



PLANNING COMMISSION

AGENDA REPORT

VI. 2

MEETING DATE: OCTOBER 10, 2011

ITEM NUMBER:

SUBJECT: PARCEL MAP PM-11-128: PARCEL MAP FOR A TWO-UNIT RESIDENTIAL COMMON INTEREST DEVELOPMENT LOCATED AT 1970 MAPLE AVENUE

DATE: SEPTEMBER 29, 2011

**FOR FURTHER INFORMATION CONTACT: WENDY SHIH, ASSOCIATE PLANNER
(714) 754-5136 WENDY.SHIH@COSTAMESACA.GOV**

DESCRIPTION

Parcel map to facilitate the subdivision for a two-unit common-interest development (condominiums) approved under Planning Application PA-10-38.

APPLICANT

Alison Nguyen is representing the property owner Kathy Nguyen.

RECOMMENDATION

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

BACKGROUND

Site Location

The property is located near the northeast corner of Maple Avenue and Bernard Street. It is zoned R2-HD (Multiple Family Residential – High Density) and has a General Plan land use designation of High Density Residential. The property is surrounded by multiple-family residences to the north, south, across Maple Avenue to the west and across the alley to the east.

The property contains a single-family residence and a detached garage that were constructed in 1955. The property has been vacant since 2007.

Approved Project (PA-10-38)

On May 3, 2011, City Council approved, on a call for review, Planning Application PA-10-38 for the construction of a detached two-unit, two-story condominium development. The City Council modified Planning Commission's approval by eliminating a condition of approval that required modification to the plans to include a revision in the second story side setback and additional building façade enhancements. The approval is for a design review with the following deviations from the Residential Design Guidelines:

1. Second to first floor ratio (80 percent recommended; 98 percent proposed including second floor balcony and areas "open to below").
2. Second story side setbacks (10-foot average recommended; 5 feet proposed on both sides)

The staff report may be found on the City's website at the following link:

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

The plans for the condominium project are attached for reference.

Proposed Parcel Map PM-11-128

The applicant has submitted grading and building plans and is in the plan check process. A parcel map to facilitate the condominium project is required to be processed and recorded before construction of the units can begin. Therefore, the applicant is requesting approval of Parcel Map PM-11-128.

ANALYSIS

Staff supports approval of the map for the following reasons:

- *The map is consistent with Planning Application PA-10-38.*

2

The proposed map will facilitate a one-lot, airspace subdivision for the previously-approved condominium project so each unit may be sold separately.

The Residential Common Interest Development Standards require all projects to be designed with a minimum of one lot to be held in common ownership and maintained by a homeowners association, including at least 10 feet of street setback landscaped areas. The project will comply with this requirement with the approval of this map application because it involves an airspace subdivision with a common lot for all driveways, parking, and open space areas; the CC&Rs will designate areas for exclusive use and/or maintenance such as private yards and required open parking spaces for each unit. Conditions are also included in Planning Application PA-10-38 that requires provisions in the CC&Rs for maintenance of all common areas.

- *The map is consistent with the State Subdivision Map Act.*

Approval of the map, subject to conditions and Code requirements, will comply with the Map Act. Once the final map is recorded with the County Recorder, building permits may be issued for the construction of the project and sale of the units independently.

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.

Approval of the map is valid for two years. Note: Governor Jerry Brown signed Assembly Bill 208 (AB 208) on July 13, 2011, which extends the expiration date of tentative maps by 24 months (2 years), so long as the tentative map was valid on July 15, 2011, and was scheduled to expire prior to January 1, 2014. The proposed tentative map does not qualify for automatic extensions. The reasoning behind the Bill is to "permit cities and counties to preserve development applications that are set to expire and that cannot be processed presently due to prevailing adverse economic conditions in the construction industry" (AB 208, Govt. Code 66452.23).

Staff notes that Planning Application PA-10-38 for the two-unit development will expire on May 3, 2012, unless building permits are obtained and construction commences per Code or the applicant requests and obtains an extension of time.

GENERAL PLAN CONFORMITY

Since the map will not affect the use or density of the residential project previously approved under PA-10-38, the project will remain consistent with the Medium Density Residential General Plan designation of the property.

ALTERNATIVES

The Planning Commission may consider the following alternatives:

1. Approve the application. This would facilitate subdivision of the site for the common interest development project approved under Planning Application PA-10-38.
2. Deny the application. Denial of the map would conflict with Planning Application PA-10-38 and the ownership project could not be constructed.

ENVIRONMENTAL DETERMINATION

The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA under Section 15315 for Minor Land Divisions. If the parcel map is denied, it is exempt from the provisions of CEQA Section 15270(a) for Projects Which Are Disapproved.

CONCLUSION

Approval of the application will facilitate individual ownership of the units as approved by the Commission under Planning Application PA-10-38. The map is in compliance with the requirements of the City's Zoning code, State's Subdivision Map Act, and Planning Application PA-10-38. The map approval is valid for two years unless an extension request is approved by the Planning Commission.



 WENDY SHIH
 Associate Planner



 CLAIRE FLYNN, AICP
 Acting Asst. Development Svs. Director

- Attachments: 1. Draft Planning Commission Resolution
 2. Location/Aerial Map
 3. Parcel Map PM-11-128
 4. Plans

Distribution: Interim Development Services Director
 Deputy City Attorney
 City Engineer
 Transportation Svs. Mgr.
 Fire Protection Analyst
 Staff (4)
 File (2)

Alison Nguyen
 Alpha Construction
 14561 Golders Green Lane
 Westminster, CA 92683

Kathy Nguyen
9600 Calendula Ave.
Westminster, CA 92683

File: 101011PM11128	Date: 092911	Time: 10:30 a.m.
---------------------	--------------	------------------

ATTACHMENT 1

RESOLUTION NO. PC-11-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PARCEL MAP PM-11-128 FOR A ONE-LOT AIRSPACE SUBDIVISION FOR A TWO-UNIT DETACHED RESIDENTIAL COMMON INTEREST DEVELOPMENT

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

WHEREAS, an application was filed by Alison Nguyen, representing property owner Kathy Nguyen, with respect to the real property located at 1970 Maple Avenue, requesting approval of a parcel map to facilitate a two-unit detached residential common interest development previously approved under PA-10-38, in the R2-HD zone;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on October 10, 2011.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", and subject to the conditions contained in Exhibit "B", the Planning Commission hereby **APPROVES** Parcel Map PM-11-128 for a one-lot airspace subdivision for a two-unit detached residential common interest development, 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 Parcel Map PM-11-128 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B", as well as with compliance of all applicable federal, state, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

PASSED AND ADOPTED this 10th day of October 2011.

COLIN MCCARTHY
Chair, Costa Mesa Planning Commission

EXHIBIT "A"

FINDINGS

- A. The proposed airspace residential common interest subdivision is consistent with the City's General Plan and Zoning Ordinances.
- B. The subject property is physically suitable to accommodate Parcel Map PM-11-128 in terms of type, design and density of development, and will not result in substantial environmental damage nor public health problems, based on compliance with the City's Zoning Code and General Plan.
- C. 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.
- D. The subdivision and development of the property will not unreasonably interfere with the free and complete exercise of the public entry and/or public utility rights-of-way and/or easements within the tract.
- E. 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).
- F. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA, under Section 15315 for Minor Land Divisions.
- G. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT "B"

CONDITIONS OF APPROVAL

- Plng. 1. The applicant is reminded that all conditions of approval, Code requirements, and special district requirements of Planning Application PA-10-38 shall be complied with. The applicant is also reminded that approval of the PA-10-38 shall expire on May 3, 2012, unless an extension request is applied for and granted by the Planning Commission.

LOCATION/AERIAL MAP



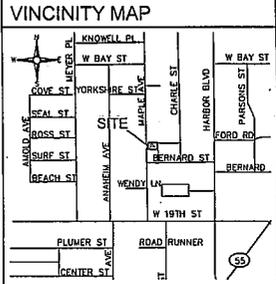
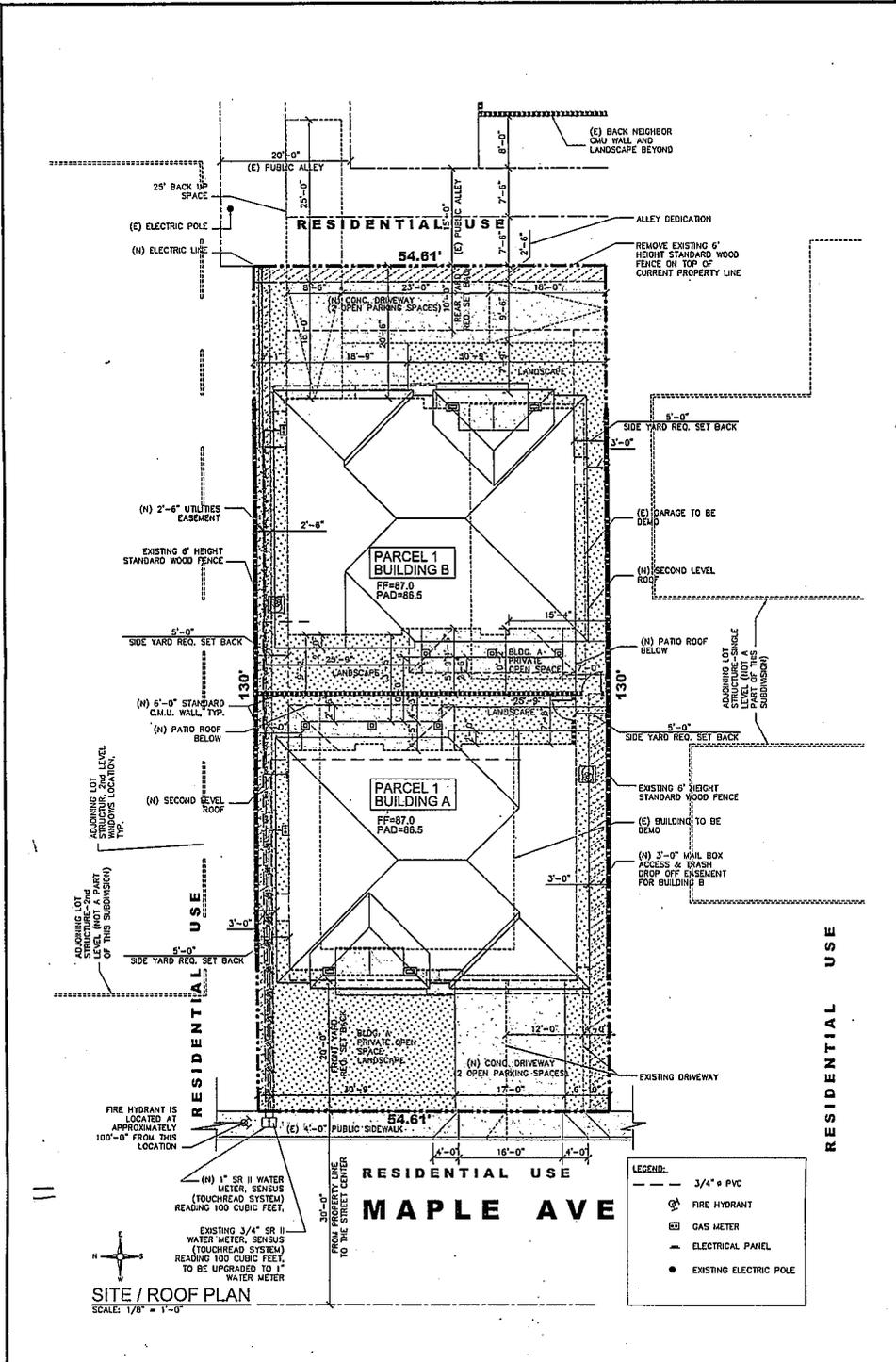
SHEET 1 OF 1 SHEETS
 1 PARCEL
 7,099 S.F. GROSS (6,983 S.F. NET)
 ALL OF TENTATIVE PARCEL MAP 2011-128
 DATE OF SURVEY: AUGUST 2011

TENTATIVE PARCEL MAP NO. 2011-128

SUBDIVISION WILL BE IN THE CITY OF COSTA MESA
 STATE OF CALIFORNIA
FOR CONDOMINIUM PURPOSES
 ALL THAT CERTAIN PARCEL OF LAND SITUATE IN THE COUNTY OF ORANGE, STATE OF CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: LOT(S) 14 BLOCK A OF TRACT NO. 553, IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 20 PAGE(S) 4, OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

CIVIL ENGINEER NAME: PATTERSON ENGINEERING

AUGUST 2011



CONTACT	OWNER
ALISON M. HOLYDH 1551 GOLDERS GREEN LANE WESTMINSTER, CA 92683 PHONE (714) 470-0884 FAX (714) 531-7452 EMAIL: A.L.P.H.A.CONSTRUCTION@HOTMAIL.COM	KATHY HOUSEH 6090 CALIFORNIA AVE WESTMINSTER, CA 92683 PHONE (714) 875-8055 KHOHN173@PDS.COM

PROPOSED SUBDIVIDER	ENGINEER / SURVEYOR
ALPHA CONSTRUCTION 1872 USA LANE INDUSTRIAL BEACH, CA 92663 PHONE (714) 470-0884 FAX (714) 531-7452 EMAIL: A.L.P.H.A.CONSTRUCTION@HOTMAIL.COM	PATTERSON ENGINEERING 3708 40TH STREET FOUNTAIN VALLEY, CA 92708 PHONE (714) 848-7888 PATTERSONENGINEERING@GMAIL.COM

PROJECT SUMMARY	
APN	422-102-12
LOT(S)	14
TRACT #	553
PARCEL MAP#	BOOK 122, PAGE(S) 10
LOT SIZE (GROSS)	7,099 S.F. (0.16287 ACRES)
LOT SIZE (NET AFTER DEDICATION)	6,983 S.F. (0.15988 ACRES)
USE OF ADJ. PROP.	RESIDENTIAL
ZONING	R2-HO
OCCUPANCY CLASS.	R-3/U
TYPE OF CONSTRUCTION	V-B
NUMBER OF STORES	2
EXISTING BUILDING TO BE DEMO	503 S.F.

UNIT 1A	1ST FLOOR	UNIT 2A	1ST FLOOR
LIVING SPACE	1,078 S.F.	LIVING SPACE	1,078 S.F.
FRONT PORCH	17 S.F.	FRONT PORCH	17 S.F.
BACK PATIO	32 S.F.	BACK PATIO	32 S.F.
GARAGE AREA	454 S.F.	GARAGE AREA	454 S.F.
2ND FLOOR		2ND FLOOR	
LIVING SPACE	1,047 S.F.	LIVING SPACE	1,047 S.F.
OPEN SPACE	365 S.F.	OPEN SPACE	365 S.F.
BALCONY	89 S.F.	BALCONY	89 S.F.
TOTAL LIVING AREA	2,133 S.F.	TOTAL LIVING AREA	2,133 S.F.

SITE COVERAGE: (1,078 S.F.+17 S.F.+454 S.F.+17 S.F.) ÷ 58 X
 DRIVEWAY+422 (2A DRIVEWAY) / 6,983 S.F.

OPEN SPACES = 418

APPLICABLE CODES: 2007 CBC, 2007 CFC, 2007 CHC, 2007 CEC, 2008 SMOOFTY CODE

PROPERTY IS NOT SUBJECT TO OVERFLOW OR INUNDATION

SEE GRADING PLAN FOR PROPOSED BUILDING SITE ELEVATIONS

PUBLIC UTILITIES AND OTHERS ARE AVAILABLE ON MAPLE AVENUE

KATHY HOUSE

PROJECT ADDRESS: 1970 MAPLE AVE
 COSTA MESA CA 92627

SCOPE OF WORK: 2 DETACHED CONDOMINIUM UNITS

A.L.P.H.A. CONSTRUCTION

14561 GOLDERS GREEN LANE, WESTMINSTER, CA 92683
 PHONE: 714-470-0884 FAX: 714-531-7452
 A.L.P.H.A.CONSTRUCTION@HOTMAIL.COM

Dm 11 128 4.1

PUBLIC ALLEY

54.61'

LANDSCAPE LEGEND

-  QUEEN PALM TREE - SYAGRUS ROMANZOFFIANA
-  HYDRANGEA MACROPHYLLA
-  FESTUCA ELATIOR / MARATHON IIE SOD
-  PHORMIUM TENAX 'RUBRUM' / RED FLAX
-  BLUE FESCUE GRASS
-  EXISTING SHRUBS

130'

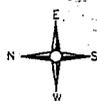
130'

2A

1A

54.61'

MAPLE AVE



SITE / ROOF PLAN

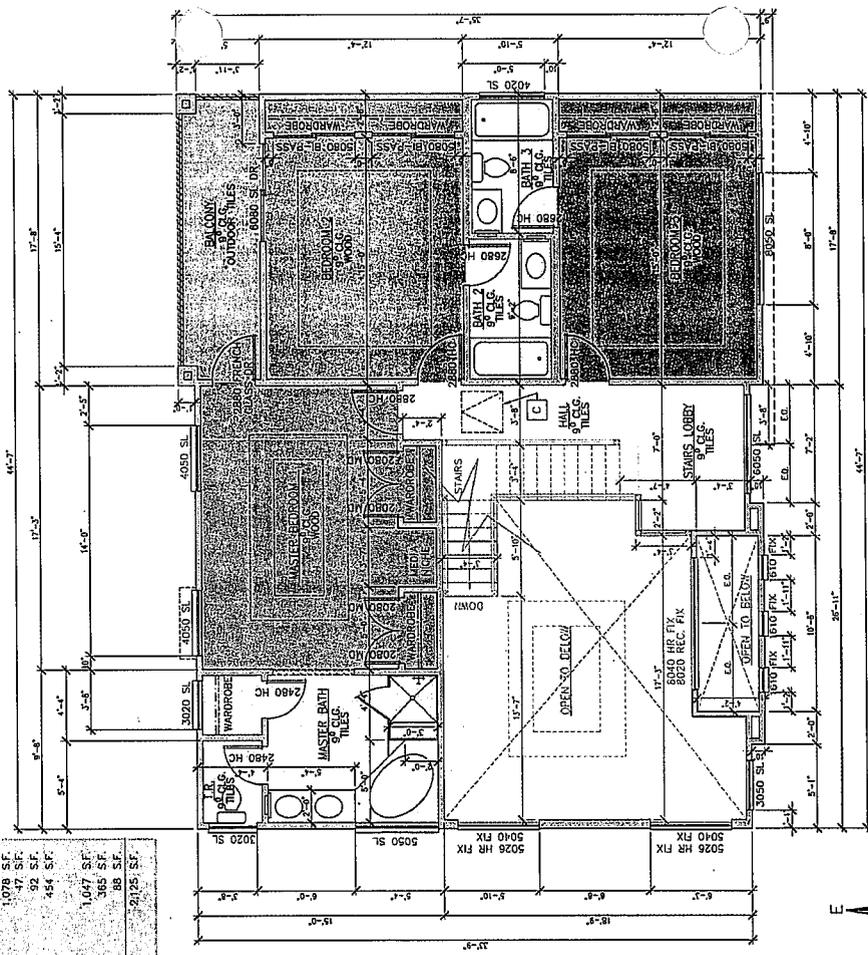
ATTACHMENT 4

COLOR SITE PLAN
Scale: N.T.S.
December 09, 2010

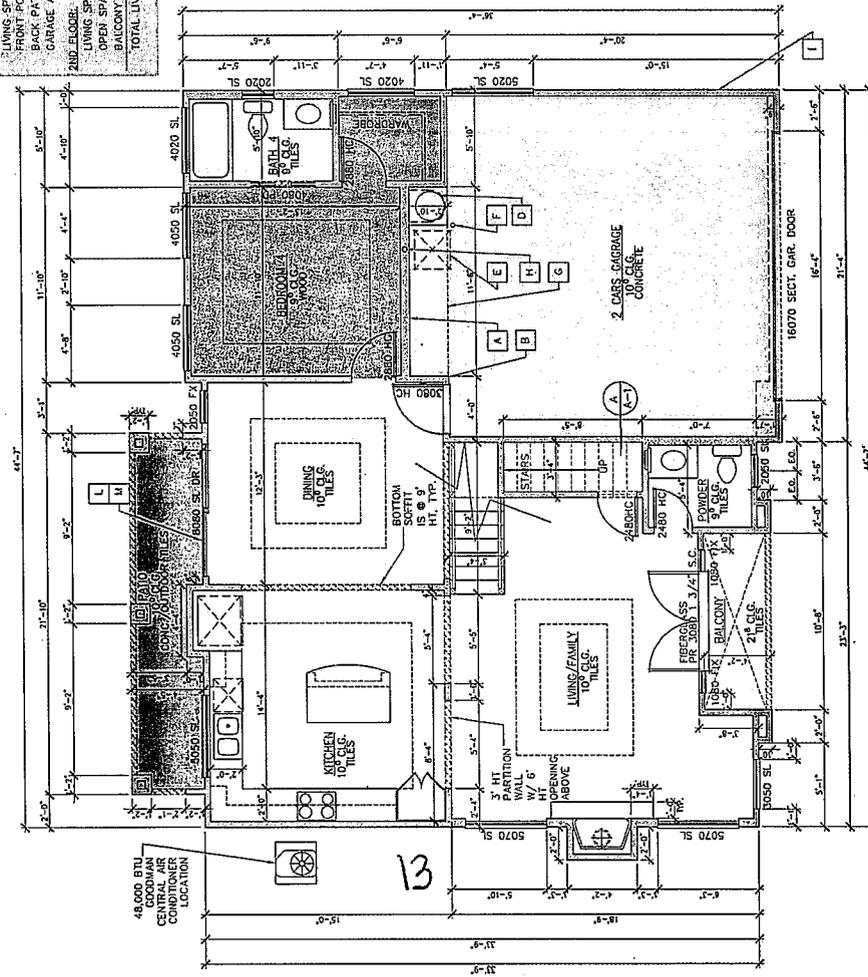
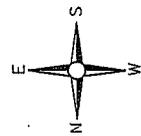
CATHY HOUSE--Unit 1A & 2A--LANDSCAPE PLAN
970 MAPLE AVE
COSTA MESA, CA 92627

The plan, ideas, arrangements and designs indicated or represented by this drawing are owned by, and are the property of Alpha Construction & Design, and were created and developed solely for the use on and in

1ST FLOOR:	1,078 SF.
LIVING SPACE	509 SF.
FRONT PORCH	20 SF.
BACK PATIO	20 SF.
CHARGE AREA	244 SF.
2ND FLOOR:	1,047 SF.
LIVING SPACE	366 SF.
OPEN SPACE	88 SF.
BALCONY	593 SF.
TOTAL LIVING SPACE:	2,125 SF.



PROPOSED 2nd FLOOR PLAN--BUILDING 1A
SCALE: 1/4"=1'-0"



PROPOSED 1st FLOOR PLAN--BUILDING 1A
SCALE: 1/4"=1'-0"

48,000 BTU
COOLMAN
CONDITIONER
LOCATION

13



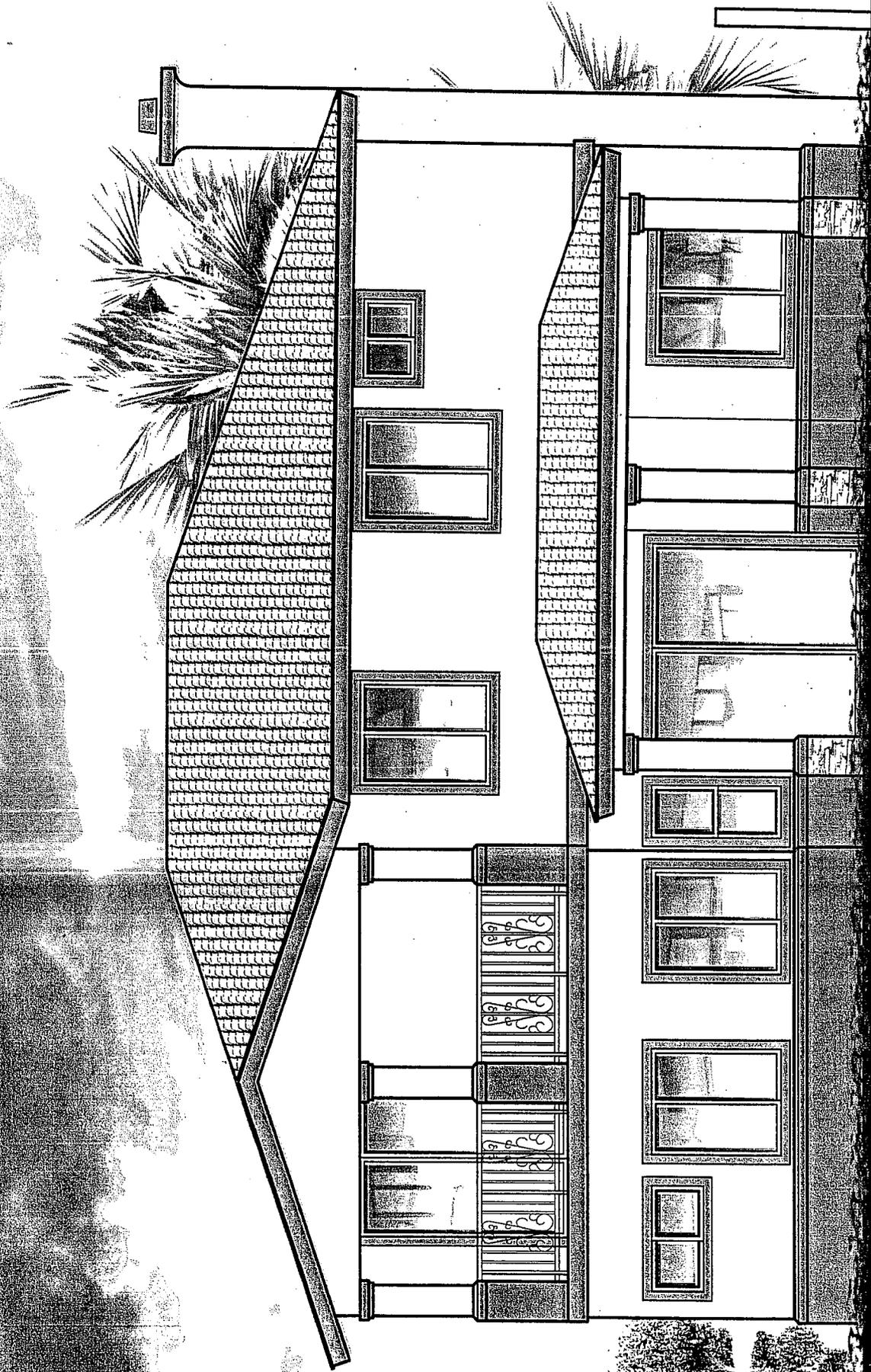
2D ELEVATION
Scale: N.T.S.
December 09, 2010

KATHY HOUSE--Unit 1A & 2A--FRONT ELEVATION

970 MAPLE AVE
COSTA MESA, CA 92627

The plan, ideas, arrangements and designs indicated or represented by this drawing are owned by, and are the property of Alpha Construction & Design, and were created and developed solely for the use on and in the project identified above.

14



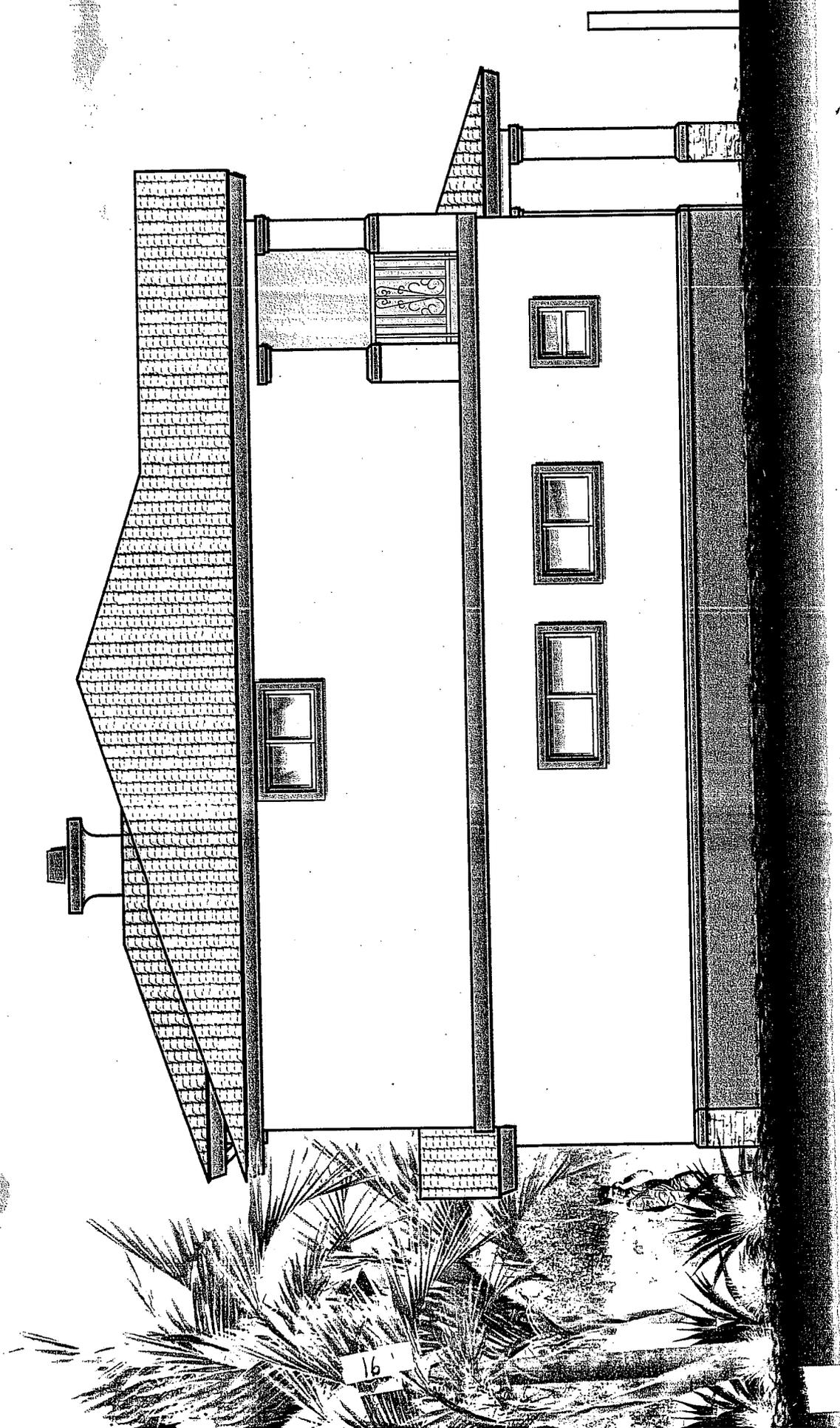
15

KATHY HOUSE--Unit 1A & 2A--BACK ELEVATION

970 MAPLE AVE
COSTA MESA, CA 92627

2D ELEVATION
Scale: N.T.S.
December 09, 2010

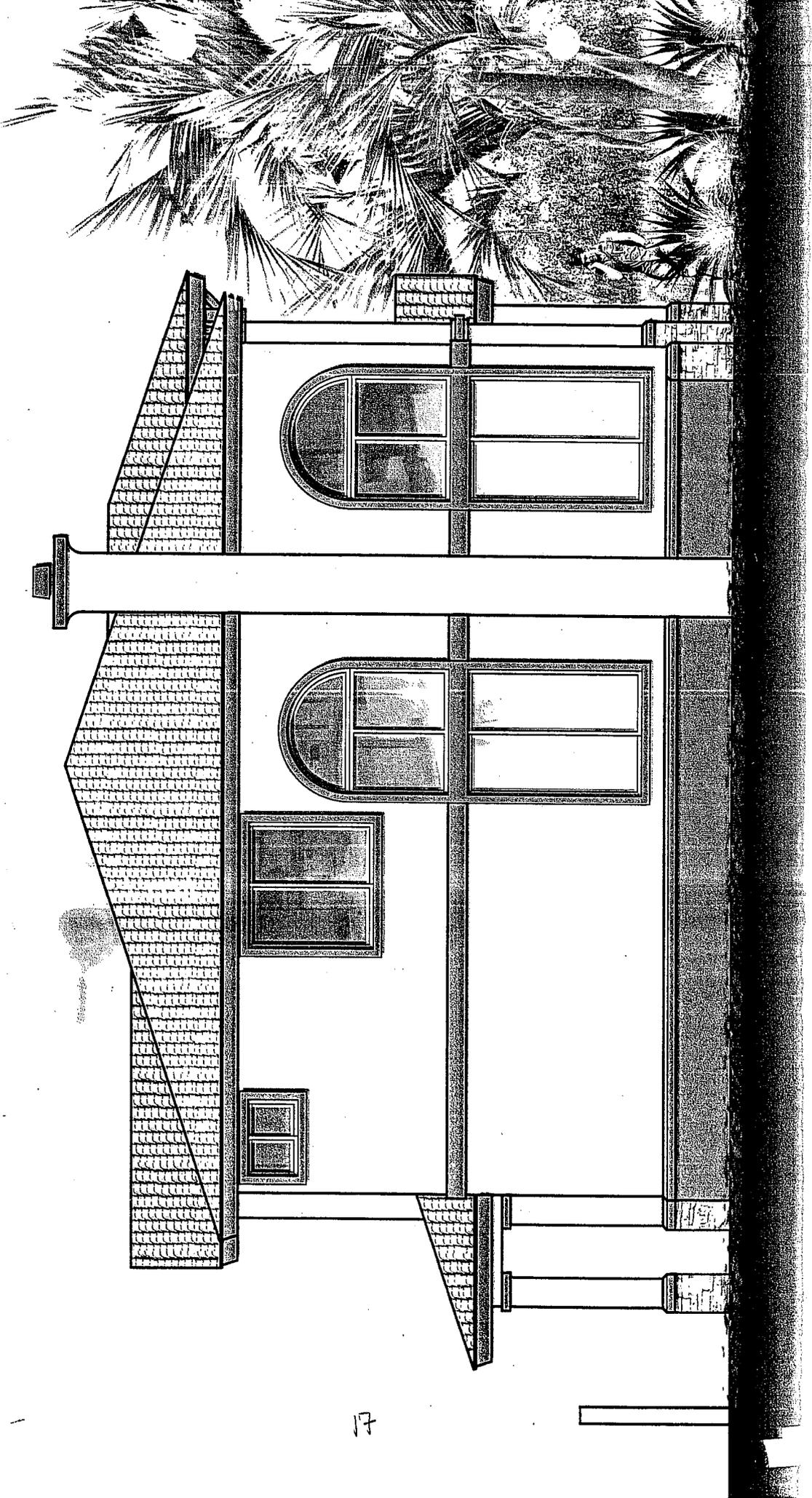
The plan, notes, arrangements and designs indicated or represented by this drawing are owned by, and are the property of Alpha Construction & Design, and were created and developed solely for the use on and in connection with the project indicated on the drawing.



2D ELEVATION
Scale: N.T.S.
December 09, 2010

KATHY HOUSE--Unit 1A & 2A--RIGHT ELEVATION
1970 MAPLE AVE

The plan, ideas, arrangements and designs indicated or represented by the drawing are owned by and are the property of Alpha Construction, Inc. All rights reserved. This drawing is to be used only for the use and in the manner intended. It is not to be used for any other purpose without the written consent of Alpha Construction, Inc.



2D ELEVATION
Scale: N.T.S.
December 09, 2010

KATHY HOUSE--Unit 1A & 2A--LEFT ELEVATION

970 MAPLE AVE
OSTA MESA, CA 92627

The plan, elevations, arrangements and designs indicated or represented by this drawing are owned by, and are the property of Alpha Construction & Design, and were created and developed solely for the use on and in