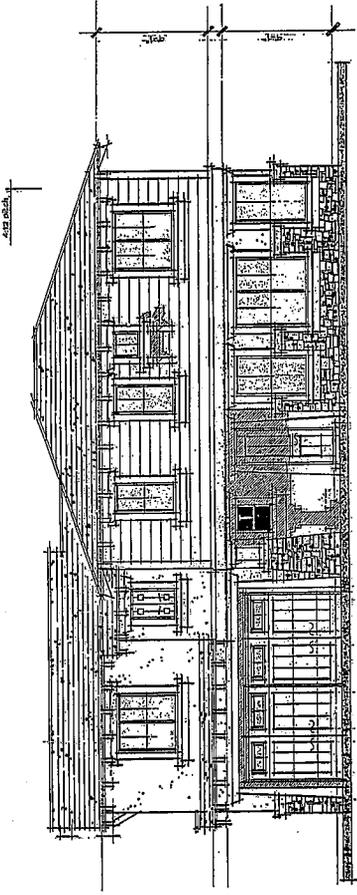
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**PLAN 2- 2164 S.F.**  
**4 BEDROOMS (OPTIONAL 5) 3-1/2 BATH**  
**60'-8" X 44'-9" / 2715 SF LOT**

**COSTA MESA**  
**Waterpointe homes**



**PLAN 1** 2002 S.F.  
SPANISH COLONIAL



**PLAN 2** 2164 S.F.  
CRAFTSMAN

1 2 3 4 5 10  
SCALE:  
1/4" = 1'-0"

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**ELEVATIONS**  
COSTA MESA  
**Waterpointe homes**

