



PLANNING COMMISSION

AGENDA REPORT

VI. 1

MEETING DATE: JANUARY 9, 2012

ITEM NUMBER:

**SUBJECT: PLANNING APPLICATION PA-11-26: CONDITIONAL USE PERMIT FOR A PRIVATE YOUTH BASEBALL FIELD FOR A INTERIM PERIOD (7 YEARS) WITH A VARIANCE FROM FENCE HEIGHT
3370 HARBOR BOULEVARD**

DATE: DECEMBER 22, 2011

**FOR FURTHER INFORMATION CONTACT: MEL LEE, AICP, SENIOR PLANNER
(714) 754-5611**

PROJECT DESCRIPTION

The applicant is requesting approval for the following:

- Conditional use permit to allow a youth baseball field as an interim use (approximately 7 years), for private use only (not open to the public).
- Variance to allow a variety of fencing materials around the boundary of the property (metal fencing, chain link fencing, and safety netting) in excess of allowed fence height (6-foot maximum height allowed; 8 feet to 60 feet height proposed).

APPLICANT

The applicant is Bill Cope, authorized agent for Bob Klein, the owner of the property.

RECOMMENDATION

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

Planning Application Summary

Location: 3370 Harbor Blvd. Application: PA-11-26

Request: Conditional use permit to allow a youth baseball field as an interim use (approximately 7 years), for private use only (not open to the public) with a variance to allow a variety of fencing materials around the boundary of the property (metal fencing, chain link fencing, and safety netting) in excess of allowed fence height (6-foot maximum height allowed; 8 feet to 60 feet height proposed).

SUBJECT PROPERTY:

Zone: MP
 General Plan: Industrial Park
 Lot Dimensions: 309 FT X 562 FT
 Lot Area: 174,058 SF
 Existing Development: Vacant

SURROUNDING PROPERTY:

North: MP, National University
 South: MP, Auto Club
 East: MP, LA Times
 West: (Across Harbor) MP, Whittier Law School

DEVELOPMENT STANDARD COMPARISON

<u>Development Standard</u>	<u>Required/Allowed</u>	<u>PROPOSED/PROVIDED</u>
Lot Size:		
Lot Width	120 FT	309 FT
Lot Area	30,000 SF	174,058 SF
Floor Area Ratio (FAR):		
Maximum FAR (Industrial Use)	.30 (52,217 SF)	.003 (488 SF)
Building Height:		
	3 Stories/45 FT	2 Story/18 FT (Scorer's Booth)
Interior Landscaping:		
	615 SF	4,960 SF
Setbacks (Building):		
Front	20 FT	130 FT (to restrooms)
Side (left/right)	10 FT/10 FT	74 FT (to restrooms) 10 FT (to scorer's booth) (1)
Rear	20 FT	344 FT (to scorer's booth)
Setbacks (Landscaping)		
Harbor Blvd.	20 FT	20 FT
Parking		
Standard	NA	39
Handicapped	2	2
Total	NA	41 Spaces (2)
Bicycle Racks		
	NA	NA
1. The scorer's booth will be required to comply with this requirement. 2. See staff report discussion.		

BACKGROUND

Project Site/Environs

The project site consists of a vacant 4 acre parcel zoned MP (Industrial Park) on the east side of Harbor Boulevard north of South Coast Drive. The property is bounded by the Auto Club building to the south, the LA Times building to the east, National University to the north, and the Whittier Law School campus to the west, across Harbor Boulevard.

History

The property has recently been acquired a new owner (Bob Klein). The property was used for agricultural purposes from the 1930's through (approximately) 1995 and has never been developed. The site is in the final stages of groundwater and soil remediation from the underground fuel tanks at the LA Times facility to the east; the surface piping and monitoring wells as part of the remediation are still visible on-site (see staff report discussion under Environmental Determination for more information).

On November 4, 2008, Development Review DR-07-06 was approved by Planning Staff for the construction of a multi-story office condominium building on the property. However, the project was never constructed and the approval expired.

ANALYSIS

Planning Application PA-11-26

The proposed facility is exclusively for the private use of the Orange County Sun Devils, a youth baseball team. Additional information about the team can be found on their website <http://www.ocsundevils.com>. Currently, the young players are 10 years and under; however, the intention is that the proposed baseball field be available to these players for seven years.

According to the applicant, the field will be used primarily during the summer months on Saturday and Sunday, however, there is also the possibility of some games during the weekdays. As the ball field will not be lighted, no night games are proposed, although security lighting will be provided for the parking area, basketball court, and the picnic area.

The project involves the following:

- Dedication for future widening of 10 feet of public right-of-way along Harbor Boulevard.
- Installation of a 20-foot wide decorative landscape planter along the Harbor Boulevard frontage.
- Construction of a new driveway approach with decorative on-site pavers and a right-turn only exit from the site onto Harbor Boulevard.
- Parking area paving comprised of decomposed granite for 41 on-site parking spaces.

- Turf areas for the ball field as well as a picnic area.
- A paved basketball court.
- The following structures:
 - A 155 sq. ft. restroom;
 - A 332 sq. ft. scorer's booth located at home plate approximately 18 feet in height;
 - A 2,432 sq. ft. batting cage;
 - A trash enclosure;
 - Home and away team dugouts with attached bullpens approximately 1,800 sq. ft. each;
 - An internally illuminated digital scoreboard located within the outfield approximately 12 feet in height; and
 - Two sets of portable bleachers.
- Variance to allow the following fencing and "ballcatcher" safety netting structures around the boundary of the property:
 - A 10-foot high, decorative steel fence behind the 20-foot landscaped front setback;
 - Repair and/or replace the existing 8-foot high chain link fencing around the sides and rear of the property; and
 - 60-foot high "ballcatcher" safety netting extending approximately 324 feet in length from home plate to the rear of the property along the southerly (right side) property line.

As noted earlier, the proposed improvements are for an interim use (approximately 7 years), and the facility will be for private use only (i.e., not open to the public).

Conditional Use Permit Requirement

A baseball field is not specifically listed in the Land Use Matrix of the City's Zoning Code. If a proposed use is similar to an identified land use category in the matrix, it would be subject to the same zoning requirements. In this case, there is a category for "Parks and Playgrounds" which are prohibited uses in the MP zone.

While the proposed softball field is a recreational use in a park-like setting, staff believes that this is a unique proposal due to the scale of the facility, operational characteristics, limited duration, and the fact that the facility is for private use only and will not be open to the public. As a distinct use that is dissimilar to a park/playground and that is also not listed in the Land Use Matrix, staff believes that the approval of a conditional use permit is required [Code Section 13-30(d)].

Justifications for Approval

Staff supports approval of the proposed project for the following reasons:

- *With the exception of the fencing, the project complies with applicable Code requirements.* The proposed project complies with code provisions for building setbacks, and will comply with provisions for landscaping and standard parking stall sizes as applicable for a temporary use.

As noted earlier, exterior lighting will be provided for the parking area, basketball court, and the picnic area for security purposes only. The ball field will not be lighted or used after dusk (Condition of approval no. 9).

- The project will incorporate improvements along the front the property consisting of new landscaping and decorative fencing enhancements. Staff has conducted a field inspection and is of the opinion that the proposed development would not negatively impact the surrounding properties or aesthetics of the neighborhood. The 60-foot high safety netting is similar to netting used for the Santa Ana Country Club and the Costa Mesa Golf and Country Club (see attached photos). It is staff's opinion that the netting will not adversely impact the overall appearance of Harbor Boulevard as it is consistent with netting used at other golf courses and ball fields. Staff has incorporated, as a condition of approval (Condition no. 10) that all fabric coated windscreens and structures, as well as ball field safety netting, shall be properly maintained and replaced if torn or damaged.

The 60-foot high ball catcher netting is anticipated to adequately prevent errant softballs from landing off-site because of the age of the players and the design and orientation of the ball field based on the trajectory of hit balls. However, staff has incorporated, as a condition of approval (Condition no. 17) that the applicant enter into a hold harmless agreement with the City as well as an indemnity agreement (Condition no. 18) in the case of damage to surrounding properties as a result of the use.

Staff was contacted by National University expressing concerns related to noise and errant softballs from the subject site. The applicant indicated that they were in the process of reaching out to National University and the Auto Club to address their concerns.

The applicant proposed a 10-foot high decorative metal fence setback 20 feet along the Harbor Boulevard frontage. However, after inspecting the fencing in the surrounding area, including an approximately 6.5 foot high wrought iron fence on the Whittier Law School property along Sunflower Avenue and the approximately 8-foot high perimeter fencing for the LA Times property along South Coast Drive (see attached photos), staff has incorporated, as a condition of approval (Condition no. 7) that an 8-foot high decorative steel fence visible from the Harbor Boulevard frontage be provided.

- The findings for the variance for fence heights can be made. Code Section 13-29(g)(1) requires the following findings for variances:
 - Because of special circumstances applicable to the property, the strict application of development standards deprives such property of privileges enjoyed by others in the vicinity under identical zoning classifications.
 - The deviation granted shall be subject to such conditions as will assure that the deviation authorized shall not constitute a grant of special privileges inconsistent with the limitation upon other properties in the vicinity and zone in which the property is situated.

- The granting of the deviation will not allow a use, density, or intensity which is not in accordance with the general plan designation and any applicable specific plan for the property.

It is staff's opinion that approval of the requested variance would be consistent with the privileges enjoyed by other properties in the vicinity and under identical zoning classifications. As noted earlier, there is existing fencing in excess of the 6 foot maximum height allowed under Code in the immediate area, specifically, an approximately 6.5 foot high wrought iron fence on the Whittier Law School property along Sunflower Avenue and the approximately 8-foot high perimeter fencing for the LA Times property along South Coast Drive (see attached photos). Additionally, there is existing 60-foot high safety netting at other locations at the Santa Ana Country Club and the Costa Mesa Golf and Country Club (see attached photos).

Additionally, the use will end, or sunset, no later than 7 years from the date of approval (January 9, 2019) per Conditions of Approval 1 and 2. The interim use of the property creates a special circumstance of which the strict application of development standards deprives the property of privileges enjoyed by other properties in the vicinity, which contain permanent structures. Additionally, Conditions 1 and 2 as they pertain to the interim use of the property will assure that the deviation shall not constitute a grant of special privileges inconsistent with other properties in the vicinity and zone in which the property is situated, as the variance applies to fencing that will be removed when the use is vacated from the property no later than 7 years from the date of this approval. The applicant may request a one year extension of time prior to the expiration date, subject to approval by the Planning Commission. Finally, the granting of the variance will not allow a use, density, or intensity which is not in accordance with the general plan designation for the property, since the variance pertains to structures for an interim use.

- The project will provide an interim use for what would otherwise be a vacant property at the City northerly "gateway" along Harbor Boulevard. The proposed project and site improvements will provide a substantial upgrade in appearance along Harbor Boulevard, which is currently a vacant site with above ground piping surrounded by a chain link fence. The applicant is proposing a 20-foot landscaped setback incorporating a variety of 15 gallon and 24 inch box size trees and drought-resistant groundcovers. Staff has also incorporated, as a condition of approval (Condition no. 19) that landscaping be provided within the first 10 feet of property frontage (area of future street dedication). Interior landscaping in the form of turf will be provided; however, due to the interim use of the property, the planting of trees within the parking area are not required.
- Parking will be adequate for the proposed use based on the operational characteristics as a private baseball field. Code does not identify a parking requirement for this specific use. The Transportation Services Division has reviewed the proposed use and determined that because the facility will be for private use only (i.e., not open to the public) the proposed 41 parking spaces will be adequate for the use based on the maximum allowed average daily trips for the use (25 trips per

weekday maximum). However, staff has incorporated, as a condition of approval (Condition no. 14) that if parking shortages or other problems arise, the applicant shall institute whatever measures are necessary to eliminate the problem, including, but not limited to, obtaining additional off-site parking or providing additional on-site parking.

As noted earlier, construction of a new driveway approach with decorative on-site pavers and a right-turn only exit from the site onto Harbor Boulevard, as well as parking area paving comprised of decomposed granite for 41 on-site parking spaces. Staff has incorporated, as a condition of approval (Condition no. 15) that if the decomposed granite becomes a maintenance issue in the public right of way, staff may require additional paving or the use of alternate paving materials.

- *The uses will be set back a sufficient distance from Harbor Boulevard to ensure safety of the users on-site from traffic along the street.* The basketball court, picnic area and batting cages are setback approximately 100 feet from the front property line, which will ensure the safety of the users of these facilities from traffic along Harbor Boulevard.

According to the applicant, the project will generate approximately 30 construction jobs.

ENVIRONMENTAL DETERMINATION

If the request is approved, it would be exempt from the provisions of the California Environmental Quality Act under Section 15332 for In-Fill Development. If the request is denied, it is exempt from the provisions of the California Environmental Quality Act (CEQA) Section 15270(a) for projects which are disapproved.

As noted earlier, the site underwent groundwater and soil remediation for the underground fuel tanks at the LA Times facility to the east. However, the project has been reviewed by the Orange County Health Care Agency, Environmental Health Division, and they have no objections to the use as proposed by the applicant. Staff has included, as a condition of approval, that the applicant obtain approval from the Orange County Health Care Agency, Environmental Health Division prior to the removal or modification of the on-site remediation equipment.

GENERAL PLAN CONFORMITY

The interim use will be consistent with surrounding uses, as specified in Objective LU-1F.2 of the General Plan Land Use Element.

ALTERNATIVES

The Planning Commission has the following alternatives:

1. Approve the project, subject to the recommended conditions of approval.
2. Deny the project. If the project were denied, the applicant could not submit substantially the same type of application for six months.

CONCLUSION

It is staff's opinion that because the use is for an interim period (7 years) the project is consistent with the General Plan, will improve and enhance the appearance of the property from Harbor Boulevard, will not create adverse impacts on surrounding properties, and the requested variances can be justified. Therefore, staff recommends approval of the project.

MEL LEE, AICP
Senior Planner

CLAIRE FLYNN, AICP
Acting Asst. Development Services Director

Attachments:

1. Draft Planning Commission Resolution
2. Applicant's Project Description
3. Photos of Safety Netting and Fencing in Project Vicinity
4. Location Map and Plans

cc:

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

Bill Cope
20142 Bayview
Newport Beach, CA 92660

Bob Klein
27 Boulder View
Irvine, CA 92603

RESOLUTION NO. PC-12**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-11-26 FOR A YOUTH BALL FIELD AS AN INTERIM USE (7 YEARS ONLY) WITH VARIANCES FOR FENCE HEIGHTS**

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

WHEREAS, an application was filed by Bill Cope, authorized agent for Bob Klein, owner of real property located at 3370 Harbor Boulevard, for the following:

- Conditional use permit to allow a youth baseball field as an interim use (approximately 7 years), for private use only (not open to the public),
- Variance to allow a variety of fencing materials around the boundary of the property (metal fencing, chain link fencing, and safety netting) in excess of allowed fence height (6-foot maximum height allowed; 8 feet to 60 feet height proposed).

WHEREAS, a duly noticed public hearing was held by the Planning Commission on January 9, 2012.

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** Planning Application PA-11-26 for a youth ball field as an interim use (7 years only) with variances from fence heights, with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the staff report for Planning Application PA-11-26 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 9th day of January, 2012.

Colin McCarthy, Chair
Costa Mesa Planning Commission

EXHIBIT "A"

FINDINGS

- A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(e) because:
1. The proposed use is compatible and harmonious with uses on surrounding properties.
 2. 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.
 3. The project, as conditioned, is consistent with the General Plan.
 4. The planning application is for a project-specific case and does not establish a precedent for future development.

- B. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(2) because:

- a. The proposed use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.
- b. Granting the conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.
- c. Granting the conditional use permit will not allow a use, density or intensity which is not in accordance with the general plan designation for the property.

Specifically, the proposed project complies with code provisions for building setbacks, and will comply with provisions for landscaping and parking stall sizes. The proposed project and site improvements will provide a substantial upgrade in appearance along Harbor Boulevard, which is currently a vacant site with above ground piping surrounded by a chain link fence. The basketball court, picnic area and batting cages are setback approximately 100 feet from the front property line, which will ensure the safety of the users of these facilities from traffic along Harbor Boulevard.

- C. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(1) because:

- a. Because of special circumstances applicable to the property, the strict application of development standards deprives such property of privileges enjoyed by others in the vicinity under identical zoning classifications.
- b. The deviation granted shall be subject to such conditions as will assure that the deviation authorized shall not constitute a grant of special privileges inconsistent with the limitation upon other properties in the vicinity and zone in which the property is situated.
- c. The granting of the deviation will not allow a use, density, or intensity which is not in accordance with the general plan designation and any

applicable specific plan for the property.

Approval of the requested variance would be consistent with the privileges enjoyed by other properties in the vicinity and under identical zoning classifications. There is existing fencing in excess of the 6 foot maximum height allowed under Code in the immediate area, specifically, an approximately 6.5 foot high wrought iron fence on the Whittier Law School property along Sunflower Avenue and the approximately 8-foot high perimeter fencing for the LA Times property along South Coast Drive.

Additionally, there is existing 60-foot high safety netting at other locations in the vicinity at the Santa Ana Country Club and the Costa Mesa Golf and Country Club. The use will end, or sunset, after 7 years per Conditions of Approval 1 and 2. The interim use of the property creates a special circumstance of which the strict application of development standards deprives the property of privileges enjoyed by other properties in the vicinity, which contain permanent structures. Additionally, Conditions 1 and 2 as they pertain to the interim use of the property will assure that the deviation shall not constitute a grant of special privileges inconsistent with other properties in the vicinity and zone in which the property is situated, as the variance applies to fencing that will be removed when the use is vacated from the property in 7 years. Finally, the granting of the variance will not allow a use, density, or intensity which is not in accordance with the general plan designation for the property, since the variance pertains to structures for an interim use.

- D. 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 15332 for In-Fill Development Projects.
- E. 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. PA-11-26 shall terminate no later than 7 years from the date of this approval (January 9, 2019). The applicant may request a one year extension of time prior to the expiration date, subject to approval by the Planning Commission.
2. All fencing materials in excess of 6 feet in height that are subject to this variance (metal fencing, chain link fencing, and safety netting) shall be removed no later than 7 years from the date of this approval (January 9, 2019). The applicant may request a one year extension of time prior to the expiration date, subject to approval by the Planning Commission.
3. A copy of the conditions of approval for the conditional use permit must be kept on premises and presented to any authorized City official upon request. New business/property owners shall be notified of conditions of approval upon transfer of business or ownership of land.
4. The use shall be limited to the type of operation as described in the staff report. Any change in the operational characteristics including, but not limited to, the hours of operation and additional services provided, shall require review by the Planning Division and may require an amendment to the conditional use permit. The operator is reminded that Code allows the Planning Commission to modify or revoke any planning application based on findings related to public nuisance and/or noncompliance with conditions of approval [Title 13, Section 13-29(o)].
5. The conditions of approval, code requirements, and special district requirements of PA-11-26 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
6. To avoid an alley-like appearance, driveways shall be developed without a center swale. Design shall be approved by the Planning Division.
7. Fencing along Harbor Boulevard shall be decorative fencing not to exceed 8 feet in height. Decorative materials shall be subject to approval by the Planning Division.
8. Perimeter chain link fencing shall be repaired and/or replaced, as necessary, subject to the approval of the Planning Division.
9. All exterior lighting shall be for security purposes only. The ball field shall not be lighted or used after dusk.
10. All fabric coated windscreens and structures, as well as ball field safety netting, shall be properly maintained and replaced if torn or damaged.
11. The scorer's booth shall be redesigned to provide the 10-foot side yard setback per Code.
12. It is recommended that the project incorporate green building design and construction techniques where feasible. The applicant may contact the Building Safety Division at (714) 754-5273 for additional information.
13. The use shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The applicant and/or operator shall institute whatever security and operational measures are necessary to comply with this requirement.
14. If parking problems arise, the operator shall institute whatever operational measures are necessary to minimize or eliminate the problem to the satisfaction of the Development Services Director. These measures may include the provision of additional on-site parking or off-site parking.

15. If the use of decomposed granite within the parking area becomes a maintenance issue in the public street, the Development Services Director may require additional paving in the parking area or the use of alternative ground surface material.
16. The applicant shall obtain approval from the Orange County Health Care Agency, Environmental Health Division prior to the removal or modification of the on-site remediation equipment.
17. 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.
18. Due to the nature of the use, an indemnity agreement executed by the applicant and approved by Risk Management shall be provided to the City prior to the commencement of this use. Applicant shall provide the City with proof of general liability insurance no less than \$1 million as approved by Risk Management prior to the commencement of this use.
19. Landscaping along the Harbor Boulevard frontage shall be provided per the submitted conceptual plan. Drought resistant groundcover shall also be provided in the first 10 feet of the property frontage (area of future dedication).
- Eng. 20. Maintain the public right-of-way in a "wet-down" condition to prevent excessive dust and promptly remove any spillage from the public right-of-way by sweeping or sprinkling.

CODE REQUIREMENTS

The following list of federal, state and local laws applicable to the project has been compiled by staff for the applicant's reference. Any reference to "City" pertains to the City of Costa Mesa.

- Plng.
1. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections, final occupancy and utility releases will not be granted until all such licenses have been obtained.
 2. All noise-generating construction activities shall be limited to 7 a.m. to 7 p.m. Monday through Friday and 9 a.m. to 6 p.m. Saturday. Noise-generating construction activities shall be prohibited on Sunday and the following Federal holidays: New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
 3. Approval of the planning application is valid for one (1) year from the effective date of this approval and will expire at the end of that period unless applicant establishes the use by one of the following actions: 1) obtains building permits for the authorized construction and initiates construction; and/or 2) obtains a business license and/or legally establishes the business. If the applicant is unable to establish the use/obtain building permits within the one-year time period, the applicant may request an extension of time. The Planning Division must receive a written request for the time extension prior to the expiration of the planning application.
 4. Permits shall be obtained for all signs according to the provisions of the Costa Mesa Sign Ordinance.
 5. Trash enclosure or other acceptable means of trash disposal shall be provided. Design of trash enclosure shall conform with City standards. Standard drawings are available from the Planning Division.
 6. Street address shall be visible from the public street and shall be displayed on the freestanding sign. If there is no freestanding sign, the street address may be displayed on the fascia adjacent to the main entrance or on another prominent location. Numerals shall be a minimum twelve (12) inches in height with not less than three-fourth-inch stroke and shall contrast sharply with the background.
 7. Parking stalls shall be double-striped in accordance with City standards.
 8. All new on-site utility services shall be installed underground.
 9. Installation of all new utility meters shall be performed in a manner so as to obscure the installation from view from any place on or off the property. The installation shall be in a manner acceptable to the public utility and shall be in the form of a vault, wall cabinet, or wall box under the direction of the Planning Division.
 10. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.
 11. Two (2) sets of detailed landscape and irrigation plans, which meet the requirements set forth in Costa Mesa Municipal Code Sections 13-101 through 13-108, shall be required as part of the project plan check review

and approval process. Plans shall be forwarded to the Planning Division for final approval prior to issuance of building permits.

12. Landscaping and irrigation shall be installed in accordance with the approved plans prior to final inspection or occupancy clearance.
13. Two (2) sets of landscape and irrigation plans, approved by the Planning Division, shall be attached to two of the final building plan sets.
- Bldg. 14. Comply with the requirements of the 2010 California Building Code, 2010 California Residential Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards Code and 2010 California Energy Code (or the applicable adopted California Building Code, California Residential Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards and California Energy Code at the time of plan submittal) and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa.
15. Submit grading plans, and an erosion control plan.
16. Submit a soils report for this project. Soils report recommendation shall be blueprinted on both the architectural and grading plans.
- Eng. 17. 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. Pay Offsite Plan Check fee per Section 13-231 of the C.C.M.C. and an approved Offsite Plan shall be required prior to Engineering Permits being issued by the City of Costa Mesa.
18. 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.
19. A Construction Access Permit and deposit of \$960 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.
20. Fulfill City of Costa Mesa Drainage Ordinance No. 06-19 requirements prior to approval of plans.
21. 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. Private lateral connections to City storm drains will require a Hold Harmless Agreement prior to issuance of permit.
22. Dedicate a 10-foot street and highway easement behind existing right of way line.
23. Submit legal description for new area of dedication, plat of new dedication area, both prepared by a registered Civil Engineer or Land Surveyor, and

updated Title Report of subject property.

24. For demolition, grading, or building permits involving projects with a valuation of \$10,000 or more, the contractor shall use a City-permitted hauler(s) to haul any debris or solid waste from the job site (refer to Section 8-83(h), Regulations, of Title 8 of the Costa Mesa Municipal Code). Use of a City-permitted hauler for such projects is the responsibility of the designated contractor. Non-compliance is subject to an administrative penalty as follows: \$1,000 or 3% of the total project value, whichever is greater.

SPECIAL DISTRICT REQUIREMENTS

The requirements of the following special districts are hereby forwarded to the applicant:

- | | | |
|-------|----|--|
| Sani | 1. | It is recommended that the developer contact the Costa Mesa Sanitary District at (949) 645-8400 to obtain Sanitary District requirements. |
| AQMD | 2. | Applicant shall contact the Air Quality Management District (800) 288-7664 for potential additional conditions of development or for additional permits required by the district. |
| State | 3. | Comply with the requirements of the California Department of Food and Agriculture (CDFA) to determine if red imported fire ants (RIFA) exist on the property prior to any soil movement or excavation. |

RESOLUTION NO. PC-12-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DENYING PLANNING APPLICATION PA-11-26 FOR A YOUTH BALL FIELD AS AN INTERIM USE (7 YEARS ONLY) WITH VARIANCES FOR FENCE HEIGHTS

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

WHEREAS, an application was filed by Bill Cope, authorized agent for Bob Klein, owner of real property located at 3370 Harbor Boulevard, for the following:

- Conditional use permit to allow a youth baseball field as an interim use (approximately 7 years), for private use only (not open to the public),
- Variance to allow a variety of fencing materials around the boundary of the property (metal fencing, chain link fencing, and safety netting) in excess of allowed fence height (6-foot maximum height allowed; 8 feet to 60 feet height proposed).

WHEREAS, a duly noticed public hearing was held by the Planning Commission on January 9, 2012:

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 **DENIES** Planning Application PA-11-26 for a youth ball field as an interim use (7 years only) with variances from fence heights, with respect to the property described above.

PASSED AND ADOPTED this 9th day of January, 2012.

Colin McCarthy, Chair
Costa Mesa Planning Commission

EXHIBIT "A"**FINDINGS**

- A. The proposed project does not comply with Costa Mesa Municipal Code Section 13-29 (e) because:
- a. The proposed use is not compatible and harmonious with uses both on site and those on surrounding properties.
 - b. The project is not consistent with the General Plan.
- B. The information presented does not comply with Costa Mesa Municipal Code Section 13-29(g)(2) because:
- a. The proposed use is not substantially compatible with developments in the same general area and would be materially detrimental to other properties within the area.
 - b. Granting the conditional use permit will be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.
 - c. Granting the conditional use permit will allow a use, density or intensity which is not in accordance with the general plan designation for the property.
- C. The information presented does not comply with Costa Mesa Municipal Code Section 13-29(g)(1) because:
- a. The strict application of development standards will not deprive such property of privileges enjoyed by others in the vicinity under identical zoning classifications.
 - b. The deviation granted does constitute a grant of special privileges inconsistent with the limitation upon other properties in the vicinity and zone in which the property is situated.
 - c. The granting of the deviation will allow a use, density, or intensity which is not in accordance with the general plan designation and any applicable specific plan for the property.
- D. The Costa Mesa Planning Commission has denied PA-11-26. Pursuant to Public Resources Code Section 21080(b)(5) and CEQA Guidelines Section 15270(a), CEQA does not apply to this project because it has been rejected and will not be carried out.



**PHOTOS OF SAFETY NETTING AT
SANTA ANA COUNTRY CLUB**



**PHOTOS OF SAFETY NETTING AT
COSTA MESA GOLF AND COUNTRY CLUB**

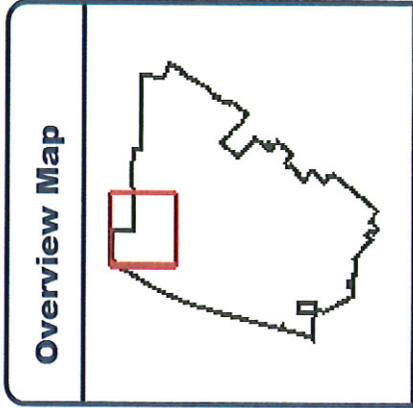


**LA TIMES FENCING
APPROX. 8' HIGH**



**WHITTIER LAW SCHOOL FENCING
APPROX. 6.5' HIGH**

ATTACHMENT 4



Legend

Address Points	Water Ways
Hydrology Channels	Ortho 2010 Level3
Street Names	Ortho 2008 Level3
Parcel Lines	Ortho 2006 Level3
	Parcels

DESIGNER

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CONSULTANT

ORANGE COUNTY
SUN DEVILS
BASEBALL

O. C. SUN DEVIL FIELD
3370 North Harbor Blvd.
Costa Mesa, CA 92627

REVISIONS

REV. NO.	DATE	DESCRIPTION
1		

SCALE: 1/16" = 1'-0"

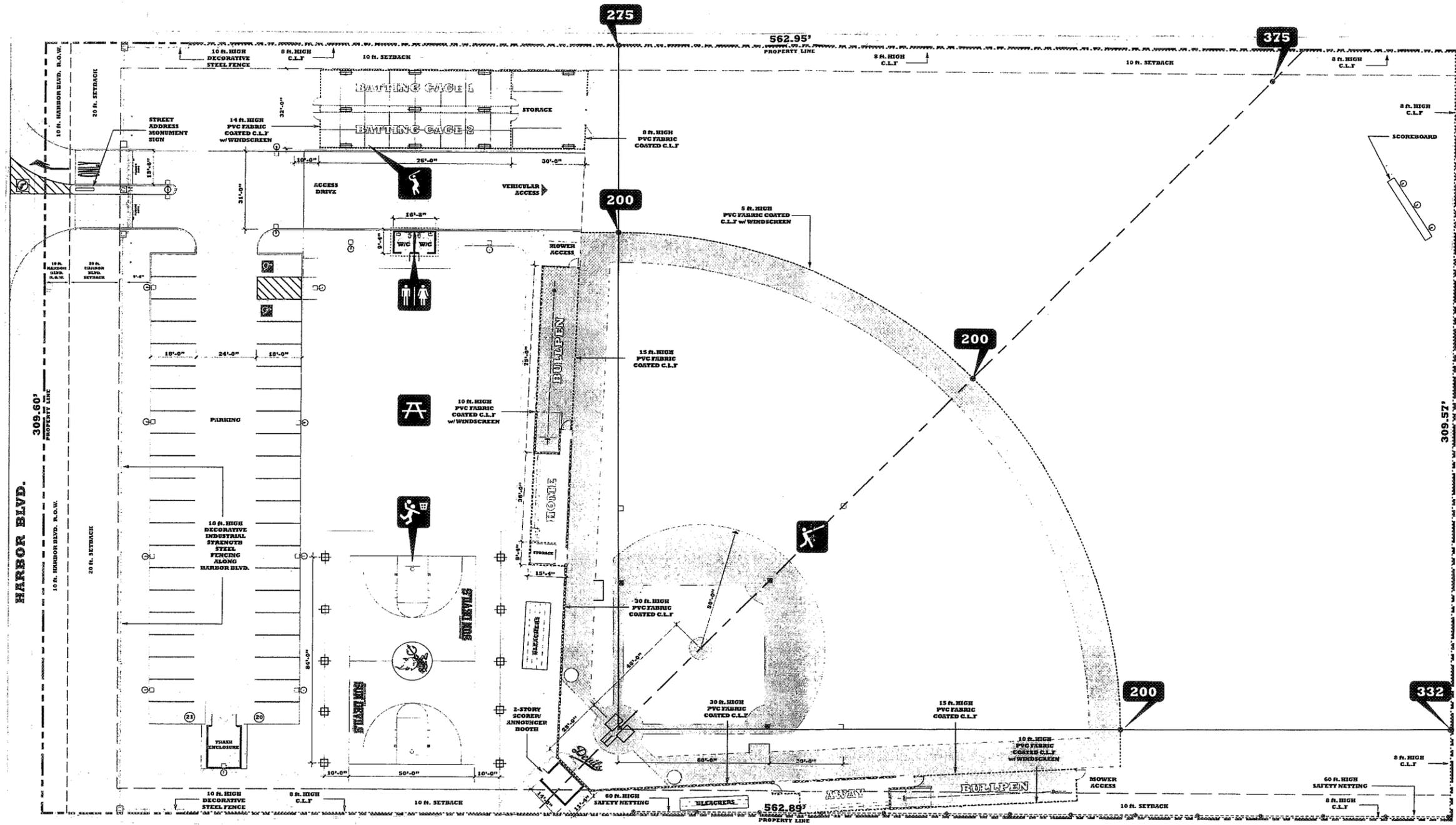
DATE
OCTOBER 24, 2011

JOB NUMBER
SBD-101

SHEET TITLE

SITE PLAN

SHEET NUMBER
A-1



LAND USE SUMMARY
SITE ACREAGE
GROSS = 3.995 AC. (1174,058 S.F.)
NET = 3.925 AC. (1170,964 S.F.)

OPEN SPACE - GROSS SITE S.F. = 89.2%
OPEN SPACE - NET SITE S.F. = 89.0%

DRIVEWAY/PARKING - GROSS SITE S.F. = 10.6%
DRIVEWAY/PARKING - NET SITE S.F. = 10.2%

PARKING SUMMARY
PARKING PROVIDED

Standard	39 Stalls
Compact	0 Stalls
Handicap	2 Stalls
Total Provided	41 Stalls

BUILDING SUMMARY

RESTROOMS

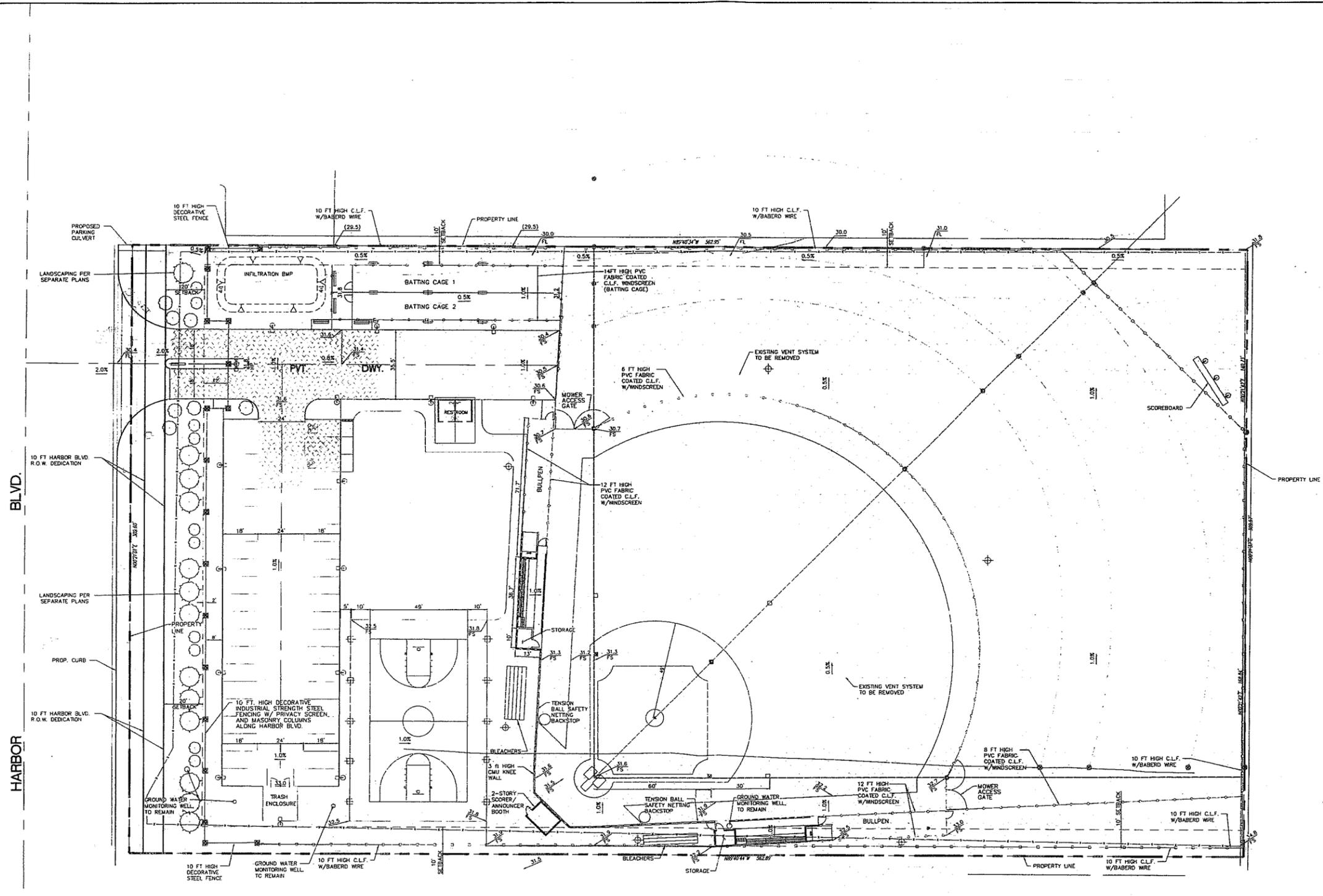
Pad S.F.	155.56 S.F.
Building S.F.	130.36 S.F.

SCORER'S BOOTH

Pad S.F.	166.22 S.F.
Building S.F.	332.66 S.F.
Total Bldg. Area	498.22 S.F.

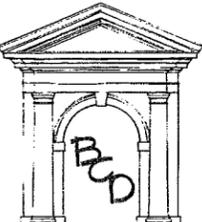
Building footprint and total square footage may vary from those depicted. In all cases actual completed and signed drawings will be consistent with the printed graphics.





- LEGEND**
- ⊕ FIELD LIGHTING
 - ⊕ SAFETY LIGHTING
 - ⊕ COURT LIGHTING
 - ▭ TURF AREA
 - ▭ CONCRETE
 - ▭ PAVERS
 - ▭ SAND

DESIGNER



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new building designs
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FAX: (714) 431-8822

2745 JOURNEY ROAD
SUITE 200
MILPITAS, CA 95135
TEL: (415) 799-2760

CM ENGINEERING • LAND PLANNING • WETLAND DESIGN • SURVEYING

ORANGE COUNTY

SUN DEVIL FIELD

O. C. SUN DEVIL FIELD
3370 North Harbor Blvd.
Costa Mesa, CA 92627

REVISIONS

REV. NO.	DATE	DESCRIPTION
1		

SCALE: 1" = 20'-0"

DATE
OCTOBER 24, 2011

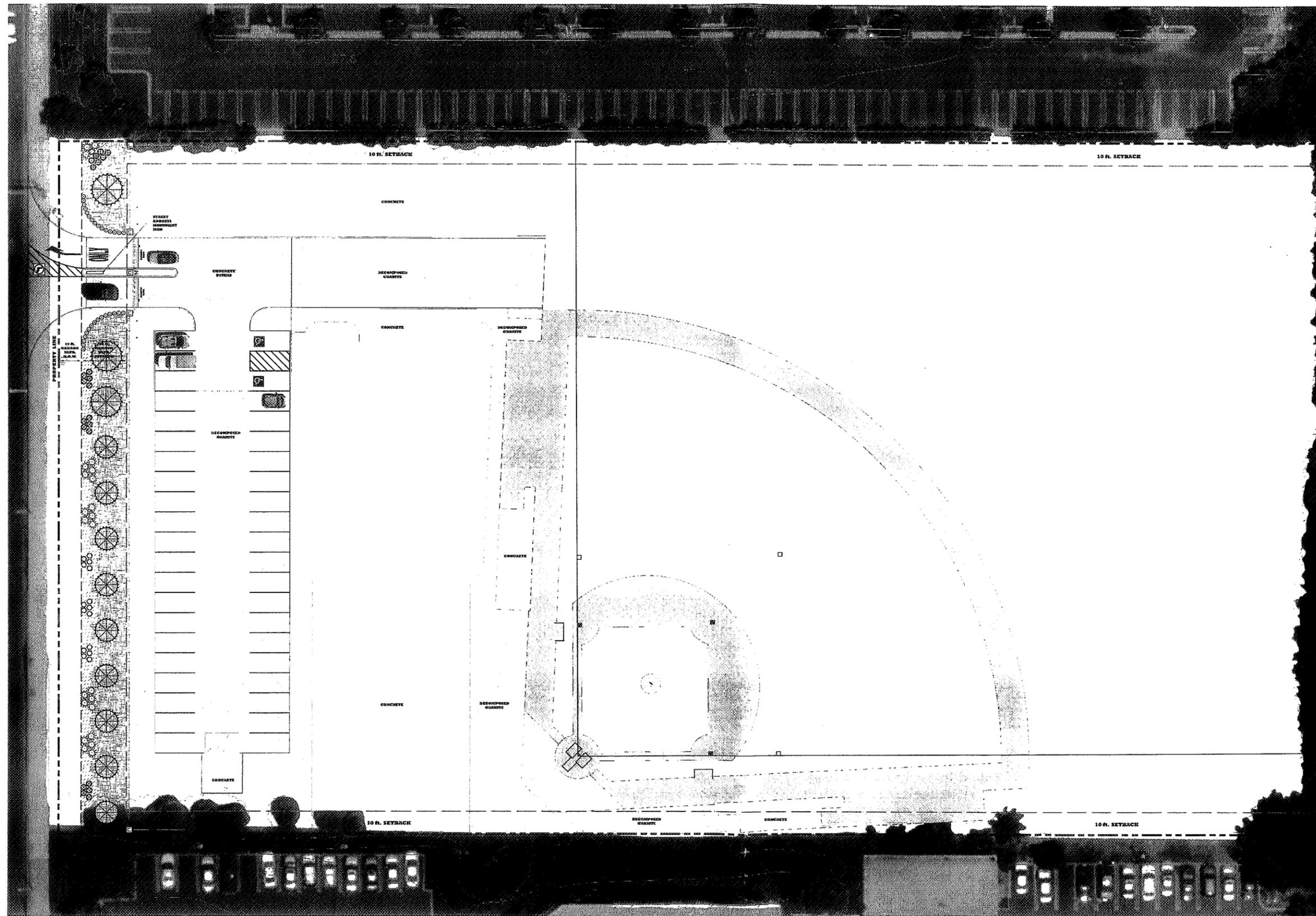
JOB NUMBER
SBD-101

SHEET TITLE

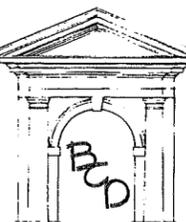
**CIVIL
SITE
PLAN**

SHEET NUMBER

EN - 1



DESIGNER



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 BY
STAVEDIS
 LANDSCAPE ARCHITECTS

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Costa Mesa, CA 92627

REVISIONS

REV. NO.	DATE	DESCRIPTION
1		

SCALE: 1/16" = 1'-0"

DATE
OCTOBER 24, 2011

JOB NUMBER
SBD-101

SHEET TITLE

SITE PLANTING PLAN

SHEET NUMBER
L-1

GROUND COVER LEGEND

BOTANICAL NAME	COMMON NAME	WATER USE	SIZE	SPACING
<i>Sesuvium hybrid</i>	California Portulaca	L	Flats	18" O.C.
<i>Rosa rugosa</i>	Rose	L	Flats	18" O.C.
<i>Hemerocallis hybrid</i>	Daylily	M	1 Gal	24" O.C.
<i>Stipa capensis</i>	Stipa	L	Hydroseed	
<i>Stipa capensis</i>	Stipa	H	Sod	

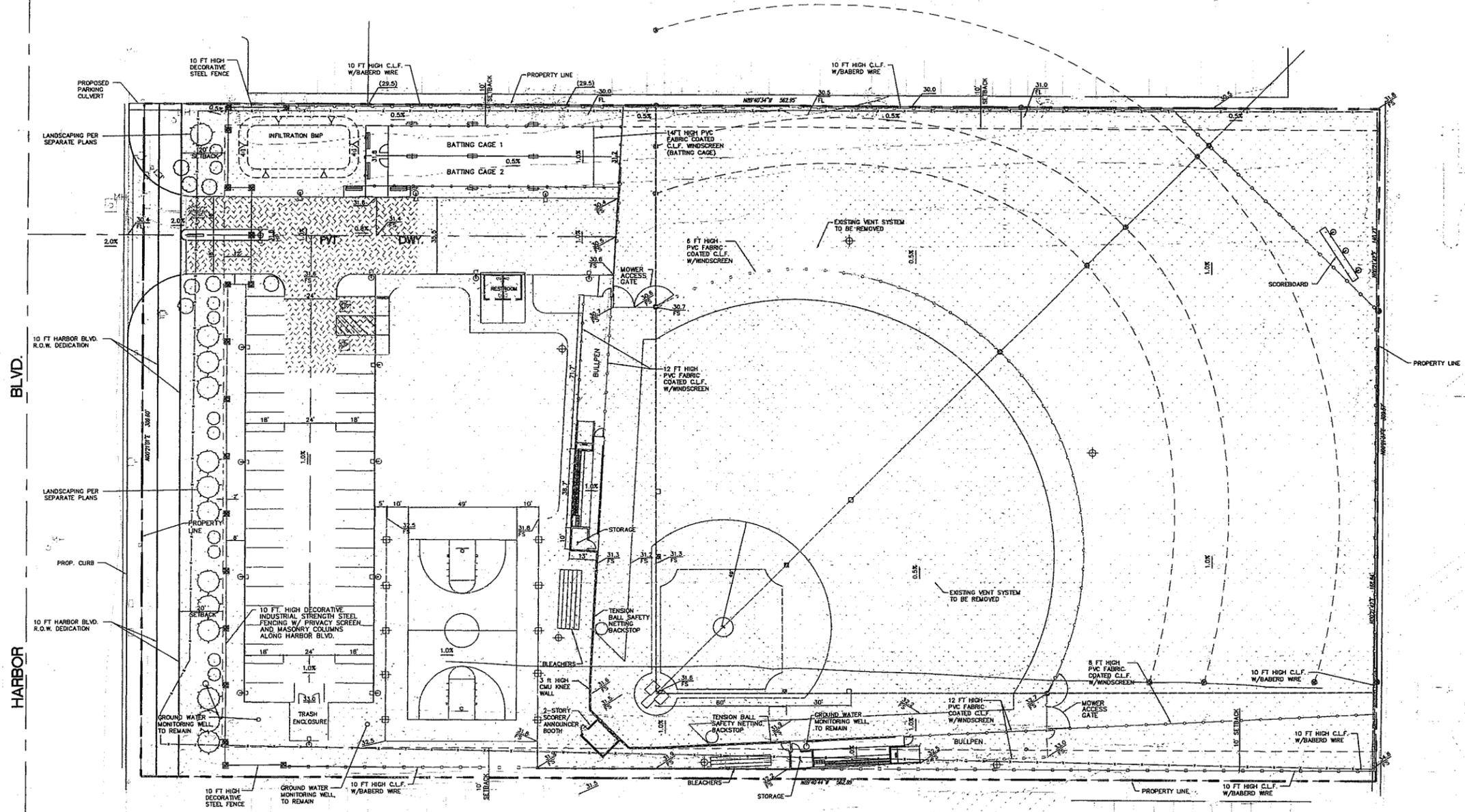
SHRUB LEGEND

BOTANICAL NAME	COMMON NAME	WATER USE	SIZE	SPACING
ACCENT PLANTING				
<i>Ficus religiosa</i>	Fountain Fig	L	5 gal	4' O.C.
<i>Persea obtusiloba</i>	Bay Leaf	L	5 gal	3' O.C.
<i>Calliandra x southland</i>	Feather Bush	L	5 gal	3' O.C.
HEDGE				
<i>Myrsine africana</i>	African Boxwood	L	5 gal	3' O.C.

TREE LEGEND

BOTANICAL NAME	COMMON NAME	WATER USE	SIZE	SPACING
<i>Schinus molle</i>	CALIFORNIA PEPPER TREE	L	15" 24" 30" 18 gal	20' O.C.





- LEGEND**
- ⊕ FIELD LIGHTING
 - ⊙ SAFETY LIGHTING
 - ⊕ COURT LIGHTING
 - ▭ TURF AREA
 - ▭ CONCRETE
 - ▭ PAVERS
 - ▭ SAND

DATE	PLN/AC
#	DATE

PREPARED FOR:
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 NEWPORT BEACH, CA. 92660

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 FALLBROOK, CA 92608
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 SALES: 200 JOURNEY ROAD
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ALLIANCE
 LAND PLANNING & DESIGN INC.

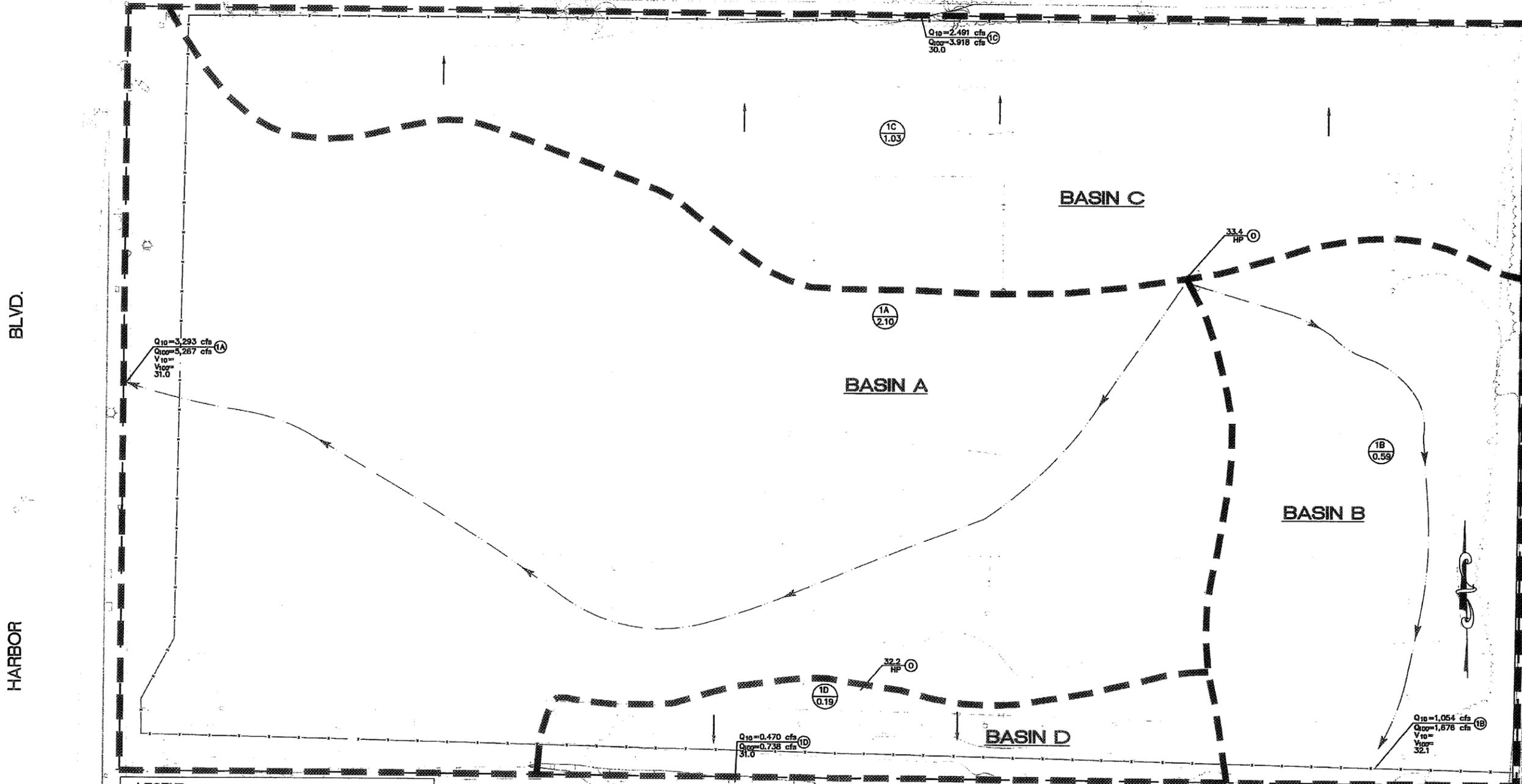
CH. DESIGNERS • LAND PLANNERS • INTERIOR DESIGN • SITEWORK

BILL COPE DESIGN
 20142 BAYVIEW AVENUE
 NEWPORT BEACH, CA. 92660
 (949) 914-4066 • (949) 553-0486

SHEET CONTENTS:

SHEET NO.
 1

ORANGE COUNTY SUN DEVILS FIELD
 COSTA MESA CA.
 EXISTING CONDITION HYDROLOGY PLAN



LEGEND

	TRACT BOUNDARY
	PRIMARY BASIN LIMITS
T_c	TIME OF CONCENTRATION (MIN.)
Q_{10}	10 YR. FREQUENCY FLOWRATE
Q_{100}	100 YR. FREQUENCY FLOWRATE
A_d	SUMMATION OF AREA IN ACRES
Q_e	SUMMATION OF FLOW IN CUBIC FEET PER SEC.
A_d	DEVELOPED AREA
A_e	PERMEABLE AREA
A_d	DRAINAGE AREA DESIGNATION
A_d	DRAINAGE AREA IN ACRES
	STORM DRAIN LINE
	FLOW DIRECTION
	SHEET FLOW

UNIT HYDROGRAPH ROUTING
 NOTE: DATA PROVIDED USING BASIN A INFORMATION
 $A_1 = 3.91 \text{ AC}$ $TC_{100} = 17.314$
 $TC_{50} = TC_{100} \times 0.80 = 13.85 \text{ MIN.}$
 $V_{10} = 0.4999 \text{ AC-FT}$
 $V_{100} = 0.9469 \text{ AC-FT}$

ALLIANCE
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 2248 FARADAY AVE.
 CARLSBAD, CA 92008
 TEL: (760) 431-8886
 FAX: (760) 431-8882

PLANS PREPARED BY:
 ALLIANCE LAND PLANNING & ENGINEERING INC.
 2248 FARADAY AVE. CARLSBAD, CA. 92008
 (760) 431-9896
 PLANS PREPARED UNDER THE DIRECTION OF:

 JASON F. VROOM R.C.E. 61297
 DATE: 10/24/11



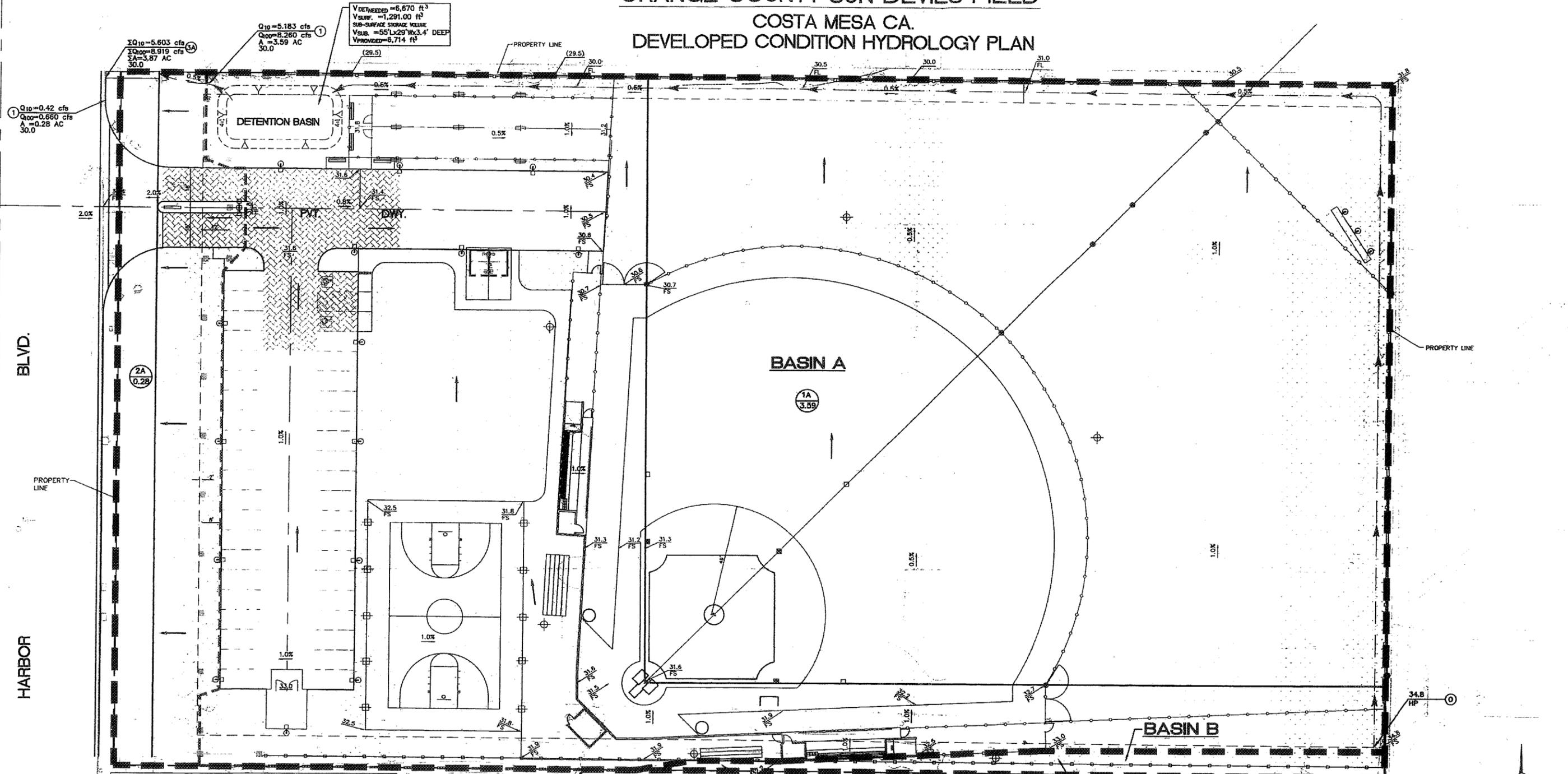
NO.	DATE	REVISIONS	BY	APPD.

OC SUN DEVILS
 COSTA MESA CA.
 EXISTING CONDITION HYDROLOGY
 3350 NORTH HARBOR BLVD. COSTA MESA, CA. 92627

ORANGE COUNTY SUN DEVILS FIELD

COSTA MESA CA.

DEVELOPED CONDITION HYDROLOGY PLAN



LEGEND

	TRACT BOUNDARY
	PRIMARY BASIN LIMITS
	SUB-AREA BASIN LIMITS
T_c	TIME OF CONCENTRATION (MIN.)
Q_{10}	10 YR. FREQUENCY FLOWRATE
Q_{100}	100 YR. FREQUENCY FLOWRATE
A_D	SUMMATION OF AREA IN ACRES
Q_c	SUMMATION OF FLOW IN CUBIC FEET PER SEC.
	DRAINAGE AREA DESIGNATION
	DRAINAGE AREA IN ACRES
	STORM DRAIN LINE
	FLOW DIRECTION
	SHEET FLOW

UNIT HYDROGRAPH ROUTING:
 NOTE: DATA PROVIDED USING BASIN A INFORMATION
 $A_T = 3.91$ AC $TC_{100} = 20.342$ MIN.
 $TC_{24} = TC_{100} \times 0.80 = 16.27$ MIN.
 $V_{10} = 0.6530$ AC-FT
 $V_{100} = 1.5166$ AC-FT
 FOR DETENTION BASIN PURPOSES THE V_{10} WILL BE DETAINED
 $V_{10EV} = 0.4999$ AC-FT
 $V_{100EV} = 0.6530$ AC-FT
 $V_{DET} = 0.1551$ AC-FT = 6,670 FT³

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PLANS PREPARED BY:
 ALLIANCE LAND PLANNING & ENGINEERING INC.
 2248 FARADAY AVE. CARLSBAD, CA. 92008
 (760) 431-9896
 PLANS PREPARED UNDER THE DIRECTION OF:
 MASON F. VROOM R.C.E. 61297 10/24/11 DATE



NO.	DATE	REVISIONS	BY	APPR.

OC SUN DEVILS
 COSTA MESA CA.
 DEVELOPED CONDITION HYDROLOGY
 3850 NORTH HARBOR BLVD. COSTA MESA, CA. 92627