PLANNING COMMISSION AGENDA REPORT

MEETING DATE: AUGUST 25, 2014 **ITEM NUMBER:** PH-2

SUBJECT: **PLANNING APPLICATION PA-14-18 AND TENTATIVE TRACT MAP NO. 17647 FOR AN 11-UNIT RESIDENTIAL DEVELOPMENT AT 1631 AND 1645 TUSTIN AVENUE**

DATE: **AUGUST 8, 2014**

FROM: **PLANNING DIVISION/DEVELOPMENT SERVICES DEPARTMENT**

PRESENTATION BY: **MINOO ASHABI, PRINCIPAL PLANNER**

FOR FURTHER INFORMATION CONTACT: **MINOO ASHABI (714) 754-5610**
Minoo.ashabi@costamesaca.gov

DESCRIPTION

The proposed project is a request to construct an 11-unit detached residential development on a 0.92-acre site located at the south corner of Tustin Avenue and Ogle Street. The project site is zoned R2-MD (Multiple Family) and the request includes the following:

1) Design Review to construct an 11-unit, two-story detached, small lot single-family residential development on a 0.92-acre parcel, including an administrative Adjustment to reduce the front setback requirement for main buildings (20 feet required, 12'-0" proposed); and,

2) Tentative Tract Map for the subdivision of the property for an 11-lot fee simple subdivision in accordance with the small lot subdivision standards.

APPLICANT

The applicant is Melia Homes on behalf of property owner CM Tustin M 2012, LLC.

RECOMMENDATION

Staff recommends that the Planning Commission:

1. Find that the project is exempt from further CEQA review per section 15332 – Infill Development; and
2. Approve the project by adoption of the attached resolution approving Planning Application PA-14-18 and Tentative Tract Map 17647 to allow development of an 11-unit detached residential development with an administrative adjustment from front setback requirements.

PLANNING APPLICATION SUMMARY

Location: 1631 and 1645 Tustin Avenue
APN 425-192-10

Application Number: PA-14-18, TT-17647

Request: Design Review of an 11-unit residential development with small lot subdivision.

SUBJECT PROPERTY:

Zone: R2-MD
General Plan: MDR
Lot Dimensions: 200' x 200'
Lot Area: 40,000 SF (0.92-acre)
Existing Development: One parcel developed with 14 apartment units

SURROUNDING PROPERTY:

North: Multi-Family Residential
South: Multi-Family Residential
East: Multi-Family Residential
West: Single-Family Residential

DEVELOPMENT STANDARD COMPARISON

R2-MD	Required/Allowed	Proposed/Provided
Lot Area	12,000 SF	40,000 SF (0.92-acre)
Maximum Density:	12 units per acre	12 units per acre
Lot Coverage	28,000 (70%)	26,078 SF (65%)
Open Space	12,000 (30%)	13,922 (34%)
Private Open Space	200 SF	310 and 215 SF
Height	Two Stories / 27 FT	26'-9" FT
Setbacks:		
Front (Ogle Street)	20 FT	12'-0" *
Side (Tustin Avenue)	10 FT	10 FT
Rear	10 FT	10 FT
Landscape Setback	5 FT	5 FT
Distance between Buildings	N/A	6 FT
% of 2nd floor to 1st floor	100 %	94% and 99%
Parking	Two garage space and two open spaces per unit One open parking for up to units with no open parking	Two garage space and two open spaces per unit and one additional parking
Total	45 spaces	45 spaces
Min. Driveway Width:	25 feet	23 feet allowed with 18-foot wide drives

Final Action	Planning Commission
CEQA Review	Exempt, Class 32, Infill Development Projects

BACKGROUND

Project Site/Environs

The 0.92-acre project site consists of one parcel and is currently developed with fourteen single story apartments. The site is a square-shaped parcel located at the southwest corner of Tustin Avenue and Ogle Street. The property is zoned R2-MD and in the Medium Density Residential (MDR) land use designation and currently developed with 14 attached single-story apartment units. The site abuts medium density residential uses to the north and south and west. There are single family residences to the east of Tustin Avenue.

ANALYSIS

Project Description

The applicant is proposing to construct an 11-unit residential development and subdivide the property in compliance with the small lot subdivision ordinance. With the R2-MD zone, the property has a maximum development potential of 11 units (12 dwelling units per acre).

Site Layout

The site is a square shaped parcel; however, since the layout is oriented toward Ogle Street, that street frontage is considered the front yard and Tustin Avenue is considered the project's side yard. The site layout consists of six units facing the main drive from Ogle Street and five units along the north taking vehicular access from the private T-shaped drive. Units on the north are separated from the adjacent parcel by a 10-foot setback that also provides a pedestrian access to the units. The perimeter wall includes an opening on Tustin Avenue that connects the site to that street for pedestrian access.

The zoning Code requires a minimum 20-foot building setback on the front. The applicant is requesting an administrative adjustment from the R2-MD zoning requirements to reduce the setback along Tustin Avenue to 12 feet. The rear wall of the units along Ogle Street are more than 12 feet from the side property line and the unit at the southwest corner of the site is situated 10 feet from the side property line.

Parking / Access

A minimum of forty five parking spaces are required at a rate of four spaces per unit for the proposed three and four bedroom units, plus one additional guest parking space. Each unit is provided with a two-car garage and the overall site provides 23 open parking spaces, twelve in front of garages for Plan 1 units, five on the side of the garage for Plan 2 units and six parallel parking spaces. The small lot subdivision ordinance requires an additional parking spaces for subdivisions of five to ten units when parking spaces are provided in front of garages. Six of the units include parking in front of the garage; therefore, one additional parking space was required. Plan 2 units include a side yard easement to allow for easier use of the garage adjacent parking space.

Given the corner location of the site and the 200-foot dimension of the width and depth, on-site emergency access is not required and turnaround is not provided. The applicant has obtained approval from Costa Mesa Sanitation District for trash service (Attachment 4).

Setbacks

The small lot subdivision ordinance requires a 20-foot front yard setback on Ogle Street and a standard minimum 10-foot setback on the interior side, rear, and for the side yard along Tustin Avenue. All setbacks are met with the exception of the front setback, which is proposed at 12 feet. The applicant is proposing architectural enhancement for the two homes facing Ogle Street and the project is conditioned to provide additional landscaping and larger trees to improve that frontage within the proposed 12-feet setback.

Open Space

The small lot subdivision ordinance requires a minimum of 30 percent open space. The project will provide 13,922 square feet (34.8%) of open space. Each unit is provided with a private yard either at the rear or side of the unit. In addition, adequate open space is provided between units to allow for privacy fencing and side yards (no minimum distance is required between units per small lot subdivision ordinance).

Floor Plans

Two different plans are proposed; Plans 1 and 2 include 2,074 and 2,121 square feet of living space respectively. Both plans include an attached two-car garage and are separated by 6 feet; each unit contains a small private yard in front or at the rear. The proposed two-story units meet the recommendations of the Residential Design Guidelines with respect to massing, articulation and second floor to first floor ratio (100% allowed, 99% proposed).

Elevations

Although the structures are similar in footprint and first and second floor ratio, the proposed elevations include a variety of materials, finishes and colors and articulation on four sides. The two-story structures are designed with standing seam metal roofs with exposed rafters, horizontal siding, brick and stone veneer and four different elevations. The proposed changes in materials, and modulated facades serve to break up the elevations both horizontally and vertically.

Tentative Tract Map

The tentative tract map for fee simple subdivision would allow the individual sale of each parcel as anticipated by the small lot subdivision ordinance. The map complies with City Code and the State Subdivision Map Act. The individual lot sizes vary from 3,038 square foot to 4,346 square foot; however, the parcels include common access areas and parking. All common areas including the driveway and parking spaces will be commonly used and maintained by a maintenance or homeowners association.

GENERAL PLAN CONFORMANCE

Subject to conditions, the design and density of the proposed project are in conformance with the General Plan. The proposed development is comprised of 11 fee-simple lots with detached residential units at a density of 12 dwelling units per acre, consistent with the R2-MD zone.

The specific General Plan objectives with which the proposed project complies are as follows:

- *Land Use Objective LU-1A.4*: Strongly encourage the development of low-density residential uses and owner-occupied housing where feasible to improve the balance between rental and ownership housing opportunities.
- *Land Use Objective LU-2A.8:* Encourage increased private market investment in declining or deteriorating neighborhoods.

The project would replace a rental apartment complex, with detached ownership units that would enhance the appearance and value of the site and its surroundings. The project provides new housing opportunities at a level no greater than can be supported by the existing infrastructure. In addition, the proposal will provide on-site parking space that comply with current parking standards, in place of an existing apartments with approximately half of the parking spaces.

The design of the units meets the intent of the City's Residential Development Standards and Design Guidelines. Off-set forms provide a visual transition between the two levels and create both horizontal and vertical relief to the wall planes. The elevations include articulations, projections, and varied building materials.

The proposed project cans be supported based on the following:

Reduced Front Setback. With conditions of approval for installation of additional landscape screening and larger size trees, the reduced side yard setback would not adversely affect the neighboring properties. In addition, the massing and architectural design of the buildings will enhance the interface with the southerly properties as noted below.

Bulk/Massing. The overall architectural design promotes excellence and compatibility with the surrounding neighborhood. The two-story structures are modern in design with contemporary accents and finishes and meet the recommendation of the 100% ratio of second-floor to first-floor, recommended in the City's Residential Design Guidelines. The elevations incorporate modulated floor plans with horizontal and vertical articulation and changes of building materials. The structures are contemporary in design, incorporate various building materials, and include offsets to provide visual interest and divide the elevation mass.

The proposed Tentative Tract Map is consistent with subdivision requirements and the small lot subdivision ordinance. The proposed property is physically suitable to accommodate the proposed subdivision. Engineering staff has confirmed that there are

no interferences with the City's or other utility agencies' right-of-way areas and/or easements within the tract.

ENVIRONMENTAL DETERMINATION

The project is Categorically Exempt under California Environmental Quality Act Guidelines Section 15332 for In-fill Development Projects. The project is consistent with the General Plan designation and with all applicable General Plan policies as well as the zoning designation. The project is proposed at a density of 12 dwelling units per acre consistent with the medium density requirements. The site is surrounded by multiple-family residential uses and has no value as habitat for endangered, rare or threatened species. The project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

CONCLUSION

Approval of the project will allow development of an 11-unit detached fee-simple development. The project satisfies the required findings for the requested deviations and is deemed to be a high-quality development, therefore it is consistent with the intent of the General Plan and Zoning Code.

ALTERNATIVES

The Planning Commission has the following alternatives:

1. Continue the project to a later Planning Commission meeting to allow time for further analysis or project alternatives.
2. Direct staff to prepare a resolution for denial of the project.

MINOO ASHABI
Principal Planner

JERRY GUARRACINO
Interim Assistant Director of Development Services

Attachments:
1. Draft Planning Commission Resolution and Exhibits
2. Vicinity Map
3. Zoning Map
4. Project Plans/Elevations/Tentative Tract Map 17647

Distribution:
Director of Economic & Development Services/Deputy CEO
Senior Deputy City Attorney
Public Services Director
City Engineer
Transportation Services Manager
Fire Protection Analyst
Staff (6)
File (2)

Chad Brown
Melia Homes
8951 Research Drive
Irvine, CA 92618

RESOLUTION NO. PC-14-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-14-18 AND TENTATIVE TRACT MAP 17647 LOCATED AT 1631-1645 TUSTIN AVENUE

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

WHEREAS, an application was filed by Chad Brown of Melia Homes on behalf of property owner CM Tustin M 2012, LLC., as the authorized agent on behalf of the property owner, requesting approval of the following:

1) ***Planning Application PA-14-18*** – Design Review to construct an 11-unit detached residential development, including an administrative adjustment to reduce the front yard setback to 12'-0" along Ogle Street (20 feet required).

2) ***Tentative Parcel Map No. 17647*** to subdivide a 0.92-acre parcel for an 11-unit fee simple subdivision in accordance with the small lot subdivision standards.

WHEREAS, a duly noticed public hearing held by the Planning Commission on August 25, 2014 with all persons having the opportunity to speak for and against the proposal;

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A," and subject to the conditions of approval contained within Exhibit "B," the Planning Commission hereby **APPROVES** Planning Application PA-14-18 and Tentative Tract Map 17647.

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-14-18 and Tentative Tract Map 17647 and upon applicant's compliance with each and all of the conditions in Exhibit "B", and 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 25th day of August, 2014.

_____

Jim Fitzpatrick, Chair
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 25, 2014 by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

_____
Secretary, Costa Mesa
Planning Commission

EXHIBIT "A"

FINDINGS

A The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(14) in that:

Required Finding: 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.

Response: The 11-unit project includes an administrative adjustment from the Zoning Code minimum required front setback requirement. The design of the units meets the intent of the City's Residential Development Standards and Design Guidelines and promotes design excellence with consideration given to site planning and building orientation, overall open space, landscaping and architectural design. The project incorporates varied building materials on the building elevations which include a both horizontal and vertical modulation. Off-set forms provide horizontal and vertical relief to the wall planes. The elevations include articulations, projections, and varied building materials. Sufficient landscaping and open space is provided for each individual lot per the Zoning Code requirements.

Required Finding: The visual prominence associated with the construction of two-story homes in a predominately one-story neighborhood has been reduced through appropriate transitions between the first and second floors and the provision of second floor offsets to avoid long unarticulated two-story walls.

Response: The proposed two-story structures are in keeping with the rest of the neighborhood which is developed with single and two-story buildings. The elevations of the proposed residences include a variety of materials to highlight the vertical offsets and horizontal floor to floor transitions.

Required Finding: 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.

Response: The proposed project provides ownership opportunities for detached units in place of an existing attached multiple family project. The project exhibits site planning excellence with providing private open spaces for all units and adequate separation between the homes and with the abutting structures.

B. The proposed tentative tract map complies with Costa Mesa Municipal Code Section 13-29(g)(13) because:

Required Finding: The creation of the subdivision and related improvements is consistent with the General Plan and the Zoning Code.

Response: The creation of the subdivision is consistent with General Plan Land Use Element in that the project complies with Objectives 1A.4, 2A.7, and 2A.8 by developing owner-occupied housing to improve the balance between rental and ownership housing opportunities, the project provides sufficient easements as a condominium developments, and encourages increased private market investment in declining or deteriorating neighborhoods.

Required Finding: The proposed use of the subdivision is compatible with the General Plan.

Response: The project density is 12 units per acre, lower than the current development and consistent with the Objectives of the General Plan and the site's Medium Density Residential land use designation that allows up to 12 units per acre.

Required Finding: The subject property is physically suitable to accommodate the subdivision 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 Zoning Code and General Plan, and consideration of appropriate environmental information.

Response: The proposed project is exempt from the provisions of the California Environmental Quality Act under Section 15332, for In-fill Development Projects.

Required Finding: 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 State Government Code Section 66473.1.

Response: The proposed buildings include openings in an east-west direction to take advantage of passive solar heating as well as passive ventilation from ocean breezes. The inclusion of a combination of medium and large size trees will also help provide shade to the residences.

Required Finding: 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.

Response: As conditioned, the proposed project does not interfere with the public right of way.

Required Finding: 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).

Response: The applicant will be required to comply with all regulations set forth by the Costa Mesa Sanitation District as well as the Mesa Water District.

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

Required Finding: 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:

Response: The project site has an equal frontage on Tustin Avenue and Ogle Street. The Tustin Avenue frontage provides a larger setback (15 feet); however, because of the site's orientation on Ogle Street, that frontage was considered the front and subject to minimum 20-foot requirement. The proposed setback provides for adequate space to install trees and landscaping and the added articulation on the two front facing units enhances the project's view from Ogle Street.

Required Finding: 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 limitations upon other properties in the vicinity and zone in which the property is situated.

Response: The project is conditioned to provide additional trees and a decorative walls that will complement the Ogle Street frontage.

Required Finding: 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.

Response: The General Plan Land Use designation allows residential development of up to 12 du/acre on this site. The proposed project is 12 du/acre.

D. The project is exempt from the provisions of the California Environmental Quality Act under Section 15332 for In-fill Development Projects.

The project is Categorically Exempt under California Environmental Quality Act Guidelines Section 15332 for In-fill Development Projects. The project is consistent with the General Plan designation and with all applicable General Plan policies as well as the zoning designation. The project is proposed at a density of 11 dwelling units per acre consistent with the medium density requirements. The site is

surrounded by multiple-family residential uses and has no value as habitat for endangered, rare or threatened species. The project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

E. 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 expiration of Planning Application PA-14-18 shall coincide with the expiration of the approval of the Tentative Tract Map 17647 which is valid for two years. An extension request is needed to extend the expiration for each additional year after the initial two-year period.
2. The conditions of approval for PA-14-18 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
3. The Tentative Tract Map shall be processed as a small lot subdivision consistent with Section 13-42.3 of the Zoning Code.
4. A decorative six-foot high perimeter block wall shall be constructed around the perimeter of the site prior to issuance of certificates of occupancy unless otherwise approved by the Development Services Director. Where walls on adjacent properties already exist, the applicant shall work with the adjacent property owner(s) to prevent side-by-side walls with gaps in between them and/or provide adequate privacy screening by trees and landscaping.
5. The interior fences or walls between the homes shall be a minimum of six feet in height.
6. The open, unassigned parking spaces shall be clearly marked as guest parking spaces. Signage will be posted to indicate that these spaces are available to all visitors.
7. Prior to issuance of building permits, a final landscape plan indicating the landscape palette and the design/material of paved areas shall be submitted for review and approval by the Planning Division.
8. The 12-foot setback along Ogle Street is applicable to first and second floor. Architectural features can encroach into this setback by a maximum of 24 inches.
9. The applicant shall plant a minimum of five, 24-inch box, Pyrus Calleryana "Redsprire" trees along Tustin Avenue frontage and two 24-inch box Pyrus Chanticleer on Ogle Street.
10. The landscape plans shall incorporate privacy walls along Tustin Avenue frontage complementary to the architectural design of the buildings. The landscape plans shall include a minimum of six 36-inch box trees along Ogle Street frontage.
11. Landscaping and irrigation shall be installed in accordance with the approved plans prior to final inspection or occupancy clearance.
12. No modification(s) of the approved building elevations including, but not limited to, change of architectural type, 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.

13. 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 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.

14. 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.

15. 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.

16. To avoid an alley-like appearance, the private street shall not be developed with a center concrete swale. The private street shall be complemented by stamped concrete or pervious pavers.

17. Prior to issuance of building permits, the applicant shall provide the Conditions, Covenants, and Restrictions (CC&Rs) to the Development Services Director and City Attorney's office for review. The CC&Rs must be in a form and substance acceptable to, and shall be approved by the Development Services Director and City Attorney's office.

    A. The CC&Rs shall contain provisions requiring that the maintenance or homeowner's association effectively manage parking and contract with a towing service to enforce the parking regulations.

    B. The CC&Rs shall also contain provisions related to night-time lighting and active use of the common areas (if applicable). These provisions shall

prohibit amplified noise, loud parties/gatherings, night-time lighting other than for security purposes, or any other activities that may be disruptive to the quiet enjoyment of neighboring properties after sunset.

C. The CC&Rs shall also contain provisions related to use, preservation and maintenance of the common drive aisle and open space areas in perpetuity by the maintenance or homeowner's association.

D. The CC&Rs shall contain restrictions requiring residents to park vehicles in garage spaces provide for each unit. Storage of other items may occur only to the extent that vehicles may still be parked within the require garage at the number for which the garage was originally designed; and to allow for inspections by the association to verify compliance with this condition.

E. 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.

F. The CC&Rs shall contain a notice that all open parking spaces shall be unassigned and available for visitors.

18. The CC&Rs shall be recorded prior to issuance of certificates of occupancy.

19. Prior to issuance of building permits, the applicant shall provide proof of recordation of Tract Map 17647.

20. 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 from view, under direction of Planning staff. Any deviation from this requirement shall be subject to review and approval of the Development Services Director.

21. Prior to release of any utilities, the applicant shall provide proof of establishment of a maintenance or homeowners association.

22. The applicant shall defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers and employees from any claim, action, or proceeding (collectively referred to as "proceeding") brought against the City, its elected and appointed officials, agents, officers or employees arising out of, or which are in any way related to, the applicant's project, or any approvals granted by City related to the applicant's project. The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, the City and/or the parties initiating or bringing such proceeding. This indemnity provision shall include the applicant's obligation to indemnify the City for all the City's costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth in this section. City shall have the right to choose its own legal counsel to represent the City's interests, and applicant shall indemnify City for all such costs incurred by City.

23. If any section, division, sentence, clause, phrase or portion of this resolution is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.

Bldg. 24. The applicant shall submit a precise grading plans, an erosion control plan and a hydrology study.

25. The applicant shall submit a soils report for this project. Soil's Report recommendations shall be blueprinted on both the architectural and the precise grading plans. Soils report shall address how the new slop shall be maintained to avoid any future failure.

26. On graded sites the top of exterior foundation shall extend above the elevation of the street gutter at point of discharge or the inlet of an approved discharge devise a minimum of 12 inches plus 2 percent. 2013 California Building Code CRC 403.1.7.3

    Lots shall be graded to drain surface water away from foundation walls. The grade shall fall a minimum of 6 inches within the first 10 feet. CRC R401.3.

27. Projections, including eaves, shall be one-hour fire resistive construction, heavy timber or of noncombustible material if they project into the 5 ft (setback area from the property line. They may project a maximum of 12 inches beyond the 3 ft setback. CRC Tables R302.1(1) and R302.1(2).

Utilities 28. Prior to the issuance of a connection permit, the applicant shall pay the applicable water connection fees.

CODE REQUIREMENTS (PA-14-18, TTM 17647)

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. 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.
3. Prior to issuance of building permits, applicant shall contact the US Postal Service with regard to location and design of mail delivery facilities. Such facilities shall be shown on the site plan, landscape plan, and/or floor plan.
4. 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 and the City's Water Efficient Landscape Guidelines, 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.
5. Two (2) sets of landscape and irrigation plans, approved by the Planning Division, shall be attached to two of the final building plan sets.
6. All on-site utility services shall be installed underground.
7. Installation of all 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.
8. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.

Bldg.

9. Comply with the requirements of the 2013 California Building Code, 2013 California Residential Code, 2013 California Electrical Code, 2013 California Mechanical Code, 2013 California Plumbing Code, 2013 California Green Building Standards Code and 2013 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 or permit issuance) and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa. Areas of alteration and additions shall comply with 2013

California Green Building Standards Code section 5.303.2 and 5.303.2

10. The applicant shall submit grading plans, an erosion control plan and a hydrology study. A precise grading plan shall not be required if any of the following are met:

    1- An excavation which does not exceed 50 CY on any one site and which is less than two feet in vertical depth, or which does not create a cut slope greater than 1 ½:1 (excluding foundation area).

    2- A fill less than one foot in depth placed on natural grade with a slope flatter than 5:1, which does not exceed 50 CY on any one lot and does not obstruct a drainage course.

    3- A fill less than three feet in depth, not intended to support structures, which does not exceed 50 CY on any one lot and does not obstruct a drainage course.

Eng. 11. Comply with the requirements contained in the letter prepared by the City Engineer under separate cover.

Fire 12. Prior to the issuance of a Building Permit, the City of Costa Mesa Fire Department shall review and approve the project design features to assess compliance with the California Building Code and California Fire Code. Fire staff shall examine the projected demands of the proposed Project and make recommendations to ensure that adequate personnel/resources will be available to meet projected demand. Recommendations of the study shall be implemented to the satisfaction of the Fire Department to ensure that emergency response impacts are minimized to below a level of significance.

Sani. 13. The applicant shall submit a trash pick-up route subject to review and approval of the Costa Mesa Sanitation District (CMSD). The route shall facilitate cart pick-up on the right hand side of the truck. The bins shall be placed side-by-side approximately 1 foot apart and at least 3 feet from any obstruction. If we CMSD cannot safely service this property, dumpster service shall be required.

14. The applicant shall submit plans for review and approval by the Mesa Water District.

SPECIAL DISTRICT REQUIREMENTS (PA-14-18, TTM 17647)

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

Sani. 1. Applicant will be required to construct sewers to serve this project, at his own expense, meeting the approval of the Costa Mesa Sanitary District.

2. County Sanitation District fees, fixture fees, inspection fees, and sewer permit are required prior to installation of sewer. To receive credit for buildings to be demolished, call (714) 754-5307.

3. Applicant shall submit a plan showing sewer improvements that meets the District Engineer's approval to the Building Division as part of the plans submitted for plan check.

4. The applicant is required to contact the Costa Mesa Sanitary District at (714) 754-5307 to arrange final sign-off prior to certificate of occupancy being released.

5. Unless an off-site trash hauler is being used, applicant shall contact the Costa Mesa Sanitary District at (714) 754-5043 to pay trash collection program fees and arrange for service for all new residences. Residences using bin or dumpster services are exempt from this requirement.

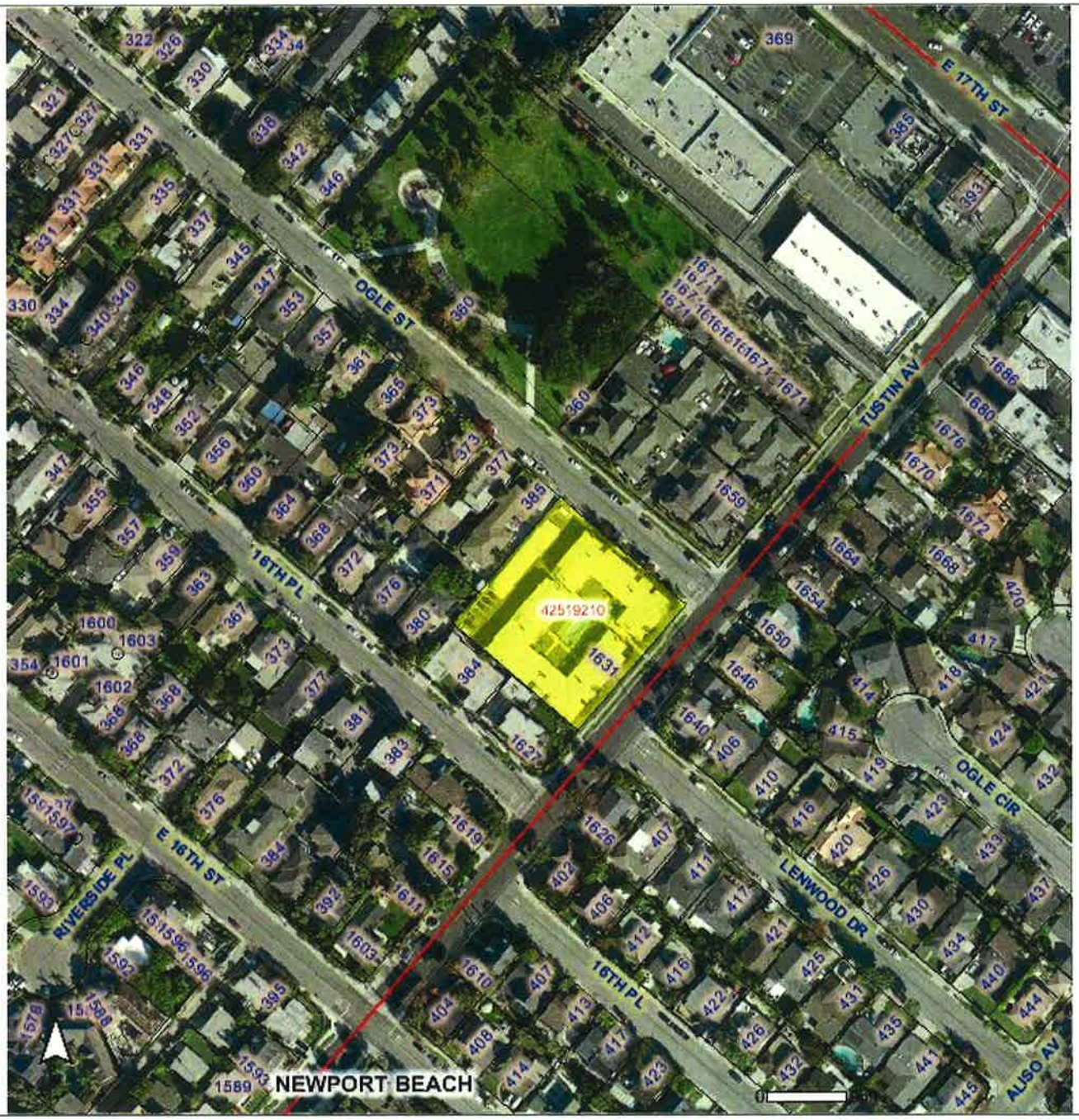
6. Applicant shall contact Costa Mesa Sanitary District at (949) 654-8400 for any additional district requirements.

AQMD 7. Applicant shall contact the Air Quality Management District (AQMD) at (800) 288-7664 for potential additional conditions of development or for additional permits required by AQMD.

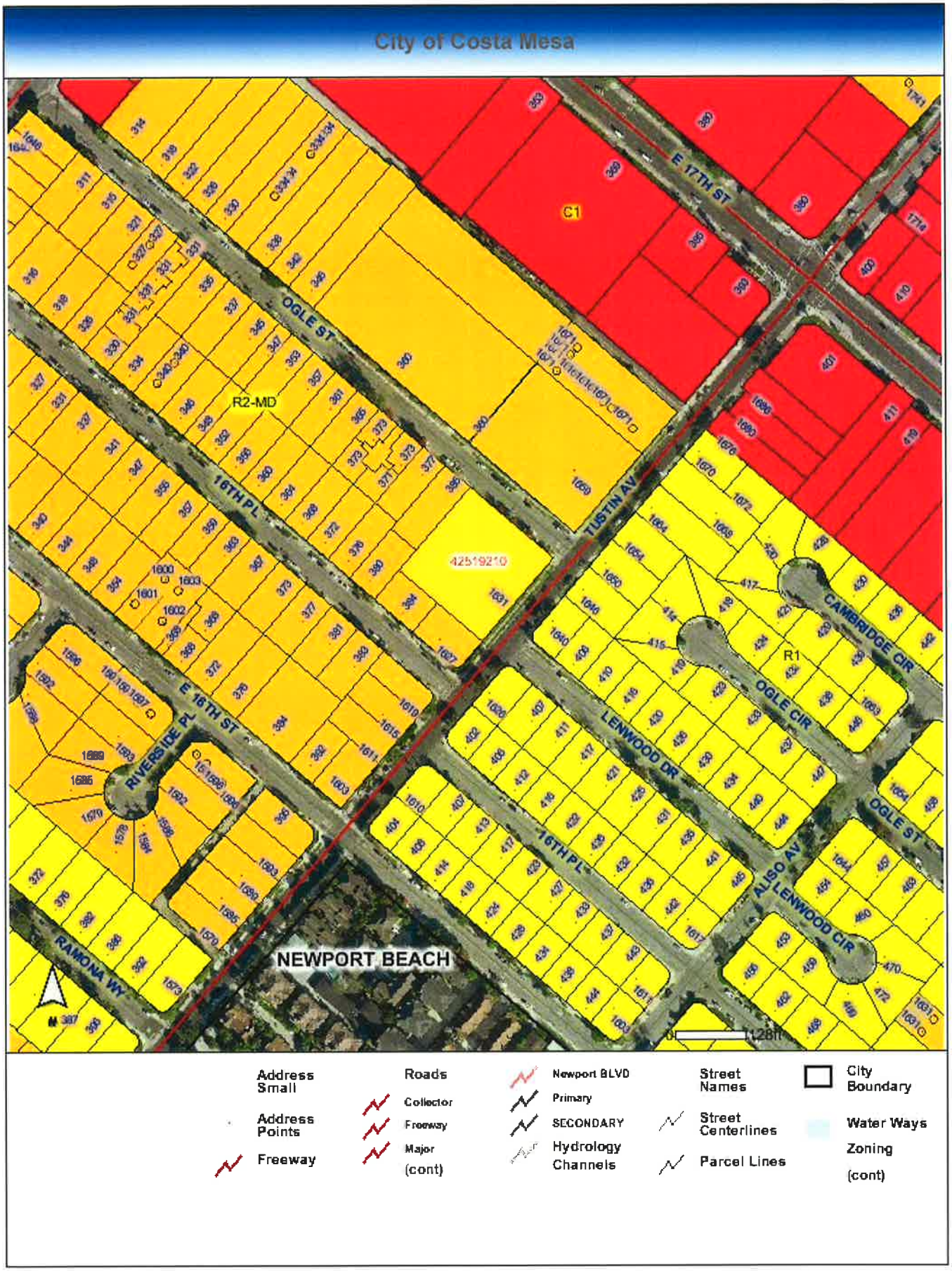
School 8. Pay applicable Newport Mesa Unified School District fees to the Building Division prior is issuance of building permits.

State 9. 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. Call CDFA at (714) 708-1910 for information.

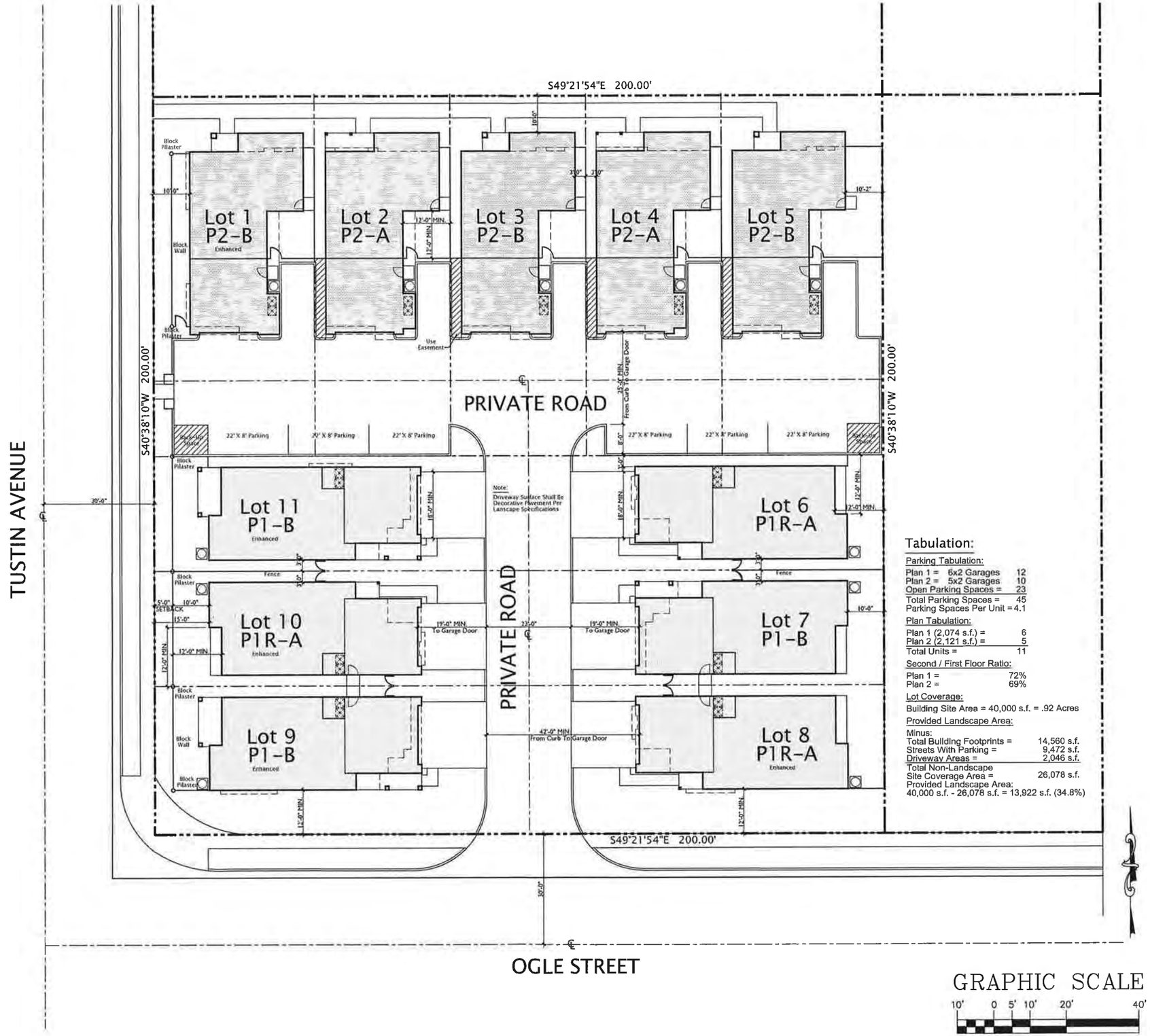
City of Costa Mesa



Address Medium
Address Points
Freeway
Roads
Collector (cont)
Freeway
Major
Newport BLVD (cont)
Primary
SECONDARY
Hydrology Channels
Street Names
Street Centerlines


City of Costa Mesa
E 17TH ST
OGLE ST
16TH PL
TUSTIN AV
E 16TH ST
RIVERSIDE PL
RAMONA WY
CAMBRIDGE CIR
OGLE CIR
LENWOOD DR
ALISO AV
LENWOOD CIR
NEWPORT BEACH
C1
R2-MD
R1
42519210
Address Small
Address Points
Freeway
Roads
Collector
Freeway
Major (cont)
Newport BLVD
Primary
SECONDARY
Hydrology Channels
Street Names
Street Centerlines
Parcel Lines
City Boundary
Water Ways
Zoning (cont)

ATTACHMENT 4



Tabulation:

Parking Tabulation:

Plan 1 =	6x2 Garages	12
Plan 2 =	5x2 Garages	10
Open Parking Spaces =		23
Total Parking Spaces =		45
Parking Spaces Per Unit =		4.1

Plan Tabulation:

Plan 1 (2,074 s.f.) =	6
Plan 2 (2,121 s.f.) =	5
Total Units =	11

Second / First Floor Ratio:

Plan 1 =	72%
Plan 2 =	69%

Lot Coverage:

Building Site Area = 40,000 s.f. = .92 Acres

Provided Landscape Area:

Minus:

Total Building Footprints =	14,560 s.f.
Streets With Parking =	9,472 s.f.
Driveway Areas =	2,046 s.f.
Total Non-Landscape Site Coverage Area =	26,078 s.f.

Provided Landscape Area:
40,000 s.f. - 26,078 s.f. = 13,922 s.f. (34.8%)

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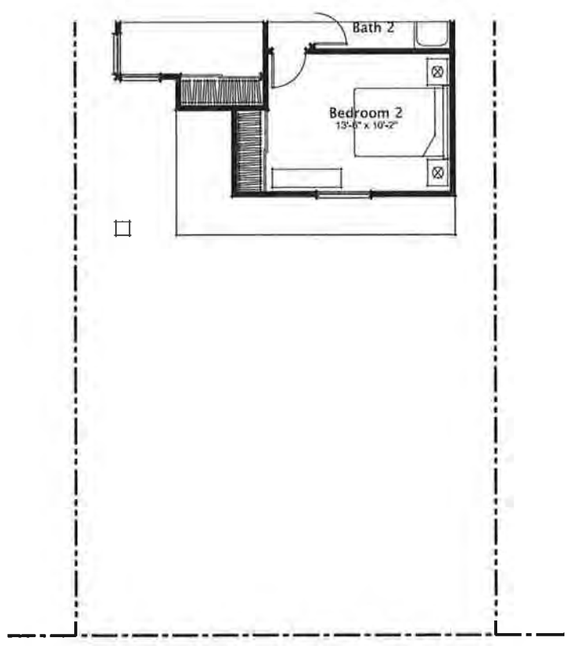
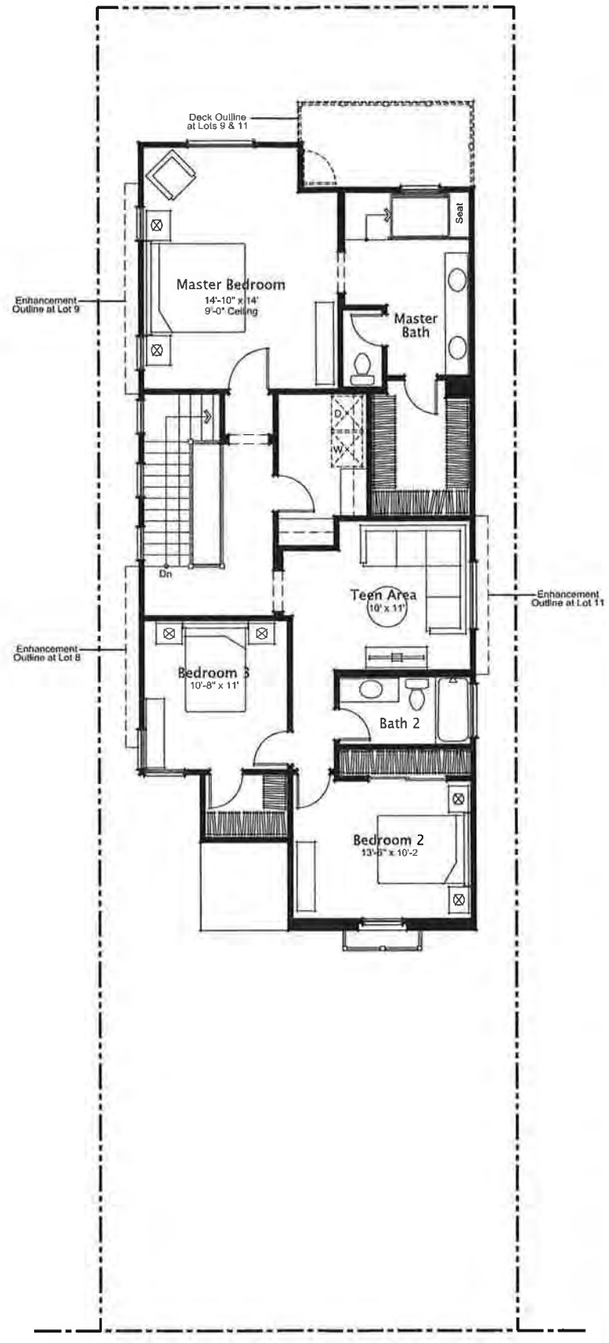
07-01-2014

Site Plan

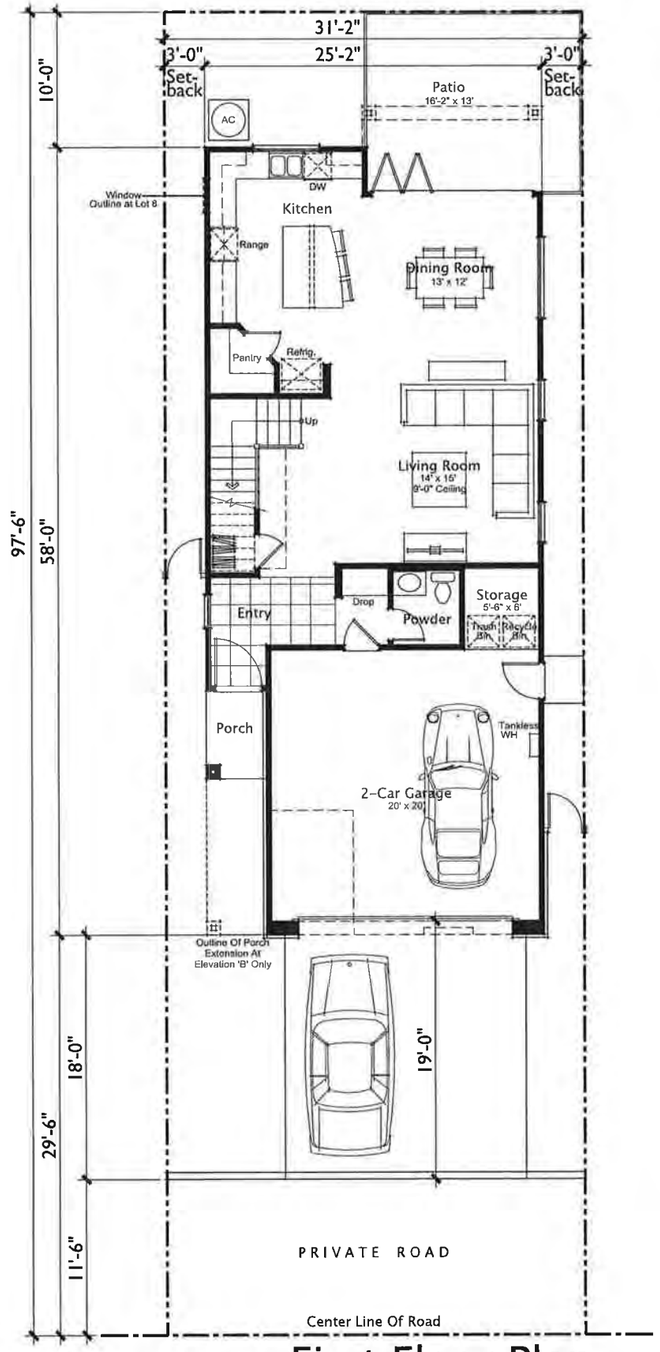
Tustin At Ogle, Costa Mesa



Second Floor Plan
Elevation 'B'



Second Floor Plan



First Floor Plan

Living Area:

First Floor	867
Second Floor	1,247
Total Living Area =	2,114 sq. ft.
Garage	458

GRAPHIC SCALE

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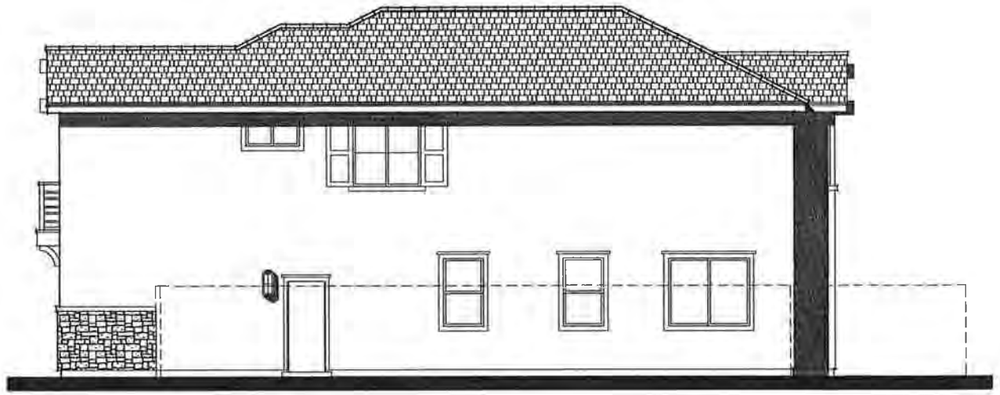
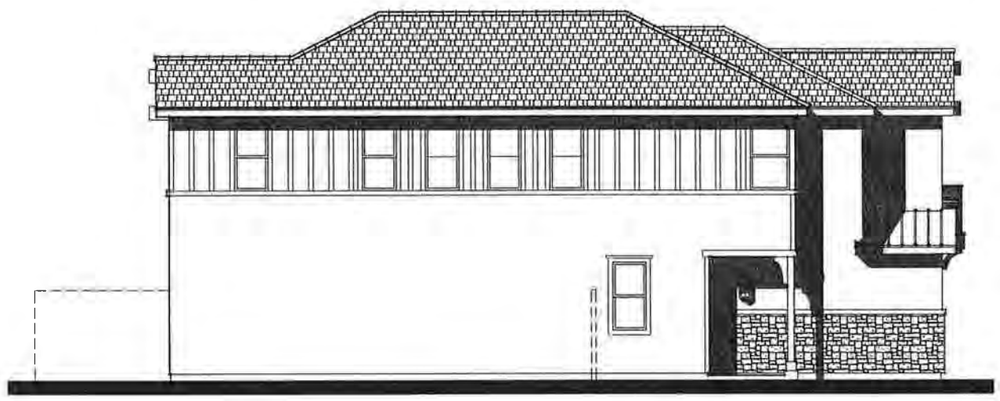
Plan 1 – Floor Plans

Tustin At Ogle, Costa Mesa



Right Elevation

Rear Elevation Lot 6

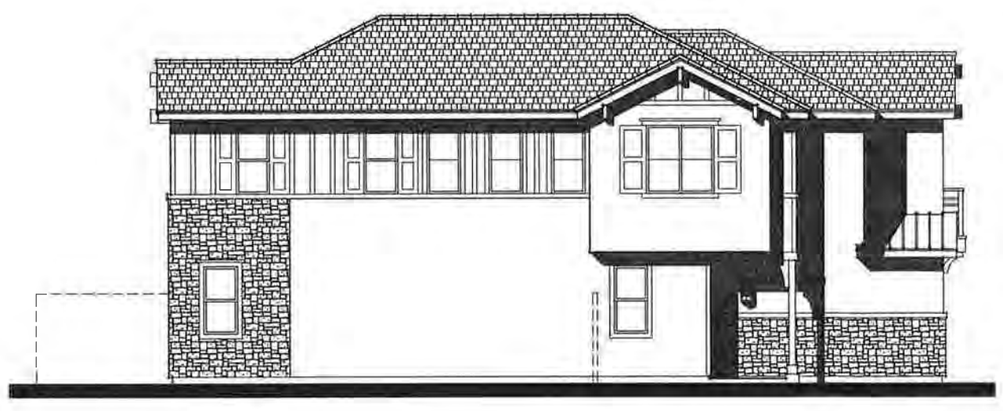


Left Elevation

Exterior Materials:

1. Composition Shingle Roofing
2. Standing Seam Metal Roofing
3. Stucco Finish By "Merlex", 16/20 Sand Finish.
4. Garage Door, Color By "Vista Paints"
5. Fascia/Trim, Ridge Beam & Outlooker At Siding, Color By "Vista Painis".
6. Vertical Batten Siding, Color By "Vista Paints"
7. Front Entry Door, Color By "Vista Paints", Semi-Gloss Finish.
8. Synthetic Stone Veneer By "El Dorado Stone"
9. Decorative Wood Balcony, Color By "Vista Paints".
10. Fixed Poly-Urethane Shutters, Color By "Vista Paints".

Front Elevation



Enhanced Left Elevation Lot 8

Enhanced Rear Elevation
Lots 8 & 10

GRAPHIC SCALE

4' 0 2' 4' 8' 16'

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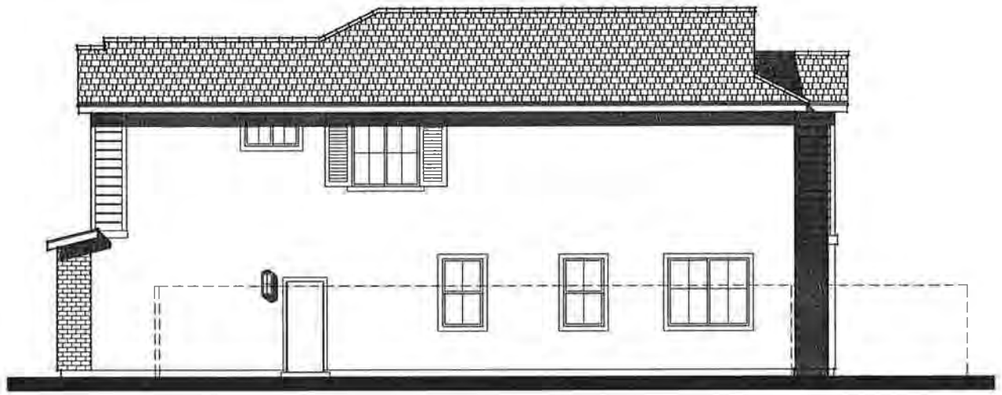
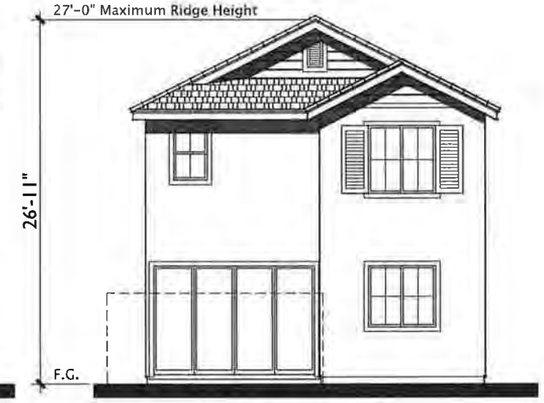
Plan 1 – Elevation 'A'

Tustin At Ogle, Costa Mesa

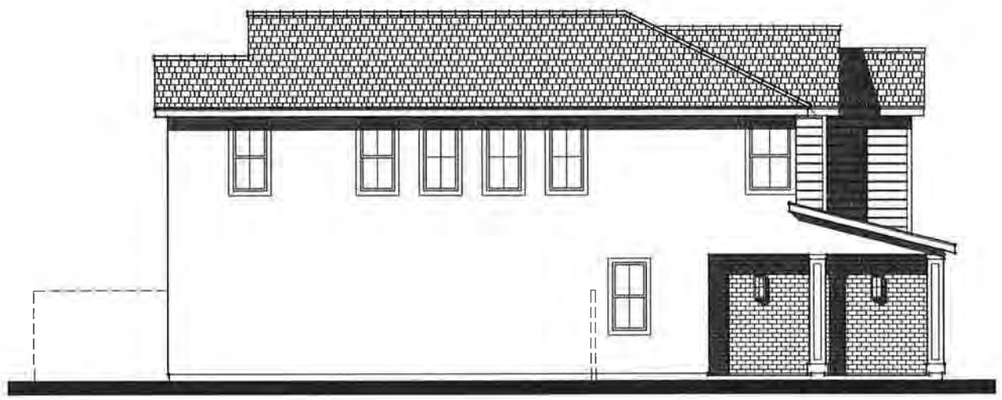


Right Elevation

Enhanced Rear Elevation
Lots 9 & 11



Rear Elevation Lot 7



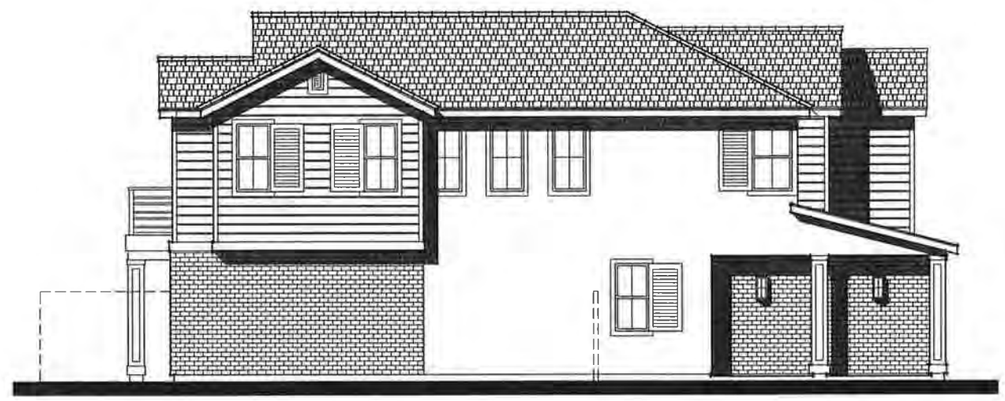
Left Elevation

Exterior Materials:

1. Composition Shingle Roofing
2. Standing Seam Metal Roofing.
3. Stucco Finish By "Merlex", 16/20 Sand Finish
4. Garage Door, Color By "Vista Paints"
5. Fascia/Trim & Wood Potshelf At Siding, Color By "Vista Paints".
6. Horizontal T&G Siding, Color By "Vista Paints".
7. Front Entry Door, Color By "Vista Paints", Semi-Gloss Finish.
8. Brick Veneer by "El Dorado Stone"
9. Fixed Poly-Urethane Shutters, Color By "Vista Paints".

Front Elevation

Enhanced Right Elevation Lot 11



Enhanced Left Elevation Lots 9

GRAPHIC SCALE

4' 0 2' 4' 8' 16'

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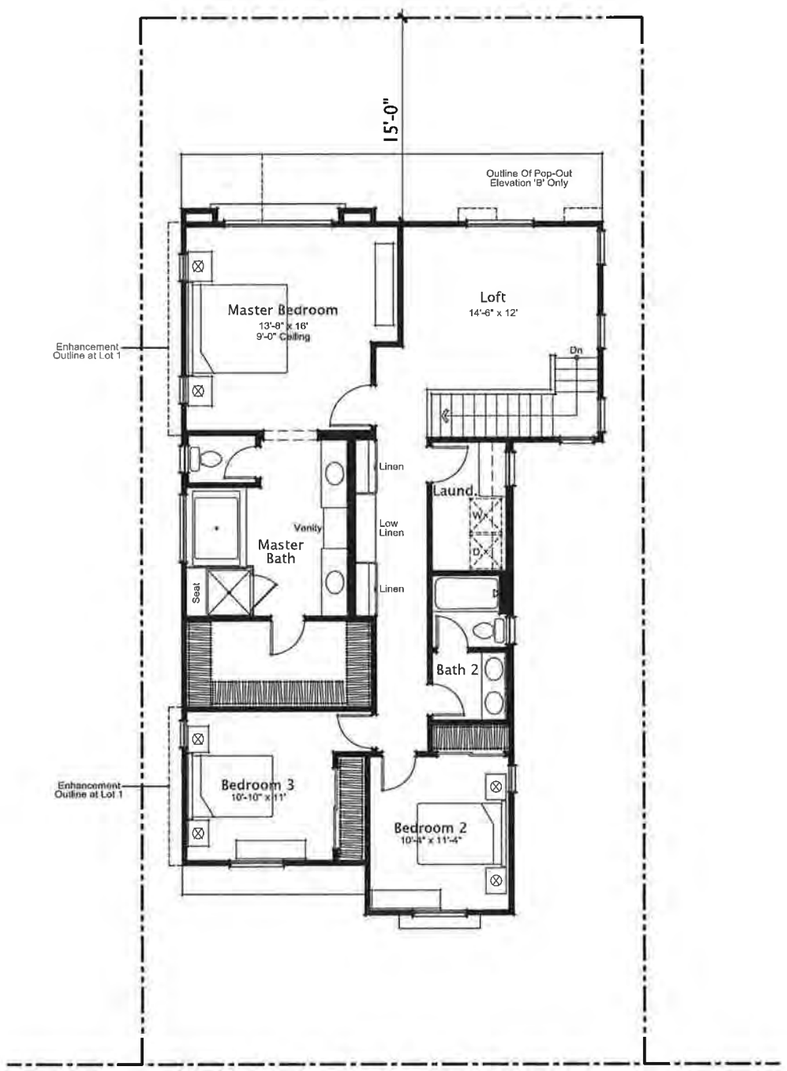
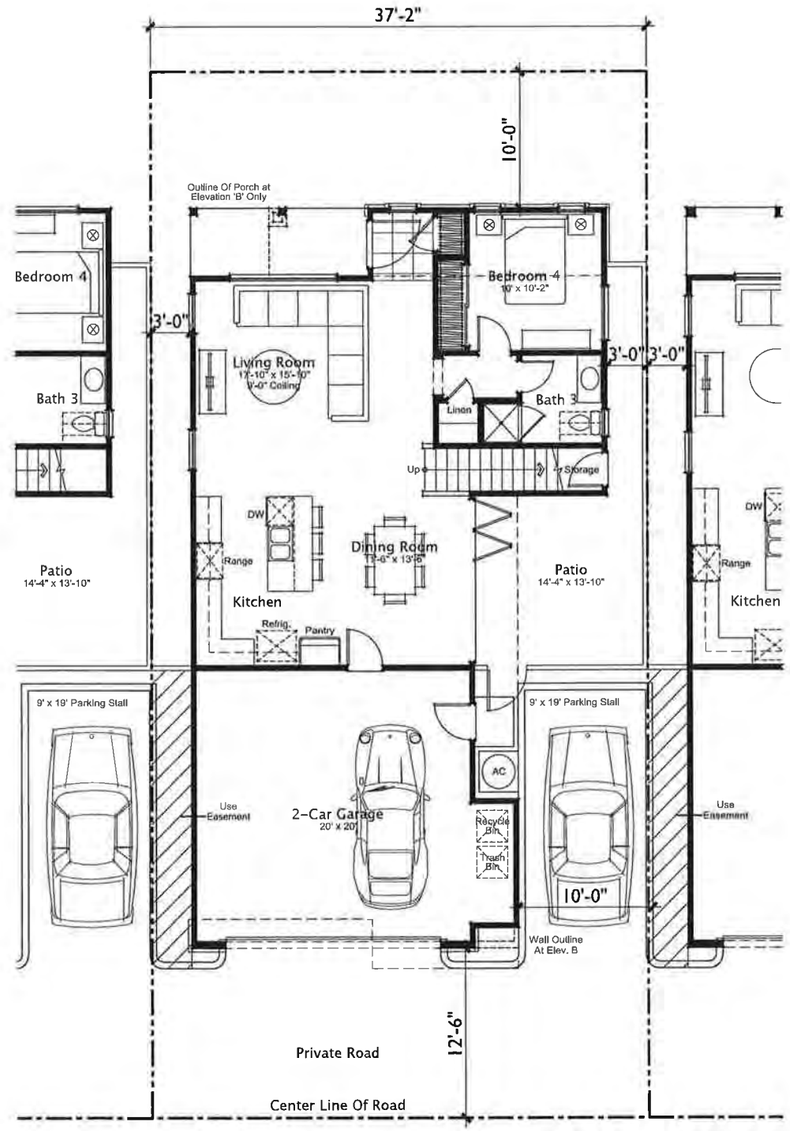
Plan 1 – Elevation 'B'

Tustin At Ogle, Costa Mesa



Second Floor Plan



First Floor Plan

Living Area:

First Floor	865
Second Floor	1,256
Total Living Area =	2,121 sq. ft.
Garage	457

GRAPHIC SCALE

4' 0 2' 4' 8' 16'

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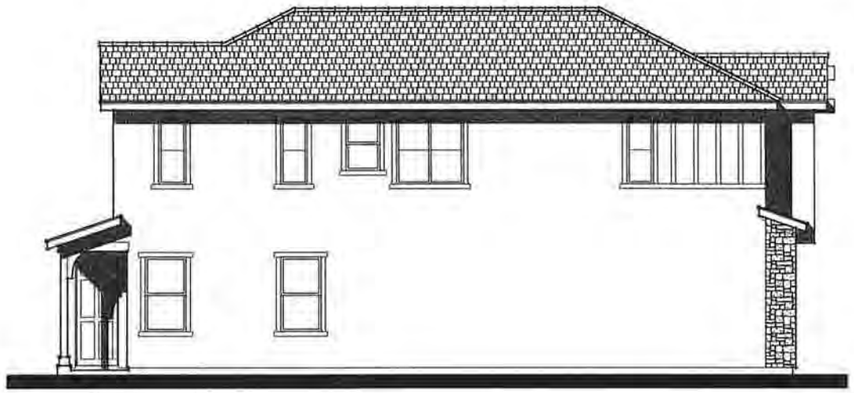
Plan 2 – Floor Plans

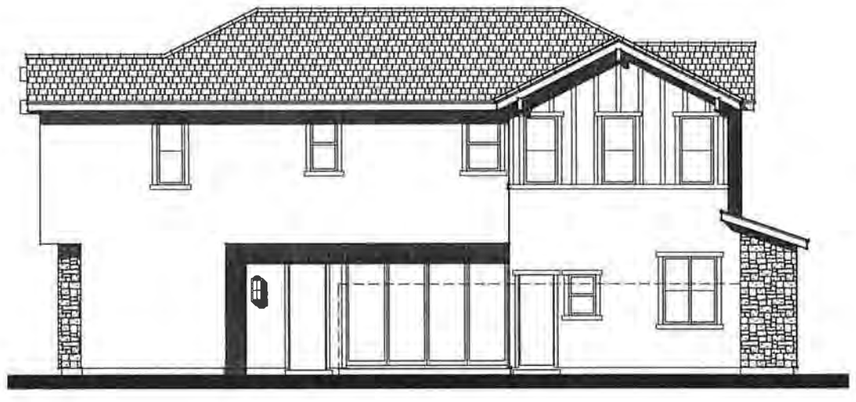
MELIA HOMES

Tustin At Ogle, Costa Mesa



Right Elevation

Rear Elevation



Left Elevation

Exterior Materials:

1. Composition Shingle Roofing.
2. Standing Seam Metal Roofing
3. Stucco Finish By "Merlex", 16/20 Sand Finish.
4. Garage Door, Color By "Vista Paints"
5. Fascia/Trim, Ridge Beam & Outlooker At Siding, Color By "Vista Paints".
6. Vertical Batten Siding, Color By "Vista Paints"
7. Front Entry Door, Color By "Vista Paints", Semi-Gloss Finish.
8. Synthetic Stone Veneer By "El Dorado Stone"
9. Wood Potshelf, Color By "Vista Paints"
10. Fixed Poly-Urethane Shutters, Color By "Vista Paints".

Front Elevation

GRAPHIC SCALE

4' 0 2' 4' 8' 16'

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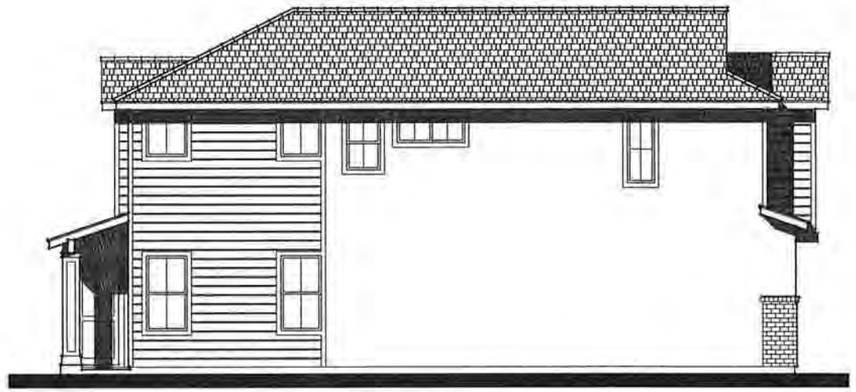
Plan 2 – Elevation 'A'

MELIA HOMES

Tustin At Ogle, Costa Mesa



Right Elevation

Rear Elevation

Left Elevation

Exterior Materials:

1. Composition Shingle Roofing
2. Standing Seam Metal Roofing.
3. Stucco Finish By "Merlex", 16/20 Sand Finish.
4. Garage Door, Color By "Vista Paints"
5. Fascia/Trim & Wood Potshelf At Siding, Color By "Vista Paints".
6. Horizontal T&G Siding, Color By "Vista Paints"
7. Front Entry Door, Color By "Vista Paints", Semi-Gloss Finish.
8. Brick Veneer by "El Dorado Stone".
9. Fixed Poly-Urethane Shutters, Color By "Vista Paints".

Front Elevation

Enhanced Right Elevation Lot 1

Rear Elevation Lot 1

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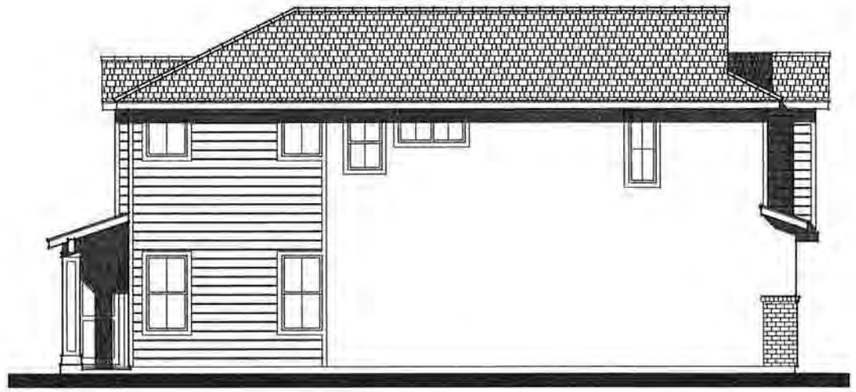
Plan 2 – Elevation 'B'

MELIA HOMES

Tustin At Ogle, Costa Mesa



Right Elevation

Rear Elevation

Left Elevation

Exterior Materials:

1. Composition Shingle Roofing.
2. Standing Seam Metal Roofing.
3. Stucco Finish By "Merlex", 16/20 Sand Finish.
4. Garage Door, Color By "Vista Paints"
5. Fascia/Trim & Wood Potshelf At Siding, Color By "Vista Paints".
6. Horizontal T&G Siding, Color By "Vista Paints".
7. Front Entry Door, Color By "Vista Paints", Semi-Gloss Finish.
8. Brick Veneer by "El Dorado Stone".
9. Fixed Poly-Urethane Shutters, Color By "Vista Paints".

Front Elevation

Enhanced Right Elevation Lot 1

GRAPHIC SCALE

4' 0 2' 4' 8' 16'

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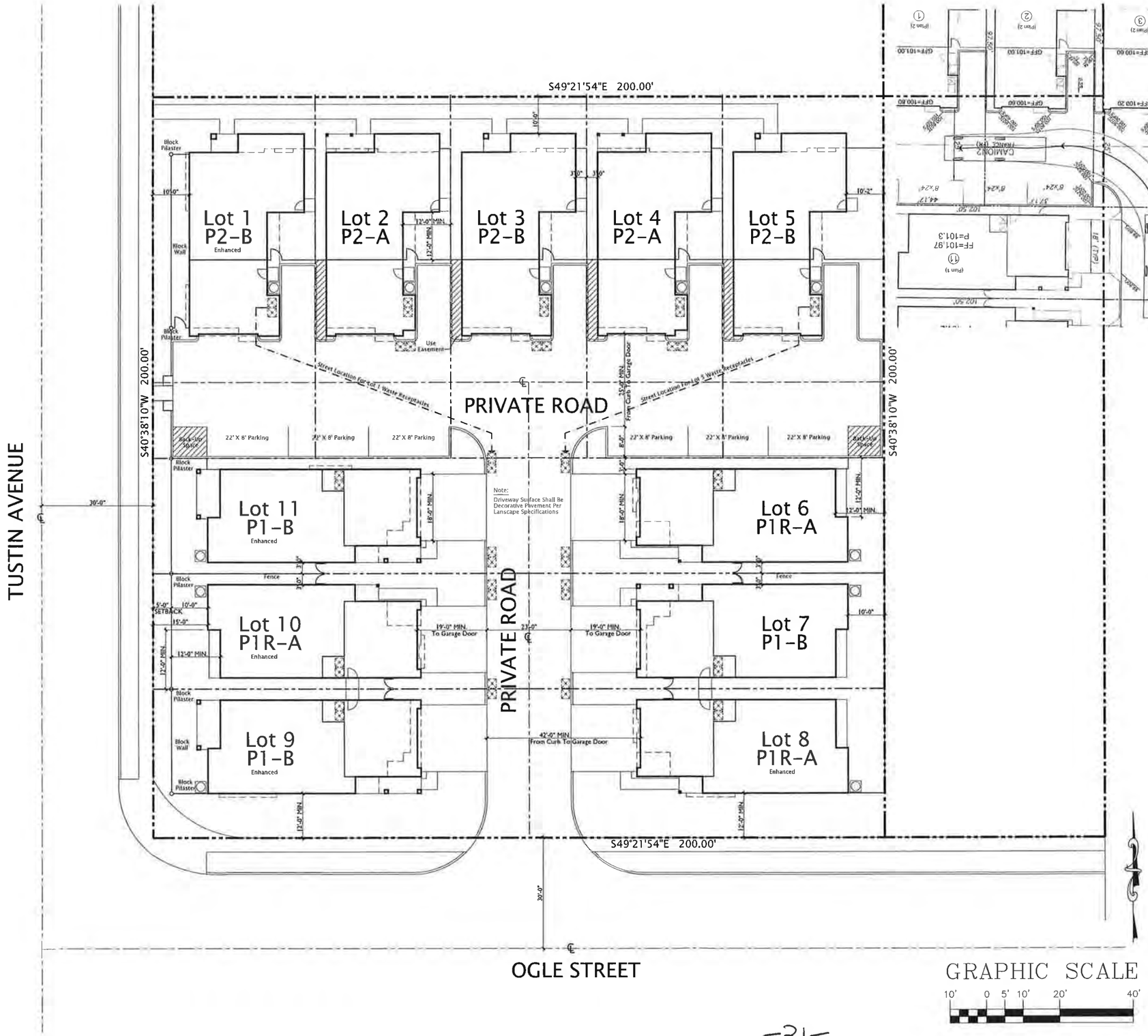
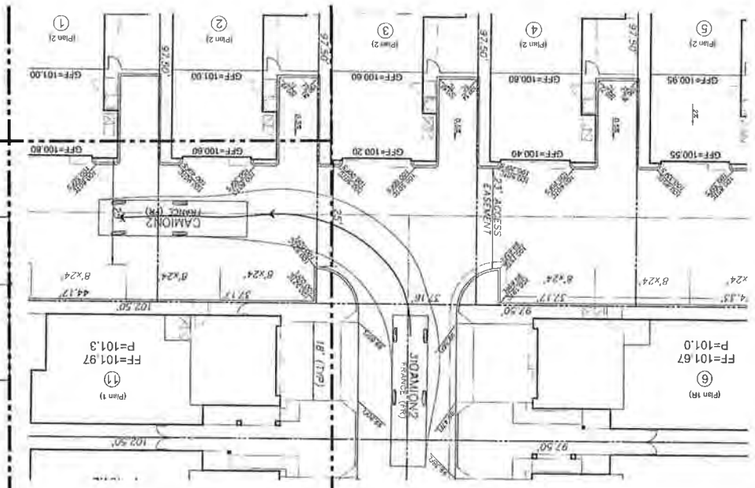
Plan 2 – Elevation 'B'

MELIA HOMES

Tustin At Ogle, Costa Mesa





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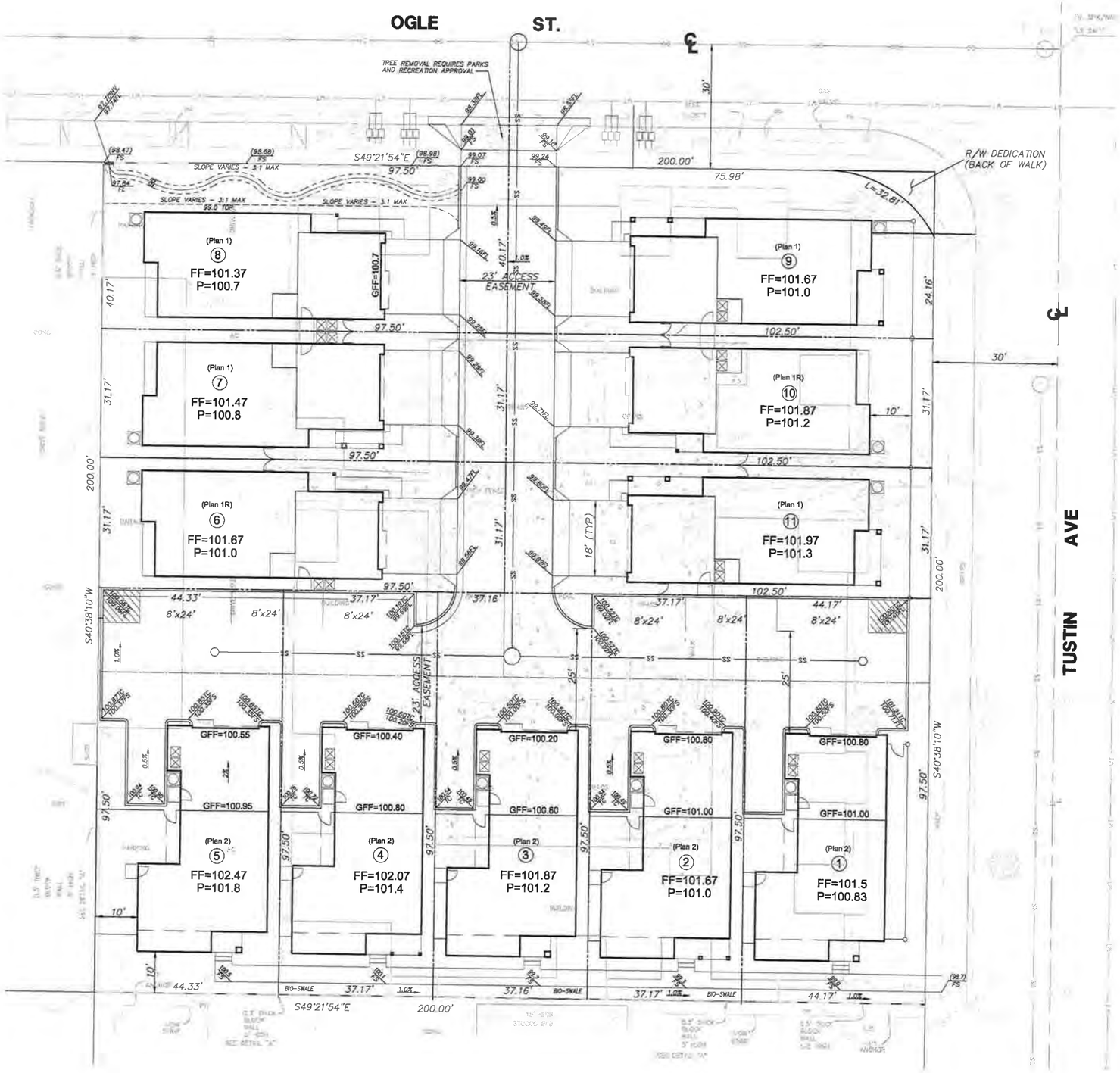
07-24-2014

Solid Waste Exhibit

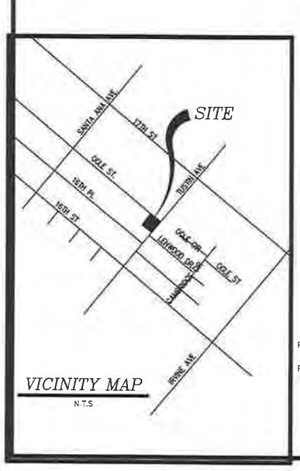
Tustin At Ogle, Costa Mesa

TENTATIVE TRACT MAP NO. 17647

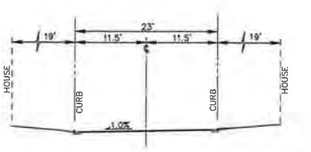


GENERAL NOTES

1. EXISTING LAND USE: RESIDENTIAL
2. PROPOSED LAND USE: RESIDENTIAL
3. EXISTING ZONING: R2-MD
4. PROPOSED ZONING: R2-MD
5. WATER SERVICE PROVIDED BY: MESA CONSOLIDATED WATER DISTRICT
6. ELECTRIC SERVICE PROVIDED BY: SOUTHERN CALIFORNIA EDISON
7. SEWER SERVICE PROVIDED BY: COSTA MESA SANITARY DISTRICT
8. NATURAL GAS SERVICE PROVIDED BY: THE GAS COMPANY
9. THIS TRACT IS TO BE DEVELOPED IN ONE PHASE CONSISTING OF RESIDENTIAL LOTS ON ±0.92 ACRES (GROSS); ±0.92 ACRES (NET)
10. LOT AND BOUNDARY DIMENSIONS ARE APPROXIMATE.
11. PROPOSED LOTS:
    LOTS 1-11: SINGLE FAMILY RESIDENCES
12. TRACT TO BE GRADED IN ONE PHASE
13. ACCESS TO THE SITE IS FROM OGLE STREET
14. FLOOD ZONE INFO.:
    PANEL 06059C0261J "NOT PRINTED"



VICINITY MAP
N.T.S



PRIVATE ON-SITE STREET
NO SCALE

LOT SUMMARY

LOT NO.	AREA
1	5330 SF
2	3644 SF
3	3644 SF
4	3644 SF
5	3645 SF
6	3638 SF
7	3638 SF
8	3862 SF
9	4060 SF
10	3194 SF
11	3194 SF
TOTAL	40000 SF

A.P.N. # 425-192-10
ADDRESS:
1631-1645 Tustin Avenue
Costa Mesa, CA 92626

NORTH

PROPERTY DESCRIPTION

THE SOUTHWESTERLY 200.00 FEET OF LOT 66 OF NEWPORT HEIGHTS, IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 4, PAGE 83 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, EXCEPT THE SOUTHWESTERLY 100.00 FEET THEREOF.

LEGEND

PROP. LOT LINE
BOUNDARY LINE
PROP. CURB
EX. CURB
PROPOSED SEWER
EXISTING SEWER
PROPOSED WATER
EXISTING WATER
STREET LIGHT
FIRE HYDRANT
PROPOSED SCREENWALL
PROTO II SLUMPSTONE ORCO BLOCK WALL - LA PAZ PER CITY REQUIREMENTS - 8'MAX ALONG VICTORIA

GRAPHIC SCALE
10 0 5 10 20 40
(IN FEET)
1 inch = 10 ft.

STATEMENT OF OWNERSHIP

I HEREBY CERTIFY THAT THIS MAP WAS PREPARED UNDER MY SUPERVISION AND THAT THE OWNERS OF RECORD HAVE KNOWLEDGE OF AND CONSENTS TO THE FILING OF THIS MAP.

REGISTERED PROFESSIONAL ENGINEER FRED CORNWELL No. 45591 Exp. 12/31/14 CIVIL STATE OF CALIFORNIA

FRED CORNWELL RCE 45591 DATE

REVISIONS	BY	DATE

OWNER:
CM Tustin 2012, LLC
9661 RESEARCH DR, STE 100
IRVINE, CA 92618
CONTACT: MR. CHAD BROWN

Jul 02 2014

PREPARED BY:
CA ENGINEERING, INC.
Planning • Engineering • Surveying
3002 DOW AVE., STE 122
TUSTIN, CA 92780
949-724-9480 949-724-9484 FAX

JOB NO. 491-6
SHEET NO. 1 OF 1 SHTS.

-32-

PLANT LEGEND

TREES

SIZE	BOTANICAL NAME	COMMON NAME	COMMENTS
15 gal	Arbutus 'Marina'	N C N	Standard
24" box	Brachychiton populneus	Bottle Tree	Standard
15 gal	Eucalyptus ficifolia	Red-Flowering Gum	Standard
24" box	Magnolia grandiflora 'Samuel Sommers'	Southern Magnolia	Standard
15 gal	Rhaphiolepis 'Majestic Beauty'	N C N	Standard
24" box	Quercus virginiana	Southern Live Oak	Standard

SHRUBS

1 gal	Agapanthus africanus 'Peter Pan'	Lily of the Nile	
5 gal	Buxus japonica 'Green Beauty'	Japanese Boxwood	
5 gal	Carissa macrocarpa 'Boxwood Beauty'	Boxwood Beauty Natal Plum	
1 gal	Hemerocallis hybrid 'Stella de Oro'	Daylily	
5 gal	Lavandula angustifolia 'Blue Cushion'	English Lavender	
1 gal	Limonium perezii	Statice	
5 gal	Nandina domestica 'Gulf Stream'	Gulf Stream Heavenly Bamboo	
5 gal	Photinia x fraseri 'Red Robin'	Photinia	
5 gal	Pittosporum crassifolium 'Compactum'	Compact Karo	
5 gal	Rhaphiolepis indica 'Enchantress'	Indian Hawthorn	
5 gal	Rhaphiolepis umbellata 'Gulf Green'	Gulf Green Yeddo Hawthorn	
5 gal	Rosa floribunda 'Iceberg'	Iceberg Rose	
5 gal	Rosa x 'Noaschrum'	Pink Carpet Rose	
5 gal	Rosmarinus officinalis 'Blue Spires'	Blue Spires Rosemary	
5 gal	Thuja occidentalis 'Globosa'	Globe Arborvitea	
5 gal	Viburnum tinus 'Spring Bouquet'	Spring Bouquet Laurustinus	

VINES

1 gal	Bougainvillea (varieties)	Bougainvillea	Train to walls

GROUNDCOVERS

1 gal	Carissa macrocarpa 'Green Carpet'	Green Carpet Natal Plum	Tri Spc. 2' - 0" OC
1 gal	Lampranthus aurantiacus	Ice Plant	Tri Spc. 1' - 0" OC
1 gal	Nassella tenuissima	Mexican Feather Grass	Tri Spc. 1' - 0" OC

SPECIALTY PLANTINGS

Sizes Vary	Aeonium, Agave, Dudleya, Echeveria Achillea, Limonium, Lampranthus	Varied Succulents	Spacing Varies

TURF

	Marathon II	Hybrid Tall Fescue	Sod

PLAN NOTES

1. RIVER RUN COBBLE AND FEATHER GRASS PLANTING IN WATER TREATMENT SWALE
2. ACCESS TO SIDEWALK AND STREET
3. VINYL FENCE (TYP)
4. STREET LIGHTING STANDARDS (TYPICAL) SEE ENGINEER'S PLAN
5. CONCRETE STEPPERS (TYP)
6. VEHICULAR CONCRETE PAVING WITH INTEGRAL COLOR AND SCORING
7. 12 UNIT MAILBOX
8. EXISTING WALLS TO REMAIN
9. LOW 'ALLAN BLOCK' RETAINING WALL
10. LOW WOOD SLAT WALL (SIMILAR TO ELEVATION)
11. LOW SHRUBS ADJUSTED TO WINDOW LOCATIONS GROUND COVER 1' BACK OF CURB

PLAN LEGEND

- THEME MASONRY WALL (8' HIGH) (SEE ELEVATION THIS SHEET)
- THEME MASONRY WALL (3' HIGH)
- MASONRY PILASTER (TO MATCH WALL MATERIAL AND HEIGHT)
- WOOD SLAT FENCE (6' HIGH) (SEE ELEVATION THIS SHEET)
- "ALLAN BLOCK" GRAVITY RETAINING WALL (MAX 2' HIGH)
- VINYL FENCE (6' HIGH) (TYPICAL)

NOTES

1. WOOD CAP
2. 1" X 6" WOOD SLAT
3. 1" X 3" WOOD SLAT
4. 4" X 4" POS"S

SEE PLAN FOR HEIGHTS
STAIN/PAINT COLORS TO BE COORDINATED W/ ARCHITECTURE

WOOD SLAT FENCE
ELEVATION - 3/8" = 1' – 0"

NOTES

1. 2" PRECISION BLOCK CAP
2. 6" SLUMP BLOCK
3. 4" PRECSION BLOCK

SEE PLAN FOR HEIGHTS
COLORS TO BE COORDINATED WITH ARCHITECTURE

THEME MASONRY WALL
ELEVATION - 3/8" = 1' – 0"

RAINVILLE ▸ BYE LANDSCAPE ARCHITECTS

7/23/14

SCALE: 1"=10'

MELIA HOMES

Preliminary Landscape Plan

Tustin At Ogle, Costa Mesa

Tustin Avenue Scene

Ogle Street Scene

GRAPHIC SCALE

8' 0 4' 8' 16' 32'

Mark Gross & Associates, Inc.
8681 Research Drive, Irvine, California 92618
(949) 387-3800 Fax (949) 387-7800

07-31-2014

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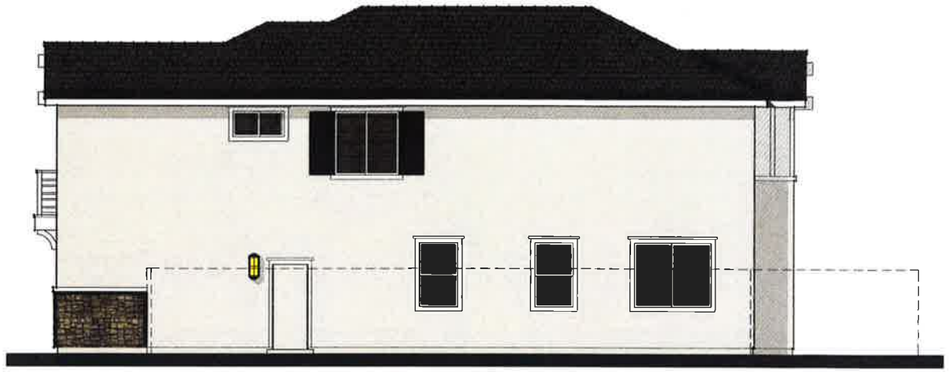
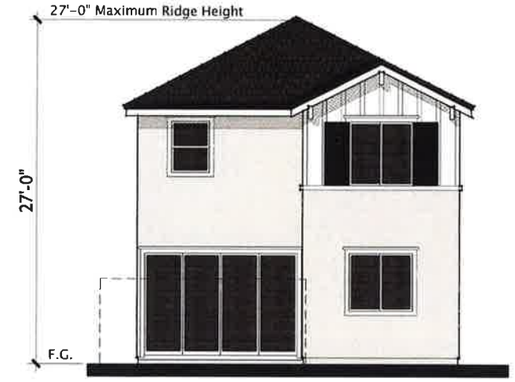
Street Scenes

MELIA HOMES

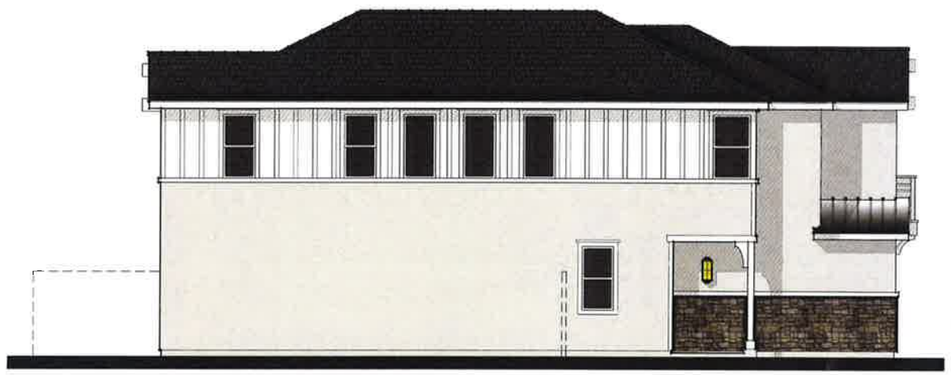
Tustin At Ogle, Costa Mesa



Right Elevation



Rear Elevation Lot 6

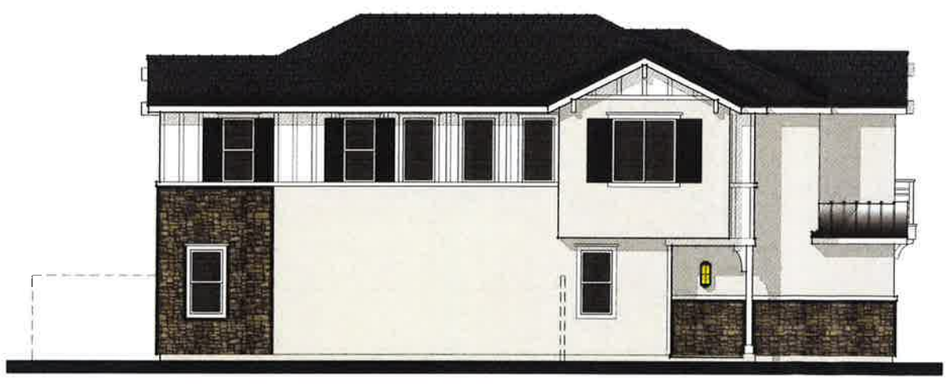


Left Elevation

Exterior Materials:

1. Composition Shingle Roofing.
2. Standing Seam Metal Roofing.
3. Stucco Finish By "Merlex", 16/20 Sand Finish.
4. Garage Door, Color By "Vista Paints"
5. Fascia/Trim, Ridge Beam & Outlooker At Siding, Color By "Vista Paints".
6. Vertical Batten Siding, Color By "Vista Paints".
7. Front Entry Door, Color By "Vista Paints", Semi-Gloss Finish.
8. Synthetic Stone Veneer By "El Dorado Stone".
9. Decorative Wood Balcony, Color By "Vista Paints".
10. Fixed Poly-Urethane Shutters, Color By "Vista Paints".

Front Elevation



Enhanced Left Elevation Lot 8

Enhanced Rear Elevation
Lots 8 & 10

GRAPHIC SCALE

4' 0 2' 4' 8' 16'

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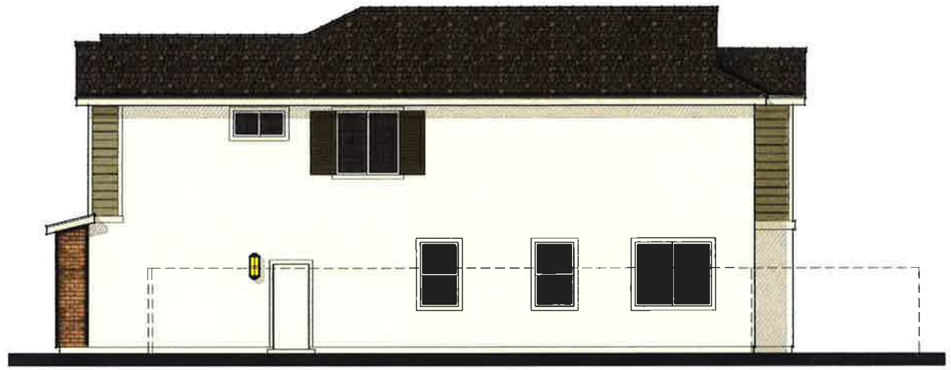
07-09-2014

MELIA HOMES

Plan 1 – Elevation 'A'

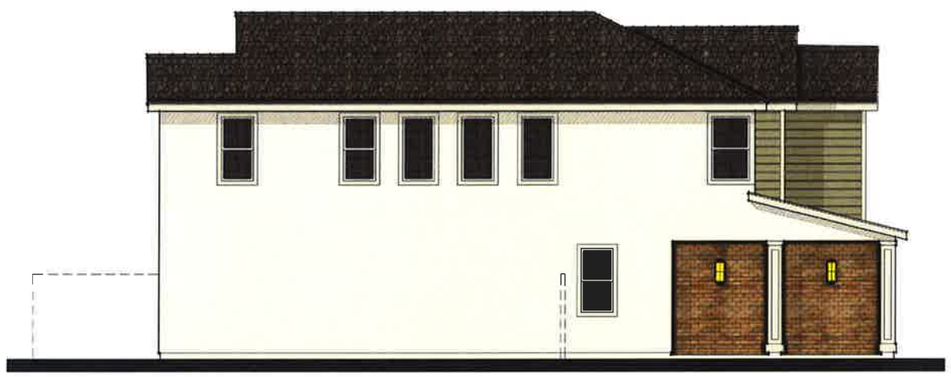
Tustin At Ogle, Costa Mesa



Right Elevation

Enhanced Rear Elevation
Lots 9 & 11

Rear Elevation Lot 7



Left Elevation

Exterior Materials:

1. Composition Shingle Roofing.
2. Standing Seam Metal Roofing.
3. Stucco Finish By "Merlex", 16/20 Sand Finish.
4. Garage Door, Color By "Vista Paints"
5. Fascia/Trim & Wood Potshelf At Siding, Color By "Vista Paints".
6. Horizontal T&G Siding, Color By "Vista Paints".
7. Front Entry Door, Color By "Vista Paints", Semi-Gloss Finish.
8. Brick Veneer by "El Dorado Stone".
9. Fixed Poly-Urethane Shutters, Color By "Vista Paints".

Front Elevation
Scheme 5

Enhanced Right Elevation Lot 11

Enhanced Left Elevation Lots 9

GRAPHIC SCALE

4' 0 2' 4' 8' 16'

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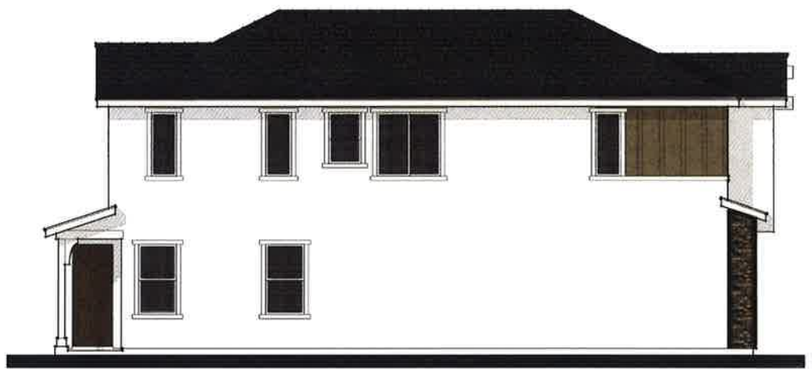
MGA 07-09-2014

MELIA HOMES

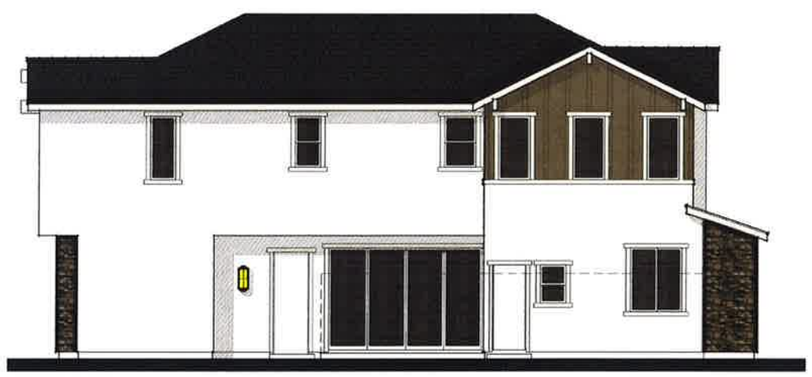
Plan 1 – Elevation 'B'

Tustin At Ogle, Costa Mesa



Right Elevation

Rear Elevation



Left Elevation

Exterior Materials:

1. Composition Shingle Roofing.
2. Standing Seam Metal Roofing.
3. Stucco Finish By "Merlex", 16/20 Sand Finish.
4. Garage Door, Color By "Vista Paints"
5. Fascia/Trim, Ridge Beam & Outlooker At Siding, Color By "Vista Paints".
6. Vertical Batten Siding, Color By "Vista Paints".
7. Front Entry Door, Color By "Vista Paints", Semi-Gloss Finish.
8. Synthetic Stone Veneer By "El Dorado Stone".
9. Wood Potshelf, Color By "Vista Paints".
10. Fixed Poly-Urethane Shutters, Color By "Vista Paints".

Front Elevation
Scheme 3

GRAPHIC SCALE

4' 0 2' 4' 8' 16'

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07-01-2014

Plan 2 – Elevation 'A'

MELIA HOMES

Tustin At Ogle, Costa Mesa

Right Elevation

Rear Elevation

Left Elevation

Exterior Materials:

1. Composition Shingle Roofing.
2. Standing Seam Metal Roofing.
3. Stucco Finish By "Merlex", 16/20 Sand Finish.
4. Garage Door, Color By "Vista Paints"
5. Fascia/Trim & Wood Potshelf At Siding, Color By "Vista Paints".
6. Horizontal T&G Siding, Color By "Vista Paints".
7. Front Entry Door, Color By "Vista Paints", Semi-Gloss Finish.
8. Brick Veneer by "El Dorado Stone".
9. Fixed Poly-Urethane Shutters, Color By "Vista Paints".

Front Elevation
Scheme 6

Enhanced Right Elevation Lot 1

GRAPHIC SCALE

4' 0 2' 4' 8' 16'

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07-01-2014

MELIA HOMES

Plan 2 – Elevation 'B'

Tustin At Ogle, Costa Mesa

PLANNING COMMISSION SUPPLEMENTAL MEMO

MEETING DATE: AUGUST 25, 2014 **ITEM NUMBER** PH-2

SUBJECT: **PLANNING APPLICATION PA-14-18 AND TENTATIVE TRACT MAP NO. 17647 FOR AN 11-UNIT RESIDENTIAL DEVELOPMENT AT 1631 AND 1645 TUSTIN AVENUE**

DATE: **AUGUST 19, 2014**

FROM: **MINOO ASHABI, PRINCIPAL PLANNER** MA

FOR FURTHER INFORMATION CONTACT: **MINOO ASHABI (714) 754-5610**
minoo.ashabi@costamesaca.gov

This memo is intended to provide the revised draft resolution containing conditions of approval for Tentative Tract Map 17647 provided by Public Services Department. Please note the revision is only to Condition No. 11, under standard conditions of approval.

The memo also includes the project description submitted by the applicant.

Attachment:
1. Draft Resolution including Exhibit "C"
2. Project Description

Distribution:
Director of Economic & Development/Deputy CEO
Interim Assistant Development Services Director
Senior Deputy City Attorney
Public Services Director
City Engineer
Transportation Services Manager
Fire Protection Analyst
Staff (6)
File (2)

Chad Brown
Melia Homes
8951 Research Drive
Irvine, CA 92618

RESOLUTION NO. PC-14-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-14-18 AND TENTATIVE TRACT MAP 17647 LOCATED AT 1631-1645 TUSTIN AVENUE

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

WHEREAS, an application was filed by Chad Brown of Melia Homes on behalf of property owner CM Tustin M 2012, LLC., as the authorized agent on behalf of the property owner, requesting approval of the following:

1) ***Planning Application PA-14-18*** – Design Review to construct an 11-unit detached residential development, including an administrative adjustment to reduce the front yard setback to 12'-0" along Ogle Street (20 feet required).

2) ***Tentative Parcel Map No. 17647*** to subdivide a 0.92-acre parcel for an 11-unit fee simple subdivision in accordance with the small lot subdivision standards.

WHEREAS, a duly noticed public hearing held by the Planning Commission on August 25, 2014 with all persons having the opportunity to speak for and against the proposal;

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A," and subject to the conditions of approval contained within Exhibit "B," the Planning Commission hereby **APPROVES** Planning Application PA-14-18 and Tentative Tract Map 17647.

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-14-18 and Tentative Tract Map 17647 and upon applicant's compliance with each and all of the conditions in Exhibit "B", and 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 25th day of August, 2014.

_____

Jim Fitzpatrick, Chair
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 25, 2014 by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

_____
Secretary, Costa Mesa
Planning Commission

EXHIBIT "A"

FINDINGS

A The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(14) in that:

Required Finding: 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.

Response: The 11-unit project includes an administrative adjustment from the Zoning Code minimum required front setback requirement. The design of the units meets the intent of the City's Residential Development Standards and Design Guidelines and promotes design excellence with consideration given to site planning and building orientation, overall open space, landscaping and architectural design. The project incorporates varied building materials on the building elevations which include a both horizontal and vertical modulation. Off-set forms provide horizontal and vertical relief to the wall planes. The elevations include articulations, projections, and varied building materials. Sufficient landscaping and open space is provided for each individual lot per the Zoning Code requirements.

Required Finding: The visual prominence associated with the construction of two-story homes in a predominately one-story neighborhood has been reduced through appropriate transitions between the first and second floors and the provision of second floor offsets to avoid long unarticulated two-story walls.

Response: The proposed two-story structures are in keeping with the rest of the neighborhood which is developed with single and two-story buildings. The elevations of the proposed residences include a variety of materials to highlight the vertical offsets and horizontal floor to floor transitions.

Required Finding: 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.

Response: The proposed project provides ownership opportunities for detached units in place of an existing attached multiple family project. The project exhibits site planning excellence with providing private open spaces for all units and adequate separation between the homes and with the abutting structures.

B. The proposed tentative tract map complies with Costa Mesa Municipal Code Section 13-29(g)(13) because:

Required Finding: The creation of the subdivision and related improvements is consistent with the General Plan and the Zoning Code.

Response: The creation of the subdivision is consistent with General Plan Land Use Element in that the project complies with Objectives 1A.4, 2A.7, and 2A.8 by developing owner-occupied housing to improve the balance between rental and ownership housing opportunities, the project provides sufficient easements as a condominium developments, and encourages increased private market investment in declining or deteriorating neighborhoods.

Required Finding: The proposed use of the subdivision is compatible with the General Plan.

Response: The project density is 12 units per acre, lower than the current development and consistent with the Objectives of the General Plan and the site's Medium Density Residential land use designation that allows up to 12 units per acre.

Required Finding: The subject property is physically suitable to accommodate the subdivision 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 Zoning Code and General Plan, and consideration of appropriate environmental information.

Response: The proposed project is exempt from the provisions of the California Environmental Quality Act under Section 15332, for In-fill Development Projects.

Required Finding: 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 State Government Code Section 66473.1.

Response: The proposed buildings include openings in an east-west direction to take advantage of passive solar heating as well as passive ventilation from ocean breezes. The inclusion of a combination of medium and large size trees will also help provide shade to the residences.

Required Finding: 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.

Response: As conditioned, the proposed project does not interfere with the public right of way.

Required Finding: 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).

Response: The applicant will be required to comply with all regulations set forth by the Costa Mesa Sanitation District as well as the Mesa Water District.

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

Required Finding: 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:

Response: The project site has an equal frontage on Tustin Avenue and Ogle Street. The Tustin Avenue frontage provides a larger setback (15 feet); however, because of the site's orientation on Ogle Street, that frontage was considered the front and subject to minimum 20-foot requirement. The proposed setback provides for adequate space to install trees and landscaping and the added articulation on the two front facing units enhances the project's view from Ogle Street.

Required Finding: 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 limitations upon other properties in the vicinity and zone in which the property is situated.

Response: The project is conditioned to provide additional trees and a decorative walls that will complement the Ogle Street frontage.

Required Finding: 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.

Response: The General Plan Land Use designation allows residential development of up to 12 du/acre on this site. The proposed project is 12 du/acre.

D. The project is exempt from the provisions of the California Environmental Quality Act under Section 15332 for In-fill Development Projects.

The project is Categorically Exempt under California Environmental Quality Act Guidelines Section 15332 for In-fill Development Projects. The project is consistent with the General Plan designation and with all applicable General Plan policies as well as the zoning designation. The project is proposed at a density of 11 dwelling units per acre consistent with the medium density requirements. The site is surrounded by multiple-family residential uses and has no value as habitat for endangered, rare or threatened species. The project would not result in any

significant effects relating to traffic, noise, air quality, or water quality.

E. 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 expiration of Planning Application PA-14-18 shall coincide with the expiration of the approval of the Tentative Tract Map 17647 which is valid for two years. An extension request is needed to extend the expiration for each additional year after the initial two-year period.
2. The conditions of approval for PA-14-18 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
3. The Tentative Tract Map shall be processed as a small lot subdivision consistent with Section 13-42.3 of the Zoning Code.
4. A decorative six-foot high perimeter block wall shall be constructed around the perimeter of the site prior to issuance of certificates of occupancy unless otherwise approved by the Development Services Director. Where walls on adjacent properties already exist, the applicant shall work with the adjacent property owner(s) to prevent side-by-side walls with gaps in between them and/or provide adequate privacy screening by trees and landscaping.
5. The interior fences or walls between the homes shall be a minimum of six feet in height.
6. The open, unassigned parking spaces shall be clearly marked as guest parking spaces. Signage will be posted to indicate that these spaces are available to all visitors.
7. Prior to issuance of building permits, a final landscape plan indicating the landscape palette and the design/material of paved areas shall be submitted for review and approval by the Planning Division.
8. The 12-foot setback along Ogle Street is applicable to first and second floor. Architectural features can encroach into this setback by a maximum of 24 inches.
9. The applicant shall plant a minimum of five, 24-inch box, Pyrus Calleryana "Redsprire" trees along Tustin Avenue frontage and two 24-inch box Pyrus Chanticleer on Ogle Street.
10. The landscape plans shall incorporate privacy walls along Tustin Avenue frontage complementary to the architectural design of the buildings. The landscape plans shall include a minimum of six 36-inch box trees along Ogle Street frontage.
11. Landscaping and irrigation shall be installed in accordance with the approved plans prior to final inspection or occupancy clearance.
12. No modification(s) of the approved building elevations including, but not limited to, change of architectural type, 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.

13. 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 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.

14. 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.

15. 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.

16. To avoid an alley-like appearance, the private street shall not be developed with a center concrete swale. The private street shall be complemented by stamped concrete or pervious pavers.

17. Prior to issuance of building permits, the applicant shall provide the Conditions, Covenants, and Restrictions (CC&Rs) to the Development Services Director and City Attorney's office for review. The CC&Rs must be in a form and substance acceptable to, and shall be approved by the Development Services Director and City Attorney's office.

    A. The CC&Rs shall contain provisions requiring that the maintenance or homeowner's association effectively manage parking and contract with a towing service to enforce the parking regulations.

    B. The CC&Rs shall also contain provisions related to night-time lighting and active use of the common areas (if applicable). These provisions shall prohibit amplified noise, loud parties/gatherings, night-time lighting other than for security purposes, or any other activities that may be disruptive to the quiet enjoyment of neighboring properties after sunset.

C. The CC&Rs shall also contain provisions related to use, preservation and maintenance of the common drive aisle and open space areas in perpetuity by the maintenance or homeowner's association.

D. The CC&Rs shall contain restrictions requiring residents to park vehicles in garage spaces provide for each unit. Storage of other items may occur only to the extent that vehicles may still be parked within the require garage at the number for which the garage was originally designed; and to allow for inspections by the association to verify compliance with this condition.

E. 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.

F. The CC&Rs shall contain a notice that all open parking spaces shall be unassigned and available for visitors.

18. The CC&Rs shall be recorded prior to issuance of certificates of occupancy.

19. Prior to issuance of building permits, the applicant shall provide proof of recordation of Tract Map 17647.

20. 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 from view, under direction of Planning staff. Any deviation from this requirement shall be subject to review and approval of the Development Services Director.

21. Prior to release of any utilities, the applicant shall provide proof of establishment of a maintenance or homeowners association.

22. The applicant shall defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers and employees from any claim, action, or proceeding (collectively referred to as "proceeding") brought against the City, its elected and appointed officials, agents, officers or employees arising out of, or which are in any way related to, the applicant's project, or any approvals granted by City related to the applicant's project. The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, the City and/or the parties initiating or bringing such proceeding. This indemnity provision shall include the applicant's obligation to indemnify the City for all the City's costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth in this section. City shall have the right to choose its own legal counsel to represent the City's interests, and applicant shall indemnify City for all such costs incurred by City.

23. If any section, division, sentence, clause, phrase or portion of this resolution is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.

Bldg. 24. The applicant shall submit a precise grading plans, an erosion control plan and a hydrology study.

25. The applicant shall submit a soils report for this project. Soil's Report recommendations shall be blueprinted on both the architectural and the precise grading plans. Soils report shall address how the new slop shall be maintained to avoid any future failure.

26. On graded sites the top of exterior foundation shall extend above the elevation of the street gutter at point of discharge or the inlet of an approved discharge devise a minimum of 12 inches plus 2 percent. 2013 California Building Code CRC 403.1.7.3

    Lots shall be graded to drain surface water away from foundation walls. The grade shall fall a minimum of 6 inches within the first 10 feet. CRC R401.3.

27. Projections, including eaves, shall be one-hour fire resistive construction, heavy timber or of noncombustible material if they project into the 5 ft (setback area from the property line. They may project a maximum of 12 inches beyond the 3 ft setback. CRC Tables R302.1(1) and R302.1(2).

Utilities 28. Prior to the issuance of a connection permit, the applicant shall pay the applicable water connection fees.

CODE REQUIREMENTS (PA-14-18, TTM 17647)

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. 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.
3. Prior to issuance of building permits, applicant shall contact the US Postal Service with regard to location and design of mail delivery facilities. Such facilities shall be shown on the site plan, landscape plan, and/or floor plan.
4. 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 and the City's Water Efficient Landscape Guidelines, 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.
5. Two (2) sets of landscape and irrigation plans, approved by the Planning Division, shall be attached to two of the final building plan sets.
6. All on-site utility services shall be installed underground.
7. Installation of all 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.
8. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.

Bldg.

9. Comply with the requirements of the 2013 California Building Code, 2013 California Residential Code, 2013 California Electrical Code, 2013 California Mechanical Code, 2013 California Plumbing Code, 2013 California Green Building Standards Code and 2013 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 or permit issuance) and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa. Areas of alteration and additions shall comply with 2013

California Green Building Standards Code section 5.303.2 and 5.303.2

10. The applicant shall submit grading plans, an erosion control plan and a hydrology study. A precise grading plan shall not be required if any of the following are met:

    1- An excavation which does not exceed 50 CY on any one site and which is less than two feet in vertical depth, or which does not create a cut slope greater than 1 ½:1 (excluding foundation area).

    2- A fill less than one foot in depth placed on natural grade with a slope flatter than 5:1, which does not exceed 50 CY on any one lot and does not obstruct a drainage course.

    3- A fill less than three feet in depth, not intended to support structures, which does not exceed 50 CY on any one lot and does not obstruct a drainage course.

Eng. 11. Comply with the requirements contained in the letter dated August 18, 2014 attached hereto as Exhibit "C" prepared by the City Engineer under separate cover.

Fire 12. Prior to the issuance of a Building Permit, the City of Costa Mesa Fire Department shall review and approve the project design features to assess compliance with the California Building Code and California Fire Code. Fire staff shall examine the projected demands of the proposed Project and make recommendations to ensure that adequate personnel/resources will be available to meet projected demand. Recommendations of the study shall be implemented to the satisfaction of the Fire Department to ensure that emergency response impacts are minimized to below a level of significance.

Sani. 13. The applicant shall submit a trash pick-up route subject to review and approval of the Costa Mesa Sanitation District (CMSD). The route shall facilitate cart pick-up on the right hand side of the truck. The bins shall be placed side-by-side approximately 1 foot apart and at least 3 feet from any obstruction. If we CMSD cannot safely service this property, dumpster service shall be required.

14. The applicant shall submit plans for review and approval by the Mesa Water District.

SPECIAL DISTRICT REQUIREMENTS (PA-14-18, TTM 17647)

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

Sani. 1. Applicant will be required to construct sewers to serve this project, at his own expense, meeting the approval of the Costa Mesa Sanitary District.

2. County Sanitation District fees, fixture fees, inspection fees, and sewer permit are required prior to installation of sewer. To receive credit for buildings to be demolished, call (714) 754-5307.

3. Applicant shall submit a plan showing sewer improvements that meets the District Engineer's approval to the Building Division as part of the plans submitted for plan check.

4. The applicant is required to contact the Costa Mesa Sanitary District at (714) 754-5307 to arrange final sign-off prior to certificate of occupancy being released.

5. Unless an off-site trash hauler is being used, applicant shall contact the Costa Mesa Sanitary District at (714) 754-5043 to pay trash collection program fees and arrange for service for all new residences. Residences using bin or dumpster services are exempt from this requirement.

6. Applicant shall contact Costa Mesa Sanitary District at (949) 654-8400 for any additional district requirements.

AQMD 7. Applicant shall contact the Air Quality Management District (AQMD) at (800) 288-7664 for potential additional conditions of development or for additional permits required by AQMD.

School 8. Pay applicable Newport Mesa Unified School District fees to the Building Division prior is issuance of building permits.

State 9. 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. Call CDFA at (714) 708-1910 for information.

EXHIBIT C

CITY OF COSTA MESA

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

FROM THE DEPARTMENT OF PUBLIC SERVICES/ENGINEERING DIVISION

August 18, 2014

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

SUBJECT: **Tract No. 17647**
LOCATION: **1631-1645 Tustin Avenue**

Dear Commissioners:

Tentative Tract Map No. 17647 as furnished by the Planning Division for review by the Public Services Department consists of a subdivision to construct an 11-unit, two-story residential development. Tentative Tract Map No. 17647 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. 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.

3. 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.

4. A current copy of the title search shall be submitted to the Engineering Division with the first submittal of the Final Tract Map.

5. 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.

6. 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.

7. Survey monuments shall be preserved and referenced before construction and replaced after construction, pursuant to Section 8771 of the Business and Profession Code.

8. The elevations shown on all plans shall be on Orange County benchmark datum.

PHONE: (714) 754-5335 FAX: (714) 754-5028 TDD: (714) 754-5244
www.costamesaca.gov

9. 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.

10. Prior to occupancy on the Tract, 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 nine copies of the recorded Tract Map.

11. Vehicular and pedestrian access rights to Ogle Street shall be released and relinquished to the City of Costa Mesa except at approved access locations.

12. The Subdivider's engineers shall furnish 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. Cross lot drainage shall not occur.

13. Ownership and maintenance of 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 (e) and said association shall indemnify and hold harmless the City for any liability arising out of or in any way associated with the connection of the private drainage system with the City's drainage system and shall execute and deliver to the City the standard (indemnity) Hold Harmless Agreement required for such conditions prior to issuance of permits.

14. Fulfill City of Costa Mesa Drainage Ordinance No. 06-19 requirements prior to approval of plans.

15. Sewer improvements shall meet the approval of the Costa Mesa Sanitary District; call (949) 631-1731 for information. Water system improvements shall meet the approval of Mesa Consolidated Water District; call (949) 631-1200 for information.

16. Dedicate easements as needed for public utilities.

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. Construction Access approval must be obtained prior to Building or Engineering Permits being issued by the City of Costa Mesa. Pay Offsite Plan Check fee per Section 13-29(2)(b) of the C.C.M.M.C. and an approved Offsite Plan shall be required prior to Engineering Permits being issued by the City of Costa Mesa.

18. A Construction Access Permit and deposit of $1,230 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.

19. 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.

20. Submit required cash deposit or surety bond to guarantee construction of off-site street improvements at time of permit per Section 15-32, C.C.M.M.C. and as approved by City Engineer. Cash deposit or surety bond amount to be determined by City Engineer.

21. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then construct a 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.

22. Per requirements of Real Property, City of Costa Mesa, Engineering Division, dedicate a diagonal corner cut-off at the corner of Ogle Street and Tustin Avenue.

23. 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 said 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 trees affected by the proposed project and make timely application to the Parks and Recreation Commission to avoid possible delays.

Sincerely,

Fariba Fazeli, P. E.
City Engineer

(Engr. 2014/Planning Commission Tract 17647)

MELIA HOMES
8951 Research Drive Suite 100 Irvine, CA 92618
p 949-759-4367
f 949-988-7179
www.melia-homes.com

1631-1645 Tustin Ave, Costa Mesa

PROJECT DESCRIPTION AND JUSTIFICATION

The proposed project is to demolish an existing 14 unit apartment building on the site, located at 1631-1645 Tustin Avenue, Costa Mesa, CA (APN 425-192-10) and to redevelop the property with eleven (11) detached single family homes. The existing fourteen apartment units are comprised of an older, single story garden courtyard style apartment building. This development is proposed to be processed under the Small Lot Ordinance section of the zoning code and consistent with the General Plan density.

The 11 homes are proposed to be a mix of two floor plans with a mix of elevation styles dispersed within the community. Each of the two plan types provides two elevation schemes: A and B schemes. Each varies for the Plan 1 elevations A and B, and the Plan 2 elevations A and B schemes. Each is enhanced with wall offsets, significant 2nd story vertical and horizontal articulation and a combination of hipped and gable ends at the rooflines. Roof material is proposed to consist of roof tile and elements of standing seam metal roofs integrated on each elevations style for a common unification element within the community. The color scheme of each elevation and style will be unique in order to provide for high level of variation within the community.

The Plan 1 of the proposed units are 3 bedroom 2.5 baths and are approximately 2,083 square feet in size, and the Plan 2 is a 4 bedroom 3 baths and approximately 2,121 square feet. Each home will have an attached 2 car garage and shall be upgraded with a tankless water heater and shall have energy efficient heating system with built in air-conditioning and all construction compliance with current Energy Efficient requirements and appliances.

Vehicular access will be provided with a common driveway enhanced with decorative concrete design. Four parking spaces per unit will be provided with two in an attached garage and additional two parked in a full size driveway apron immediately in front of each garage for six of the homes, and 5 homes along the south are provided 2 open parking stalls each, with one additional space for the community. The 4.1 parking spaces per unit that is proposed to be provided meet the minimum per unit requirement and the extra space complies with the SLO requirement for added parking. There is a vehicle turnaround provided as part of the site design for service vehicles so that each home will be able to have individual solid waste service. It should be noted that the existing 14 apartment units are served by 21 parking spaces. The proposed new homes will provide fewer homes on the property (11) and provide 45 parking spaces for the homes. This more than doubles the current provided parking for 3 less homes on the property.

The landscaping is designed to complement and enhance the architectural styles. Each dwelling will have a private yard space for each home. A 12 feet wide landscape parkway

along the frontage at Ogle Ave will be provided, as well as parkway landscaping along Tustin Ave frontage. The open space calculation for the project is above the SLO required 30%, as proposed it is calculated at just under 35%.

The project site is generally a square building site that is 200 feet wide by 200 feet deep and 40,000 square feet gross area. The proposed density of the proposed single family homes project is **less than** the existing density of 14 apartment dwelling units on the property, and significantly more parking spaces are provided for fewer homes than currently exists. This property is currently considered an existing non-conforming residential site with higher density than permitted by the 1980 General Plan. According to City policy, 13 dwelling units may be permitted on the project site as redevelopment of existing non-conforming dwelling units. That is calculated by utilizing current R2-MD zone combined with the existing non-conforming unit density currently existing on the site and an incentive bonus.

However, this proposed application and project does not request use of the General Plan policy for development of an existing non-conforming building site. We propose 11 homes for the property, compliant with current R2-MD zone density. The site calculations applicable are as follows, based on the information available and furnished:
Existing Site Area: 40,000 **SF (200' x 200')**

The 1990/2000 General Plan (Current) and R2-MD Zoning permits 1 unit per each 3,630 SF site area, or 11.02 **units** for the total site area.

The formula calculates in this manner for re-development on non-conforming units:

- Original Units – 14 units
- 1980 General Plan Units – 13.3 units
- 1990/2000 General Plan Units – 11.02 units
- 25% incentive Bonus above 1990/2000 General Plan (11.02 x 0.25 = 2.75 units) bonus units are rounded down to 2 units
- 1990/2000 General Plan +25% Incentive Bonus = 13.75 units allowed

- Maximum Building Potential – is allowance of 13.75 calculated units, or 13 whole dwelling units

The proposed design and development of the property is compliant with all code requirements, with exception of a request for a single admin adjustment for the front setback. In order to provide superior product design of single family for sale homes, floor plans of appropriate size and interior amenities, and provide all required off-street parking, the site's square shape presents a challenge to create a front setback of 20'. We believe that this request should be granted; partly based on design, but the project also provides a great justification given the reduction in density and increase in available parking spaces on the project site with less units that currently exist.

It is necessary for the project to request the following minimal administrative adjustment to the zoning code:

Administrative Adjustment: Per Section 13.28 – Table 13-28(a) An adjustment to the front yard setback requirement of 20 feet from Ogle Street to 12 feet is permitted. This is a 40% reduction and is allowed provided driveways are a minimum 19 feet in length. Whereas within this proposal there are not any private driveways proposed to front Ogle or Tustin Ave. The design is to allow front porch architectural features to orient toward Ogle, and not a garage door entry. It should be noted that the current non-conforming apartment building is setback approximately 9 feet from Ogle Ave right of way

Deviation: City Parking Design standards for minimum backup dimension of 25 feet to 23'. Project includes driveways widened to 18 feet with is consistent with City policy.

In the final analysis, a thoughtfully-conceived infill housing solution represented as a collection of homes with unique personality in keeping with family living. An artful blending of architectural character and program objectives that successfully appeals to the target market profile and reinforces the positive aspects and pride of community.

We look forward to working with you to improve this property and to provide market rate for sale detached single family housing on this site to replace the non-conforming apartment units. The proposed project is a vast improvement to the site and will improve the quality and expectations in the area. Melia Homes has a great working relationship and hope that our past Costa Mesa projects provide confidence in our ability to successfully implement this project once approved.

Respectfully submitted,

Chad Brown
Development Manager, Melia Homes

PH-2

Mr. Jim Fitzpatrick, Chair
Costa Mesa Planning Commission
77 Fair Drive
Costa Mesa, CA 92627
Email: PlanningCommission@costamesaca.gov

Re: Application No. PA-14-18 & TT-17647
1631-1645 Tustin Avenue
Costa Mesa, CA 92627

Dear Chair Fitzpatrick and Members of the Planning Commission,

I am writing to express my concern with the above referenced project, and to explain to you the detrimental impact that this 11 unit, two-story home development project will have on my home/duplex at 384 16th Place. I am disappointed that the developer, Melia Homes, and the City of Costa Mesa have not taken the time to consider the impact on the neighborhood. I have four primary concerns, including the number of units in the development, the proximity that the proposed homes will have to my property, the loss of privacy to my property, and the project's incompatibility with the surrounding properties, and I hereby request that the Planning Commission delay final decision on this project until these issues are adequately addressed.

First, the project, as currently designed, and the requested variance Melia Homes is asking the Planning Commission to approve, has a detrimental impact on my property and the surrounding neighborhood. Under the proposed layout, 4 out of the 11 two-story homes will back up to my property. My single-story duplex is designed with all the living areas oriented to the rear of the house and property line. The patios are only about 10 feet wide from the house to the property-dividing wall of 1631-1645 Tustin Ave. The two-story massing of these four proposed homes is unnecessarily obtrusive. As you can see from the aerial

photograph attached as Exhibit A, the proposed two story homes will put large massing right up to my property, and specifically to the living areas and patios, causing loss of privacy, and quiet enjoyment of our homes. The proposed project does not conform to the neighborhood with respect to size, mass and scale.

On another important note, I went to the City of Costa Mesa Planning Department to review the plans on 8/15/14 after receiving notice of the Planning Commission hearing. I was prevented from a meaningful review of the plans. I was told by Ms. Ashabi that I could not review the complete set of plans until Thursday 8/21/14 when "their review would be ready." Withholding the plans from public review until two business days before the hearing is contrary to public disclosure, common sense, and established neighborhood planning principles. Those plans are a matter of public record and I should have been able to review them once I received the notice of the Planning Commission hearing.

A thorough review of the plans may have helped me to better understand the project. As it was, I was allowed to view a couple of 11 x 17 pieces of paper that gave a partial layout but NO DIMENSIONS. Such information did not adequately inform me of the project. In addition, I asked for an 11 X 17 copy of the proposed layout and was denied.

I request that the Costa Mesa Planning Commission <u>deny</u> the 1631- 1645 Tustin development as proposed and require the developer to work with the surrounding neighborhood to create a more appropriate design. The requested variance will have a detrimental impact to my property and to the surrounding neighborhood as well and should not be approved without a more thoughtful design.

I attempted to make a detailed review of the plans upon receipt of the official Public Notice which I received on 8/15/14, as detailed above. Unfortunately, I am leaving town for a long-standing

commitment and this is the first I have heard of the proposed project. I am troubled by the fact that I was not allowed to review the plans at what was my only opportunity to do so before the hearing.

I am concerned about the appropriateness of 11 two-story homes at this location and I request that the Planning Commission require the developer to explore a variety of solutions to create a better project, including reducing the number of homes, the size and mass. Increasing the setbacks, reducing the number of homes on the back of the property, reducing the number of two-story homes and introducing single-story homes nearest my property line, as well as adjusting the mass and scale of the homes will help my property and the properties of my neighbors. With the $3,800,000 purchase price of the property there is plenty of profit to be made by the developer with building fewer, better designed homes that will be more compatible with the existing neighborhood.

I respectfully request that the Planning Commission require the developer, Melia Homes, to meet with affected neighbors and redesign the project prior to approval. Such redesign efforts should address:

1. Whether 11 units is appropriate and consider a reduction by at least one unit.

2. Consideration of a varied plan with single-story and two-story units.

3. Increase setbacks and provide articulation to reduce privacy issues.

4.The current property dividing wall and the electrical pole on my property need to be reviewed as part of this project. The wall cannot be disturbed as it is attached to my patio and I am unclear as to what the developer has planned for this wall. The electrical running along the property line should be put

underground for a project this size, thus removing the light that was put on the pole for the current parking lot and the antiquated poles.

It is important for City staff and the developer to further explore these issues and to present the Planning Commission with an alternate design.

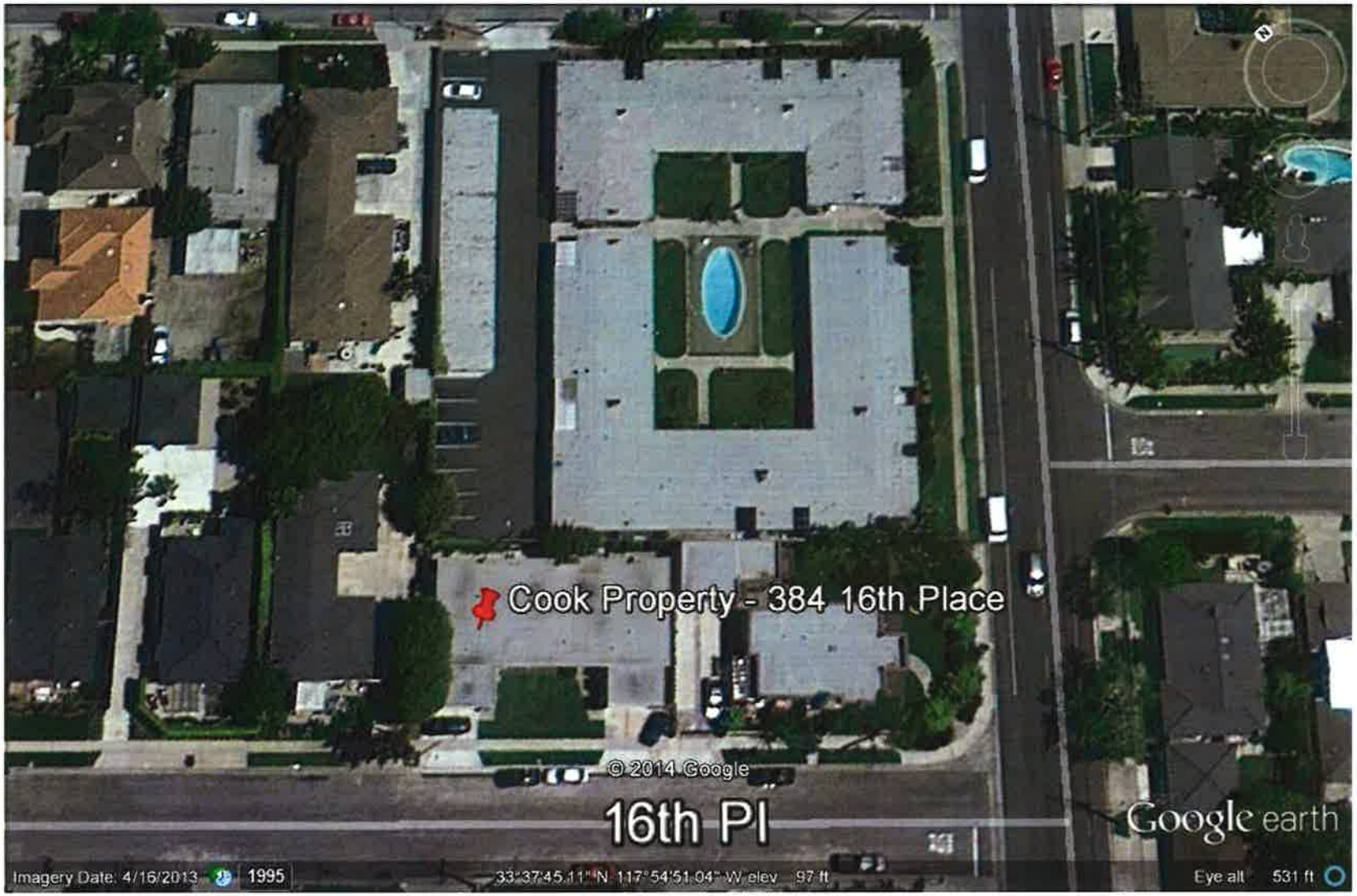
I regret that I cannot be more specific in my comments to identify more precise impacts. Because I was prevented from reviewing the full project plans, it is difficult to know the full extent of the impacts from the project and how my property will be affected.

I reiterate my request that the Planning Commission deny, or continue this project until such a time that adequate public review is provided, and that the project be amended to be more compatible with the surrounding neighborhood. With the Commissions good judgment, this project can be improved so that the developer is accomplishes their goals without harming the neighbors. I furthermore request that this correspondence and the requests contained therein be incorporated into the record of the Planning Commission's August 25, 2014 session. I appreciate your consideration of this request.

Sincerely,

Kristin Cook
(949) 689-4617
Gidgetnry@aol.com
384 16th place
Costa Mesa, CA 92627

EXHIBIT A


Cook Property - 384 16th Place
© 2014 Google
16th Pl
Google earth
Imagery Date: 4/16/2013
1995
33°37'45.11" N 117°54'51.04" W elev 97 ft
Eye alt 531 ft

PH-2

COLGAN, JULIE

From: Eric Ross <spikemd11@gmail.com>
Sent: Sunday, August 24, 2014 7:43 PM
To: PLANNING COMMISSION
Subject: Fwd: Fw: Application No. PA-14-18 & TT-17647 at 1631-1645 Tustin Ave.

---------- Forwarded message ----------
From: **paul tennyson** <paultennyson@sbcglobal.net>
Date: Sun, Aug 24, 2014 at 7:11 PM
Subject: Fw: Application No. PA-14-18 & TT-17647 at 1631-1645 Tustin Ave.
To: Neil Ross <Neil.Ross@cbrands.com>, Eric Ross <spikemd11@gmail.com>

On Sunday, August 24, 2014 7:10 PM, paul tennyson <paultennyson@sbcglobal.net> wrote:

To Mr. Jim Fitzpatrick and fellow Planning Commission Members,

I have lived within two blocks of this project over on La Perle Lane for over 30 years. I have witnessed first hand what happens when set backs and parking regulations are not followed. The city allowed lots to be split right next door to me, 2 became 4 in both number of lots and residences. The parking became a problem. The noise from windows 3-5 feet from property line increased and is not very pleasing. The City of Costa Mesa just last year approved an AC unit in my neighbors short set-back. The building department apparently lets neighbors put them without checking to see if they are the quiet ones and further neglects to have them run a couple of on and off cycles to hear how noisy they really are. I feel for the neighbors along the property line that get to listen to the AC units so close to their property. I feel that loosening restrictions for this project will also add to traffic as the area becomes denser with more square footage of living space added. There is already too much traffic on and around Tustin Ave between 17th and further down into The Heights. Please DENY the Melia Homes request. It is always best not put more of anything in area that already has existing requirements and regulations.

Sincerely,
Paul A. Tennyson
licensed building contractor in our City and State for 32+years

PH-2

Mr. Jim Fitzpatrick, Chair
Costa Mesa Planning Commission
77 Fair Drive
Costa Mesa, CA 92627
Email: PlanningCommission@costamesaca.gov

Re: Application No. PA-14-18 & TT-17647
1631-1645 Tustin Avenue
Costa Mesa, CA 92627

Dear Chair Fitzpatrick and Members of the Planning Commission,

As A Second Generation, lifetime, resident of the neighborhood and owner of a Duplex that will be directly impacted by the referenced project above, I felt compelled to express my concerns..... and offer potential solutions.

It seems to me that if a 20 Foot Setback is "REQUIRED", that it must be for a reason. To be clear I am OPPOSED to the proposal to CHANGE the REQUIRED 20 foot setback.

Recently the interpretations of "Medium Density" seem to be under fire in the City, the proposal to go from 14 single- story 1 and 2 bedroom apartments (Maybe 20 -25 occupants with cars, creating traffic and producing garbage) to 11 3-4 bedroom single family homes with Square footage to 2100-2300 sq feet (maybe 30- 40 occupants with cars, creating traffic and producing garbage) seems to be a stretch of this definition.

I am disappointed that the developer and the City of Costa Mesa have not taken greater measures to consider the impact on the neighborhood. Following are my concerns and recommended solutions.

- **Concern:** The Number of units included in the proposal and the fact that they are 2 stories seems to be very obtrusive on the footprint of the lot and to the neighboring property owners and residents. It looks as if the proposal has 5 units backing up on Two Dwellings (A **single** story, single family home and a **single** story Duplex) REALLY? This is "Medium Density"?

- **Solution:** Reduce the number of Units in the complex (INCREASE SETBACKS DON'T REDUCE THEM) or reduce the Height of the units to a single story, or a combination of both, to mitigate obtrusiveness and STAY WITHIN THE CURRENT SETBACK REQUIREMENTS.

- **Concern:** Why hasn't the developer actively sought out a representative neighborhood group to engage in the impact this project would have to the local community? I'm not anti-development but anti- irresponsible development and I feel this proposal is a perfect example of irresponsible development. I get the uneasy feeling that the developer is attempting an "End Around" of the setback requirements for a strict profit motivation, with ZERO concern about the community, as is evidenced by their lack of engagement.

- **Solution:** DENY the Change of Setback request and Send the Developer back to the Drawing Board with the requirement of organizing a group of property owners to work with them to redesign the project with the goal to mitigate the adverse impact that this proposal will have to the neighborhood.

- **Concern:** TRAFFIC understanding there are "equations" of parking places available per improved property footprint the proposal seems to make having 45 parking places sound like a good thing, really? Doubling the amount of parking places indicates that there will be twice as many cars on the local streets generating to and from this property..... Tustin Avenue from which most residents will be coming to and from the property is already obnoxiously busy as a major thoroughfare off of 17th street and going toward the Coast Highway. Also, Just because there are 2 car garages doesn't mean people will use them, when they become full of "Stuff" the cars will spill out onto the already jam packed streets surrounding the property.

- **Solution:** Again, reduce the amount of units in the development, by staying within "REQUIRED" setbacks, which would reduce the pressure on the local infrastructure.

In Summary, I request that the Costa Mesa Planning Commission DENY the 1631- 1645 Tustin development as proposed and require the developer to work with and engage the local property owners to reach a compromise solution. The requested variance will have a detrimental impact to my property and to the surrounding neighborhood as well. I request this proposal be denied until such time as a redesign of the project, that is more closely in line with the aesthetics and personality of the neighborhood, is developed

It is my opinion that with the good judgment of the commission, this project can be improved so that the developer accomplishes their goal (PROFIT) without harming the neighbors (Maintained sense of MEDIUM DENSITY community). I furthermore request that this correspondence be incorporated into the record of the Planning Commission's August 25, 2014 session. I appreciate your consideration of this request.

Sincerely,

Neil B. Ross
(949) 701-0482
1619 Tustin Ave.
Costa Mesa, CA 92627

PH-2

COSTA MESA RESIDENCE CONCERN

PROPOSED: 11- UNIT RESIDENTIAL DEVELOPMENT AT 1631 and 1645 TUSTIN AVENUE

To : Mr. Chairman and Members of the Commission
From : NICOLE HENDRICKSON
Date : September 2, 2014
Re : Tustin Ave and Ogle Street, proposed Small Lot Home Development

---

In regards to the above referenced project many of us living in the neighborhood area have not been able to attend the Public Hearings, but share the same concern. As for myself, I am a single mother, working, raising two young children, and going to school. I consider myself a responsible member of our community. I drive my children on Tustin Ave in the Morning to take them to school. In the mornings, Tustin Ave is very busy and congested and at times is unsafe.

I have recently discussed the proposed project with my neighbors and others in the local area. My neighbors and I request that a Traffic Report be completed before you approve this project.

Our preliminary assessment is that during the morning Peak Hour the level of service of Tustin Ave in this area as well as the intersection of Tustin Ave and Ogle Street is poor and below a safe standard. The level of service at best is probably a 'D' and with this project will most likely deteriorate to a level of service 'F'.

By you approving this project without adequately assessing the traffic impact, we believe, would be irresponsible. If you do elect to approve this project without studying the impacts, then the City should take responsibility should anyone be injured or if a fatality should occur because of the added traffic.

Please be responsible and error on the side of the residence and our safety.

Thank you in advance, for your consideration, and for your integrity.

N Hend

365 KNOX PLACE
COSTA MESA CA 92627

Received
City of Costa Mesa
Development Services Department
SEP 03 2014