



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: DECEMBER 8, 2014

ITEM NUMBER: PH-4

SUBJECT: PLANNING APPLICATION PA-14-16 AND TENTATIVE PARCEL MAP PM-14-107 FOR A 3-UNIT, DETACHED RESIDENTIAL DEVELOPMENT AT 1817 VIOLA PLACE

DATE: NOVEMBER 26, 2014

FROM: PLANNING DIVISION/DEVELOPMENT SERVICES DEPARTMENT

PRESENTATION BY: MEL LEE, SENIOR PLANNER

FOR FURTHER INFORMATION CONTACT: MEL LEE, AICP (714) 754-5611
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DESCRIPTION

The proposed project involves the following:

- 1. *Planning Application PA-14-16:*** Design Review to construct a 3-unit, two-story, detached residential development on a 10,674 square foot lot (.25 acres) with the following:
 - Variance from overall open space (40% required; 38% proposed).
 - Variance from parkway landscaping requirement (minimum 10-foot width total with 3 feet on one side required; 5-foot total width with 2.5 feet on one side proposed).
 - Administrative adjustment from second story rear yard setback (20 feet required; 15 feet proposed).
 - Administrative adjustment from front yard setback (20 feet required; 12 feet proposed).
 - Minor modification for distance between buildings 2 and 3 (10 feet required; 8 feet proposed).
- 2. *Tentative Parcel Map PM-14-107:*** A one-lot subdivision of the property for ownership units as part of a residential common interest development.

APPLICANT

The applicant is Jeffrey V. Riggs, representing John Pitts, the property owner.

RECOMMENDATION

Staff recommends that the Planning Commission adopt a resolution to approve the project, subject to conditions of approval.

PLANNING APPLICATION SUMMARY

Location: 1817 Viola Place Application: PA-14-16 and PM-14-107

Request: 3-unit residential common interest development with code deviations

SUBJECT PROPERTY:

Zone R2-HD
 (Base):
 General Plan: High Density Residential
 Lot Dimensions: Irregular
 Lot Area: 10,674 SF (.25 Acres)
 Existing Development: One-story residence and garage (to be demolished)

SURROUNDING PROPERTY:

North: Surrounding
 South: properties are
 East: zoned R2-HD and
 West: contain multiple-family residences.

DEVELOPMENT STANDARD COMPARISON

<u>Development Standard</u>	<u>Required/Allowed</u>	<u>Proposed/Provided</u>
Lot Size:		
Lot Width	100 FT	60 FT ¹
Lot Area	12,000 SF (.28 Acres)	10,674 SF (.25 Acres) ¹
Density:		
DU's/ Acre (High Density Residential)	1 DU/2,178 SF (20 DU's/Acre) Maximum 4 Units	1 DU/3,358 SF (12 DU's/Acre) Proposed 3 Units
Building Coverage (Development Lot)		
Buildings	NA	3,559 SF (34%)
Paving	NA	3,023 SF (28%)
Open Space	4,270 SF (40%)	4,092 SF (38%) ²
TOTAL		10,674 SF (100)
Private Open Space	10 FT (Min. Dim.)	10 FT
No. of Stories/Building Height	2 Stories/27 FT	2 Stories/27 FT
Chimney Height	2 FT Above Max. Bldg. Ht.	NA
Parkway Landscaping	10 FT Min/3 FT One Side	5 FT/2.5 FT ³
Distance Between Main Buildings	10 FT	8 FT ⁴
Setbacks		
Front (Viola Place)	20 FT	12 FT ⁵
Side (left/right)	5 FT/ 5 FT	5 FT/5 FT
Rear	10 FT (1 Story) 20 Feet (2 Story)	12 FT (1 Story) 15 FT (2 Story) ⁶
Bulk/Massing of Second Story		
Plan 1	100%	56 %
Plan 2	100%	67%
Plan 3	100%	78%
Parking (Standard Stalls) for 2 bedroom units:		
Covered	3	6
Open	7	4
TOTAL	10 Spaces	10 Spaces
Interior garage dimension	Minimum 20 FT X 20 FT	20 FT X 20 FT
(1) The property is legal nonconforming with regard to lot size and lot width. (2) Variance from open space requirement. (3) Variance from parkway landscaping requirement. (4) Minor Modification for distance between buildings. (5) Administrative Adjustment from front setback requirement. (6) Administrative Adjustment from rear setback requirement. NA = Not Applicable or No Requirement. See staff report discussion for the requested deviations from code requirements noted above.		
CEQA Status	Exempt per Section 15303, New Construction	
Final Action	Planning Commission	

BACKGROUND

Project Site/Environs

The project site is located on the west side of Viola Place, a cul de sac street on the north side of West 18th Street. The site is .25 acres (10,674 square feet) in size. The property zoned R2-HD (Multiple Family Residential) and has a General Plan Land Use Designation of High Density Residential. The site is bounded by one-story residences to the west, north, and east (across Viola Place) and one-and-two story residences to the south. The existing residence and detached garage on the site will be demolished to accommodate the proposed project.

ANALYSIS

Project Description

The project involves the construction of a 3-unit, two-story residential common interest development. The unit types are summarized in the following table:

Unit Type Summary

	Plan 1	Plan 2	Plan 3
Unit Size (Not Including Garage)	1,436 Sq. Ft.	1,386 Sq. Ft.	1,625 Sq. Ft.
No. of Bedrooms and Baths	2 Beds/2.5 Baths	2 Beds/2.5 Baths	2 Beds/2.5 Baths
No. of Stories	2 Stories	2 Stories	2 Stories
No. of Garage Spaces	2 spaces	2 spaces	2 spaces
No. of Open Spaces	4 spaces		
Total On-Site Spaces	10 parking spaces		

Note: For 2-bedroom units in a one-lot subdivision, Code requires 10 parking spaces: (8 tenant spaces and 2 guest spaces)

On-Site Parking and Vehicular Circulation

The proposed development is a “one-lot air space subdivision” and not a “small lot subdivision.” The parking requirements for a one-lot subdivision is based on the number of bedrooms regardless if the units are detached single-family residences. The parking requirements are specified in Chapter VI, Article 1, Section 13-87, Table 13-85, Residential Parking Standards, of the Zoning Code.

As noted in the table above, the proposed development provides two enclosed garage spaces for each unit (6 total); additionally, four open parking spaces are provided within the common areas for the project for a total of 10 on-site parking spaces, which complies with the number of parking spaces required per code. Vehicle access to the site will be provided from Viola Place. The on-site vehicular parking and circulation has been reviewed and approved by the Transportation Services Division.

Perimeter Walls/Fences

A condition of approval require the construction of a decorative perimeter block wall at least 7 feet in height along the side and rear property lines. No perimeter fencing is proposed along Viola Place.

Building Architecture

The proposed architecture is a two-story ranch-style with a combination of asphalt composition and metal seam roofs, exterior lap siding and stucco, decorative metal roll-up garage doors, and brick veneer along the base of the structure. The proposed colors are light and charcoal grays, yellows, and earthen tones. Architectural projections are included to maximize floor space on upper floors and provide building articulation, texture and color variation throughout the project’s design.

Trash Collection

The project incorporates on-site areas for the storage of trash barrels for each unit. This property will be served by the Costa Mesa Sanitary District.

Tentative Parcel Map

The tentative parcel map proposed is for a one-lot subdivision for a residential common interest development. All common areas including the driveway and open parking spaces will be commonly used and maintained by a homeowners association as stipulated in the Conditions, Covenants, and Restrictions (CC&R’s) for the development. The CC&R’s will also include provisions requiring that all open parking spaces be unassigned and available for visitors and requiring residents to park vehicles in the garage spaces provided for each unit.

GENERAL PLAN AND ZONING CODE CONFORMANCE

The findings for approval of the proposed project require that be in conformance with the following planning documents:

- General Plan
- Zoning Code

Conformance with the City of Costa Mesa General Plan

Future development of all land within the City of Costa Mesa is guided by the General Plan adopted in 2002. The Land Use Element of the General Plan directs long-range development in the City by indicating the location and extent of development to be allowed. The General Plan sets forth land use goals, policies, and objectives that guide new development. The General Plan land use designation for the project site is High Density Residential. Per the General Plan, High Density Residential is intended for residential development with a density up to 20 units to the acre (maximum 4 units). Because the density of the proposed project is 12 units to the acre (proposed 3 units), it is therefore consistent with the General Plan land use designation.

The following analysis evaluates the proposed project's consistency with specific goals, and objectives of the General Plan, Land Use Element.

1. **Objective LU-1A:** *Establish and maintain a balance of land uses throughout the community to preserve the residential character of the City at a level no greater than can be supported by the infrastructure.*

Consistency: The project is an infill residential project within the allowable density for high-density development. Therefore, adequate infrastructure would be available to serve the proposed project. Therefore, the project is consistent with this General Plan objective.

2. **Objective LU-1A.3:** *Locate high-density developments or high traffic generating uses away from low-density residential in order to buffer the more sensitive land uses from the potentially adverse impacts of the more intense development or uses.*

Consistency: As indicated in the vicinity zoning map attached to this report, the surrounding area is zoned R2-HD and R3. The infill nature of the proposed project protects the viability of the natural environment and decreases the need for significant infrastructure improvements. The project is consistent with this General Plan goal.

3. **Objective LU-1A.4:** *Strongly encourage the development of...owner-occupied housing where feasible to improve the balance between rental and ownership housing opportunities.*

Consistency: Because the proposed project is for ownership units, the project is consistent with this General Plan goal.

4. **Goal LU-2: Development:** *It is the goal of the City of Costa Mesa to establish development policies that will create and maintain an aesthetically pleasing and functional environment and minimize impacts on existing physical and social resources.*

Consistency: The project would allow for the redevelopment of property containing a marginal residential dwelling as indicated in the site photos attached to this report. The proposed project would add a high-quality architectural design to the project area. As required by a standard condition of approval on the project, perimeter wall treatments will be reviewed to ensure that they are made of decorative materials, and ornamental site landscaping will be provided throughout the project. As a result, the proposed project is supportive of this General Plan goal.

5. **Objective LU-2A:** *Encourage new development and redevelopment to improve and maintain the quality of the environment.*

Consistency: Because the project is an infill development, it would not result in the loss of any habitat, or require extensive infrastructure improvements to provide service to the site. The project is consistent with this objective.

Conformance with the Zoning Code

The City Council enacted a zoning ordinance (Title 13) in June 1997 that applies zoning code requirements for new development in the R2-HD zone. Although the applicant is requesting several deviations from the zoning code requirements, staff believes the project, as conditioned, is consistent with the Zoning Code as discussed below.

Justifications for Approval

Pursuant to Title 13, Section 13-29(g), Findings, of the Costa Mesa Municipal Code, the Planning Commission shall find that the evidence presented in the administrative record substantially meets specified findings. Staff recommends approval of the proposed project, based on an assessment of facts and findings which are also reflected in the draft resolution.

The appropriate findings can be made for the requested code deviations. Code Section 13-29(g)(1) requires the following findings for the variances and administrative adjustments, as described at the beginning of this report:

1. *Because of special circumstances applicable to the property, the strict application of development standards deprives the property of privileges enjoyed by others in the vicinity.*
 2. *The deviation shall not constitute a grant of special privileges inconsistent with other properties in the vicinity.*
 3. *The granting of the deviation will not allow a use, density, or intensity which is not in accordance with the general plan designation for the property.*
- *Variance from open space requirements is considered a minor deviation (40% required; 38% proposed).* Because of special circumstances applicable to the property, the strict application of development standards deprives the property of privileges enjoyed by others in the vicinity. The unique topography and shape of the lot due to its being oriented on a cul de sac street justifies approval of requested deviations. The minor deviation would not constitute a grant of special privileges inconsistent with other properties in the vicinity because the multi-family property to the south of the subject property (addressed as 1813 Viola Place) was approved in the 1970's with 20% open space, 18% less than what is proposed for this project. Finally, the granting of the deviation will not allow a use, density, or intensity which is not in accordance with the general plan land use designation for the property because, as noted earlier, the proposed density for the project is 12 units to the acre, well within the maximum 20 units to the acre allowed under the high density residential general plan land use designation.

A condition of approval requires the final landscape plan to be approved by the Planning Division and contain additional 24-inch box size trees above the minimum

code requirements. Compliance with this requirement may include upgrading smaller size trees to 24-inch box size trees or providing additional 24-inch box trees.

- Variance from parkway landscaping requirements is required to meet parking and circulation requirements (minimum 10-foot width total with 3 feet on one side required; 5-foot total width with 2.5 feet on one side proposed). Specifically, the 60-foot lot width, which is legal nonconforming (100-foot minimum lot width for newly subdivided lots is required) prevents the applicant from providing to the code required parkway landscaping. The proposed driveway width ranges from 16 feet to 27 feet to meet minimum standards for adequate vehicle circulation and back-out from parking stalls. Any reduction in the driveway width to allow for additional parkway landscaping would result in a substandard driveway for vehicle circulation and maneuverability. Because minimum driveway widths are required adjacent to the main buildings to provide vehicle back out and turning movements, the Code required 5-foot parkway landscape width adjacent to the buildings cannot be met.

The reduced parkway width will be offset by enhanced landscape materials (i.e., mature trees and hedges) in order to provide the appearance of dense landscaping from within the project. The purpose of the landscape parkway requirement is to provide a visual landscape buffer between the driveway and the homes to one side and the new perimeter wall on the other side; to that end, the applicant is proposing landscaping in these areas (5-feet total with 2.5 feet on the perimeter wall side), thus meeting the intent of this requirement to provide some degree of parkway landscaping. The deviation would not constitute a grant of special privileges because similar deviations for parkway landscaping have been approved by the Commission for these types of lots.

- Administrative adjustment from second story rear yard setback would be justified through architectural design to minimize massing and privacy impacts (20 feet required; 15 feet proposed). The multi-family property to the west of the subject property (addressed as 648 West 18th Street) is a parking lot for the existing multi-family complex with no adjacent dwelling unit or yard area impacted by the reduced second story setback on the subject property. The applicant has designed the two-story unit (Plan 3) to minimize any adverse massing impacts to the adjacent residential building. The first story has also been placed approximately 12 feet from the rear property line while the second story is stepped back by an additional 3 feet. The rear elevation is also limited to the master bedroom and master bathroom with no direct views into neighboring windows.

Staff has also incorporated, as a condition of approval that the applicant plant a 24-inch box tree planted along the rear property line to provide mature landscaping in the rear yard. As a result, the granting of the deviation will not allow a development intensity which is not in accordance with the general plan designation for the property because the scale and character of the proposed development will be compatible with surrounding properties.

- Administrative adjustment from front yard setback would allow for a front porch for Unit 1 (20 feet required; 12 feet proposed). Unit 1 is proposed at a 12-foot front setback due to the proposed front porch. The structure (without the porch element) is set back

16 feet from the closest point from the front property line and 23 feet from the furthest point from the front property line (20-foot average). The front yard setback encroachment allows the covered porch to create a visual element from the street normally associated with single family dwellings.

Code allows a block wall to be located within the front setback area. However, a condition of approval requires that no perimeter walls or fences be constructed within the 15-foot wide landscaped area along Viola Place to ensure that this area is fully landscaped and visible from the street.

- Minor modification for distance between buildings 2 and 3 (10 feet required; 8 feet proposed) is considered a minor deviation. With regard to the minor modification, Code Section 13-29(g)(6) requires the following findings:
 1. *The improvement will not be materially detrimental to the health, safety, and general welfare of persons residing or working within the immediate vicinity of the project or to property and improvements within the neighborhood.*
 2. *The improvement is compatible and enhances the architecture and design of the existing and anticipated development in the vicinity. This includes the site planning, land coverage, landscaping, appearance, scale of structures, open space, and any other applicable features relative to a compatible and attractive development.*

The building elevations incorporate variation in depth of floor plans, rooflines, multiple building planes, and offsets to provide architectural interest and visual relief from off-site. The reduction in building separation will not be materially detrimental to the health, safety, and general welfare of persons residing or working within the immediate vicinity of the project or to property and improvements within the neighborhood because the project will be required to comply with all applicable provision of the Uniform Building Code with regard to safety.

- The project exhibits excellence in design, site planning, integration of uses and structures, and protect the integrity of neighboring development. The proposed architecture and site design will enhance the street view and potentially evoke new development in the area. The overall architectural design promotes excellence and compatibility. Per the City's Residential Design Guidelines, the variety of building elevations, materials and staggered massing diminishes the boxy design appearance consistent with the guidelines. Second floor windows for Unit 3 will be required to be offset or obscured to avoid visual impacts to the second story windows on 1813 Viola Place to the south. Furthermore, while the second story, average side yard setback requirement of 10 feet does not apply to homes less than 2,700 square feet in size, Units 1 and 2 would comply with that design guideline.
- The project will provide on-site parking spaces that meets current parking standards (10 spaces required; 10 spaces proposed). As noted earlier, the parking requirements for a one lot subdivision are based on the number of bedrooms. The project would provide 6 garage/covered parking spaces and 4 open parking spaces for a total of 10 spaces. The open parking spaces are distributed throughout the project to provide convenient parking for future guests within the development.

As a one-lot subdivision, an incorporated Homeowner's Association is required to be established for this development. A condition of approval requires that the Homeowner's Association or Maintenance Association submit a signed affidavit to the City of Costa Mesa on an annual basis to certify the following:

- The two-car garages in the residential community are being used for vehicle parking by the resident(s).
- The vehicle parking areas within the garage are not obstructed by storage items, including but not limited to, toys, clothing, tools, boxes, equipment, etc.
- The resident(s) have consented to voluntary inspections of the garage to verify the parking availability, as needed.

The form and content of the affidavit shall be provided by the City Attorney's office. Failure to file the annual affidavit is considered a violation of this condition.

- The project features quality construction and materials. As noted earlier, the building exteriors consist of alternating stucco and wood siding, decorative wood trim, and El Dorado stone veneer. A condition of approval requires a decorative perimeter block wall at a minimum of seven feet in height.

ENVIRONMENTAL DETERMINATION

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15303 for New Construction. This exemption allows for the construction of up to six multi-family residential structures in urbanized areas, which have been determined not to have a significant effect on the environment.

LEGAL REVIEW

The draft resolutions have been reviewed and approved as to form by the City Attorney's Office.

ALTERNATIVES

1. Approve the project with modifications. The Planning Commission may suggest specific changes that are necessary to alleviate concerns. If any of the additional requested changes are substantial, the item should be continued to a future meeting to allow a redesign or additional analysis. In the event of significant modifications to the proposal, should the Planning Commission choose to do so, staff will return with a revised resolution incorporating new findings and/or conditions.
2. Deny the project. If the Planning Commission believes that there are insufficient facts to support the findings for approval, Planning Commission must deny the application and provide facts in support of denial to be included in the attached draft resolution for denial. If the project were denied, the applicant could not submit substantially the same type of application for six months.

CONCLUSION

The proposed development does not feature the maximum buildout potential allowed in the High Density Residential land use designation (4 units allowed; 3 units proposed). Despite the requested deviations from Code requirements, it is staff's opinion that the development satisfies the required Code findings for the deviations and therefore is consistent with the intent of the General Plan and applicable Zoning Code sections. Legal findings could be made to justify approval of the specified deviations from code. Therefore, staff recommends approval of the project.



MEL LEE, AICP
Senior Planner



CLAIRE FLYNN, AICP
Asst. Development Services Director

Attachments:

1. Draft Planning Commission Resolutions and Exhibits
2. Applicant's Project Description
3. Vicinity and Zoning Map
4. Site Photos
5. Project Plans/Elevations/Perspectives

Distribution: Director of Economic & Development Services/Deputy CEO
Assistant Development Services Director
Senior Deputy City Attorney
Public Services Director
City Engineer
Transportation Services Manager
Fire Protection Analyst
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John and Suzanne Pitts
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Newport Beach, CA 92660

**ATTACHMENT 1
DRAFT RESOLUTIONS**

RESOLUTION NO. PC-14-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-14-16 AND PARCEL MAP PM-14-107 FOR PROPERTY LOCATED AT 1817 VIOLA PLACE

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

WHEREAS, an application was filed by Jeffery V. Riggs, representing John Pitts, the property owner, requesting approval of the following:

1. ***Planning Application PA-14-16:*** Design Review to construct a 3-unit, two-story, detached residential development on a 10,674 square foot lot (.25 acres) with the following:
 - Variance from overall open space (40% required; 38% proposed).
 - Variance from parkway landscaping requirement (minimum 10-foot width total with 3 feet on one side required; 5-foot total width with 2.5 feet on one side proposed).
 - Administrative adjustment from second story rear yard setback (20 feet required; 15 feet proposed).
 - Administrative adjustment from front yard setback (20 feet required; 12 feet proposed).
 - Minor modification for distance between buildings 2 and 3 (10 feet required; 8 feet proposed).
2. ***Tentative Parcel Map PM-14-107:*** A one-lot subdivision of the property for ownership units as part of a residential common interest development.

WHEREAS, the project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City of Costa Mesa Environmental Guidelines, and has been found to be categorically exempt from CEQA under Section 15303 for New Construction.

WHEREAS, the CEQA categorical exemption for this project reflects the independent judgment of the City of Costa Mesa.

WHEREAS, a duly noticed public hearing was held by the Planning Commission on December 8, 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-14-16 and Parcel Map PM-14-107.

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-14-16 and Parcel Map PM-14-107 and upon the 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 and/or mitigation measures.

BE IT FURTHER RESOLVED that if any section, division, sentence, clause, phrase or portion of this resolution, or the documents in the record in support of this resolution, are 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.

PASSED AND ADOPTED this 8th day of December, 2014.

Jim Fitzpatrick, Chair
Costa Mesa Planning Commission

EXHIBIT A

FINDINGS (APPROVAL)

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

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.

Facts in Support of Findings: The architectural design of the development 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. Second floor windows will be required to be offset to minimize direct views onto adjacent second floor residential windows, and the elevations will have exterior elevation treatments as recommended in the City's Residential Design Guidelines.

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.

Facts in Support of Findings: The proposed two-story structures are in keeping with the rest of the neighborhood which is developed with 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.

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.

Facts in Support of Findings: The proposed project provides ownership opportunities for detached units in place of the existing residential structures. The project exhibits site planning excellence by providing private open spaces for all units and adequate separation between the homes and the abutting structures.

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

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

Facts in Support of Findings: 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 amenities as a condominium development, and encourages increased private market investment in declining or deteriorating neighborhoods.

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

Facts in Support of Findings: The density for the residential component is 12 units per acre (3 units maximum), which complies with allowable density of 20 units per acre (4 units maximum) per the General Plan.

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.

Facts in Support of Findings: The overall design reflects a quality project that is consistent with the intent of the Zoning Code and General Plan.

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.

Facts in Support of Findings: 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.

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.

Facts in Support of Findings: As conditioned, the proposed project does not interfere with the public right-of-way. The recommended improvements along Viola Place will significantly improve the public right-of-ways for vehicular and pedestrian traffic.

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).

Facts in Support of Findings: 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:

Findings:

- Because of special circumstances applicable to the property, the strict application of development standards deprives the property of privileges enjoyed by others in the vicinity.
- The deviation shall not constitute a grant of special privileges inconsistent with other properties in the vicinity.
- The granting of the deviation will not allow a use, density, or intensity which is not in accordance with the general plan designation for the property.
- **Facts in Support of Findings:** Variance from open space requirements is considered a minor deviation (40% required; 38% proposed). Because of special circumstances applicable to the property, the strict application of development standards deprives the property of privileges enjoyed by others in the vicinity. The unique topography and shape of the lot due to its being oriented on a cul de sac street justifies approval of requested deviations. The minor deviation would not constitute a grant of special privileges inconsistent with other properties in the vicinity because the multi-family property to the south of the subject property (addressed as 1813 Viola Place) was approved in the 1970's with 20% open space, 18% less than what is proposed for this project. Finally, the granting of the deviation will not allow a use, density, or intensity which is not in accordance with the general plan land use designation for the property because, as noted earlier, the proposed density for the project is 12 units to the acre, well within the maximum 20 units to the acre allowed under the high density residential general plan land use designation.
- Variance from parkway landscaping requirements is required to meet parking and circulation requirements (minimum 10-foot width total with 3 feet on one side required; 5-foot total width with 2.5 feet on one side proposed). Specifically, the 60-foot lot width, which is legal nonconforming (100-foot minimum lot width for newly subdivided lots is required) prevents the applicant from providing to the code required parkway landscaping. The proposed driveway width ranges from 16 feet to 27 feet to meet minimum standards for adequate vehicle circulation and back-out from parking stalls. Any reduction in the driveway width to allow for additional parkway landscaping would result in a substandard driveway for vehicle circulation and maneuverability. Because minimum driveway widths are required adjacent to the main buildings to provide vehicle back out and turning movements, the Code required 5-foot parkway landscape width adjacent to the buildings cannot be met. This will be offset by enhanced landscape materials (i.e., mature trees and hedges) in order to provide the appearance of dense landscaping from within the project.

Additionally, the purpose of the landscape parkway requirement is to provide a visual landscape buffer between the driveway and the homes to one side and the

new perimeter wall on the other side; to that end, the applicant is proposing landscaping in these areas (5-feet total with 2.5 feet on the perimeter wall side), thus meeting the intent of this requirement to provide some degree of parkway landscaping. The deviation would not constitute a grant of special privileges because similar deviations for parkway landscaping have been approved by the Commission for these types of lots.

- Administrative adjustment from second story rear yard setback would be justified through architectural design to minimize massing and privacy impacts (20 feet required; 15 feet proposed). The multi-family property to the west of the subject property (addressed as 648 West 18th Street) is a parking lot for the existing multi-family complex with no adjacent dwelling unit or yard area impacted by the reduced second story setback on the subject property. The applicant has designed the two-story unit (Plan 3) to minimize any adverse massing impacts to the adjacent residential building. The first story has also been placed approximately 12 feet from the rear property line while the second story is stepped back by an additional 3 feet. The rear elevation is also limited to the master bedroom and master bathroom with no direct views into neighboring windows.

Staff has also incorporated, as a condition of approval that the applicant plant a 24-inch box tree planted along the rear property line to provide mature landscaping in the rear yard. As a result, the granting of the deviation will not allow a development intensity which is not in accordance with the general plan designation for the property because the scale and character of the proposed development will be compatible with surrounding properties.

- Administrative adjustment from front yard setback would allow for a front porch for Unit 1 (20 feet required; 12 feet proposed). Unit 1 is proposed at a 12-foot front setback due to the proposed front porch. The structure (without the porch element) is setback 16 feet from the closest point from the front property line and 23 feet from the furthest point from the front property line (20-foot average). The front yard setback encroachment allows the covered porch to create a visual element from the street normally associated with single family dwellings.

D. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(6) in that:

Findings:

- The improvement will not be materially detrimental to the health, safety, and general welfare of persons residing or working within the immediate vicinity of the project or to property and improvements within the neighborhood.
- The improvement is compatible and enhances the architecture and design of the existing and anticipated development in the vicinity. This includes the site planning, land coverage, landscaping, appearance, scale of structures, open space, and any other applicable features relative to a compatible and attractive development.

Facts in Support of Findings:

- Minor modification for distance between buildings 2 and 3 (10 feet required; 8 feet proposed) is considered a minor deviation. The building elevations incorporate variation in depth of floor plans, rooflines, multiple building planes, and offsets to provide architectural interest and visual relief from off-site. The reduction in building separation will not be materially detrimental to the health, safety, and general welfare of persons residing or working within the immediate vicinity of the project or to property and improvements within the neighborhood because the project will be required to comply with all applicable provision of the Uniform Building Code with regard to safety.
- E. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City's environmental procedures. The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15303 for New Construction. This exemption allows for the construction of up to six multi-family residential structures in urbanized areas, which have been determined not to have a significant effect on the environment.
- F. 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-14-16 shall coincide with the expiration of the approval of the Tentative Parcel Map PM-14-107 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 of PA-14-16 and PM-14-107 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
 3. The Tentative Parcel Map shall be processed as a condominium map consistent with Section 13-41 of the Zoning Code.
 4. A decorative 7-foot high perimeter block wall shall be constructed along the side and rear boundaries 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 units shall be a minimum of six feet in height.
 6. No perimeter walls or fences shall be constructed within the 15-foot deep landscaped area along Viola Place to ensure that this area is fully landscaped and visible from the street.
 7. 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.
 8. 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.
 9. Landscaping and irrigation shall be installed in accordance with the approved plans prior to final inspection or occupancy clearance.
 10. The final landscape plan shall be approved by the Planning Division and contain additional 24-inch box size trees above the minimum code requirements. Compliance with this requirement may include upgrading smaller size trees to 24-inch box size trees or providing additional 24-inch box trees.
 11. The applicant shall plant a 24-inch box tree along the rear property line to provide mature landscaping in the rear yard.
 12. Prior to issuance of building permits, developer shall contact the U.S. Postal Service with regard to location and design of mail delivery facilities. Such facilities shall be shown on the site plan, landscape plan, and/or floor plan.
 13. 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.

14. Second floor windows for Unit 3 shall be offset or obscured to avoid visual impacts to the second story windows on 1813 Viola Place to the south.
15. No exterior roof access ladders, roof drain scuppers, or roof drain downspouts are permitted. This condition relates to visually prominent features of scuppers or downspouts that not only detract from the architecture but may be spilling water from overhead without an integrated gutter system which would typically channel the rainwater from the scupper/downspout to the ground. An integrated downspout/gutter system which is painted to match the building would comply with the condition. This condition shall be completed under the direction of the Planning Division.
16. 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.
17. The subject property's ultimate finished grade level may not be filled/raised in excess of 36 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.
18. 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.

19. The project shall comply with Title 24 of the California Code of Regulations established by the energy conservation standards. The project Applicant shall incorporate the following in building plans:
 - a. Double paned glass or window treatment for energy conservation shall be used in all exterior windows.
 - b. Building shall be oriented north/south where feasible.
20. Trash facilities shall be screened from view, and designed and located appropriately to minimize potential noise and odor impacts to residential areas.
21. To avoid an alley-like appearance, the driveway shall not be developed with a center concrete swale. The driveway shall be complemented by stamped concrete or pervious pavers.
22. 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 HOA homeowner's association (HOA) effectively manage parking and contract with a towing service to enforce the parking regulations.
 - b. The CC&Rs shall also contain provisions related to preservation and maintenance of the common lot and common open space areas in perpetuity by the homeowner's association.
 - c. The CC&Rs shall contain a notice that all open parking spaces shall be unassigned and available for visitors.
 - d. The CC&R's shall contain restrictions requiring residents to park vehicles in garage spaces provided for each unit. Storage of other items may occur only to the extent that vehicles may still be parked within the required 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.
23. The Homeowner's Association or Maintenance Association shall submit a signed affidavit to the City of Costa Mesa on an annual basis to certify the following:
 - a. The two-car garages in the residential community are being used for vehicle parking by the resident(s).
 - b. The vehicle parking areas within the garage are not obstructed by storage items, including but not limited to, toys, clothing, tools, boxes, equipment, etc.
 - c. The resident(s) have consented to voluntary inspections of the garage to verify the parking availability, as needed.

The form and content of the affidavit shall be provided by the City

Attorney's office. Failure to file the annual affidavit is considered a violation of this condition.

24. The CC&Rs shall be recorded prior to issuance of certificates of occupancy.
 25. Prior to issuance of building permits, the applicant shall provide proof of recordation of Parcel Map PM-14-107.
 26. 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.
 27. Prior to release of any utilities, the applicant shall provide proof of establishment of a maintenance or homeowners association.
 28. 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.
- Eng. 29. Maintain the public right-of-way in a "wet-down" condition to prevent excessive dust and promptly remove any spillage from the public right-of-way by sweeping or sprinkling.

CODE REQUIREMENTS

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

- Plng.
1. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections, final occupancy and utility releases will not be granted until all such licenses have been obtained.
 2. 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. Pay Park fee prior to building permit issuance or certificate of occupancy. Applicable fee shall be that fee in effect at the time the subdivision application is filed with the City.
5. A minimum 20-foot by 20-foot clear interior dimension shall be provided for all garages.
6. Minimum garage door width shall be 16 feet.
7. All garages shall be provided with automatic garage door openers.
8. Hours of construction shall comply with Section 13-279, Title 13, of the Costa Mesa Municipal Code.
9. 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.
10. Two (2) sets of landscape and irrigation plans, approved by the Planning Division, shall be attached to two of the final building plan sets.
11. All on-site utility services shall be installed underground.
12. 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.
13. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.
14. Prior to approval of plans, the project shall fulfill the City of Costa Mesa Drainage Ordinance No. 06-19 requirements.
- Bldg. 15. 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.

16. Submit precise grading plans, an erosion control plan, and a hydrology study.
17. Submit a soils report for this project. Soil's report recommendations shall be blueprinted on both the architectural and grading plans. For existing slopes or when new slopes are proposed, the soils report shall address how existing or new slopes will be maintained to avoid erosion or future failure.
18. 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.
19. Lots shall be graded to drain surface water away from foundation walls. The grade shall fall a minimum of six inches within the first 10 feet. CRC R401.3.
20. Projections, including eaves, shall be one-hour fire resistive construction, heavy timber or noncombustible material if they project into the 5-foot setback area from the property line. They may project a maximum of 12 inches beyond the 3-foot setback. CRC Tables R302.1 (1) and R302.1 (2).
21. Prior to the issuance of Grading Permits, the project Applicant shall provide the City of Costa Mesa Department of Building Safety with a geotechnical investigation of the project site detailing recommendations for remedial grading in order to reduce the potential of onsite soils to cause unstable conditions. Design, grading, and construction shall be performed in accordance with the requirements of the California Building Code applicable at the time of grading, appropriate local grading regulations, and the recommendations of the geotechnical consultant as summarized in a final written report, subject to review by the City of Costa Mesa Department of Building Safety.
22. During demolition, grading, and excavation, workers shall comply with the requirements of Title 8 of the California Code of Regulations, Section 1532.1, which provides for exposure limits, exposure monitoring, respiratory protection, and good working practice by workers exposed to lead. Lead-contaminated debris and other wastes shall be managed and disposed of in accordance with the applicable provision of the California Health and Safety Code.
23. During demolition, grading, and excavation, workers shall comply with the requirements of Title 8 of the California Code of Regulations, Section 1529, which provides for exposure limits, exposure monitoring, respiratory protection, and good working practices by workers exposed to asbestos. Asbestos-contaminated debris and other wastes shall be managed and disposed of in accordance with the applicable provision of

the California Health and Safety Code.

24. All construction contractors shall comply with South Coast Air Quality Management District (SCAQMD) regulations, including Rule 403, Fugitive Dust. All grading (regardless of acreage) shall apply best available control measures for fugitive dust in accordance with Rule 403. To ensure that the project is in full compliance with applicable SCAQMD dust regulations and that there is no nuisance impact off the site, the contractor would implement each of the following:

- a. Moisten soil not more than 15 minutes prior to moving soil or conduct whatever watering is necessary to prevent visible dust emissions from exceeding 100 feet in any direction.
- b. Apply chemical stabilizers to disturbed surface areas (completed grading areas) within five days of completing grading or apply dust suppressants or vegetation sufficient to maintain a stabilized surface.
- c. Water excavated soil piles hourly or covered with temporary coverings.
- d. Water exposed surfaces at least twice a day under calm conditions. Water as often as needed on windy days when winds are less than 25 miles per day or during very dry weather in order to maintain a surface crust and prevent the release of visible emissions from the construction site.
- e. Wash mud-covered tired and under-carriages of trucks leaving construction sites.
- f. Provide for street sweeping, as needed, on adjacent roadways to remove dirt dropped by construction vehicles or mud, which would otherwise be carried off by trucks departing project sites.
- g. Securely cover loads with a tight fitting tarp on any truck leaving the construction sites to dispose of debris.
- h. Cease grading during period when winds exceed 25 miles per hour.

Trans. 25. Construct all proposed driveway approaches to comply with city standards.

26. Fulfill mitigation of off-site traffic impacts at the time of issuance of occupancy by submitting to the Planning Division the required traffic impact fee pursuant to the prevailing schedule of charges adopted by the City Council. The traffic impact fee is calculated including credits for all existing uses. NOTE: The Traffic Impact Fee will be recalculated at the time of issuance of building permit/certificate of occupancy based upon any changes in the prevailing schedule of charges adopted by the City Council and in effect at that time.

27. Close unused drive approaches, or portion of, with full height curb and gutter that comply with City Standards.

Fire 28. 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.

29. The project shall provide an automatic fire sprinkler system according to NFPA 13 R.
- Street
Trees
30. Plant 24" box Geijera parviflora per the Streetscape and Median Development Standards.
- WQMP
31. In order to comply with the 2003 DAMP, the proposed project shall prepare a Storm Drain Plan, Stormwater Pollution Prevention Plan (SWPPP), and Water Quality Management Plan (WQMP) conforming to the current National Pollution Discharge Elimination System (NPDES) requirements, prepared by a Licensed Civil Engineer or Environmental Engineer, which shall be submitted to the Department of Public Works for review and approval.
32. The SWPPP shall be prepared and updated as needed during the course of construction to satisfy the requirements of each phase of development. The plan shall incorporate all necessary Best Management Practices (BMPs) and other City requirements to eliminate polluted runoff until all construction work for the project is completed. The SWPPP shall include treatment and disposal of all dewatering operation flows and for nuisance flows during construction.
33. A WQMP shall be maintained and updated as needed to satisfy the requirements of the adopted NPDES program. The plan shall ensure that the existing water quality measures for all improved phases of the project are adhered to.
34. Location of the BMPs shall not be within the public right-of-way.
35. The project shall comply with the NPDES requirements, as follows:
- a. Construction General Permit Notice of Intent (NOI) Design: Prior to the issuance of preliminary or precise grading permits, the project applicant shall provide the City Engineer with evidence that an NOI has been filed with the Storm Water Resources Control Board (SWRCB). Such evidence shall consist of a copy of the NOI stamped by the SWRCB or Regional Water Quality Control Board (RWQCB), or a letter from either agency stating that the NOI has been filed.
 - b. Construction Phase Storm Water Pollution Prevention Plan (SWPPP): Prior to the issuance of grading permits, the applicant shall prepare a SWPPP that complies with the Construction General Permit and will include at a minimum the following:
 - c. Discuss in detail the BMPs planned for the project related to control of sediment and erosion, non-sediment pollutants, and potential pollutants in non-storm water discharges.
 - d. Describe post-construction BMPs for the project.
 - e. Explain the maintenance program for the project's BMPs.
 - f. List the parties responsible for the SWPPP implementation and the BMP maintenance during and after grading. The project Applicant shall implement the SWPPP and modify the SWPPP as directed by the Construction General Permit.

SPECIAL DISTRICT REQUIREMENTS

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

- | | |
|--------|--|
| Sani. | <ol style="list-style-type: none">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.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 | <ol style="list-style-type: none">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. |
| Water | <ol style="list-style-type: none">8. Customer shall contact the Mesa Water District – Engineering Desk and submit an application and plans for project review. Customer must obtain a letter of approval and a letter of project completion from Mesa Water District. |
| School | <ol style="list-style-type: none">9. Pay applicable Newport Mesa Unified School District fees to the Building Division prior is issuance of building permits. |
| State | <ol style="list-style-type: none">10. 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. |

RESOLUTION NO. PC-14-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DENYING PLANNING APPLICATION PA-14-16 AND PARCEL MAP PM-14-107 FOR PROPERTY LOCATED AT 1817 VIOLA PLACE

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

WHEREAS, an application was filed by Jeffery V. Riggs, representing John Pitts, the property owner, requesting approval of the following:

1. ***Planning Application PA-14-16:*** Design Review to construct a 3-unit, two-story, detached residential development on a 10,674 square foot lot (.25 acres) with the following:
 - Variance from overall open space (40% required; 38% proposed).
 - Variance from parkway landscaping requirement (minimum 10-foot width total with 3 feet on one side required; 5-foot total width with 2.5 feet on one side proposed).
 - Administrative adjustment from second story rear yard setback (20 feet required; 15 feet proposed).
 - Administrative adjustment from front yard setback (20 feet required; 12 feet proposed).
 - Minor modification for distance between buildings 2 and 3 (10 feet required; 8 feet proposed).
2. ***Tentative Parcel Map PM-14-107:*** A one-lot subdivision of the property for ownership units as part of a residential common interest development.

WHEREAS, a duly noticed public hearing was held by the Planning Commission on December 8, 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, the Planning Commission hereby **DENIES** Planning Application PA-14-16 and Parcel Map PM-14-107.

PASSED AND ADOPTED this 8th day of December, 2014.

Jim Fitzpatrick, Chair
Costa Mesa Planning Commission

EXHIBIT A

FINDINGS (DENIAL)

- A. The information presented does not comply with Costa Mesa Municipal Code Section 13-29(g)(14) in that:

Finding: The project does not comply with the City of Costa Mesa Zoning Code or 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.

Finding: The visual prominence associated with the construction of two-story homes in a predominately one-story neighborhood has not 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.

Finding: The proposed development plan and subdivision does not meet 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.

- B. The information presented does not comply with Costa Mesa Municipal Code Section 13-29(g)(1) in that:

Findings:

- Because of special circumstances applicable to the property, the strict application of development standards does not deprive the property of privileges enjoyed by others in the vicinity.
- The deviations constitutes a grant of special privileges inconsistent with other properties in the vicinity.
- The granting of the deviations will allow a use, density, or intensity which is not in accordance with the general plan designation for the property.

- C. The information presented does not comply with Costa Mesa Municipal Code Section 13-29(g)(6) in that:

Findings:

- The improvement will be materially detrimental to the health, safety, and general welfare of persons residing or working within the immediate vicinity of the project or to property and improvements within the neighborhood.
- The improvement is not compatible and does not enhance the architecture and design of the existing and anticipated development in the vicinity. This includes the site planning, land coverage, landscaping, appearance, scale of structures, open space, and any other applicable features relative to a

compatible and attractive development.

- D. The subdivision of the property for a residential common interest development is not consistent with the City's General Plan and Zoning Code.
- E. The Costa Mesa Planning Commission has denied Planning Application PA-14-16 and Parcel Map PM-14-107. Pursuant to Public Resources Code Section 21080(b) (5) and CEQA Guidelines Section 15270(a) CEQA does not apply to this project because it has been rejected and will not be carried out.
- F. The project is exempt from Chapter IX, Article 11, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

**ATTACHMENT 2
PROJECT DESCRIPTION**



November 24, 2014

City of Costa Mesa
Planning Department
77 Fair Drive
Costa Mesa, Ca 92628-1200
Attn.: Mr. Mel Lee

R.E. Letter of Request for justification for applying for variances and minor adjustments
Project: 1817 Viola Place, Costa Mesa, CA 92627

Dear Mr. Lee,

Per your request, this letter serves to request in writing that three variances and three administrative adjustments be considered for approval for the proposed project located at 1817 Viola Place, Costa Mesa, CA 92627.

The following is a detailed response to the three variances under consideration:

1. Building Coverage (Development Lot): Open Space: 40% Required, 38.3% Provided
Response: Careful design consideration has been given to provide the minimum lower level livable footprint along with the required covered parking clearances, along with the required driveway clearances and back-up clearances with the net result being within 95.75% of complying with the required open space requirement.
2. Rear Yard Coverage: 300SF (25%) Required, 300 SF (25%) Provided
Response: Plan 3 is encroaching 300SF maximum into the rear yard requirement, therefore we are in compliance with the development standard.
3. Parkway Landscaping: 10FT Min./3FT One Side Required, 5FT/2.5 FT Provided
Response: Due to the nature of the narrow lot width, compliance with this requirement is difficult to achieve on each side of the driveway approach. Refer to the Landscape Planting Plan for a detailed specification of the softscape proposed.

The following is a detailed response to the three administrative adjustments under consideration:

4. Distant between buildings: 10FT Required, 8FT Provided
Response: Based upon meeting with Claire Flynn, Mel Lee and Pritam on November 07, 2014, Pritam preferred the (2) open parking spaces to be located between Plan 1 & Plan 2 vs. splitting the (2) open parking spaces, (1) being located to the east of Plan 1, close to the driveway approach, therefore in order to achieved the required (2) open parking spaces between Plan 1 & Plan 2 of 20'-0", the suggestion from Claire and Mel was to reduce the distance between Plan 2 & Plan 3 from 10FT to 8FT.
5. Front Yard Setback: 20FT Required, 12 FT Provided.
Response: Careful design consideration was given to prioritize a front door forward approach to Viola Place with a Covered Front Porch element, symbolizing a tradition single-family detached residential dwelling unit as viewed from the street and adjacent neighbors.

6. Rear Yard Setback: 20FT Required, 15FT Provided to two-story element

Response: The subject property has an irregular shaped front property line due to its position on the Viola Place Cul-de-Sac, whereby allowing our proposed low density project development to comply with most of the site design constraints with the exception of the front yard setback and the rear yard setback. The adjacent property directly to the south of our subject property, reveals multiple one and two-story dwelling units attached and detached, creating a less than desirable block, multiple tenant, rental unit atmosphere whereas our proposed development exhibits a clear and distinctive single-family detached planned unit development with a shared driveway, consistent with other adjacent properties on Viola Place and the surrounding area. It should also be noted that the adjacent property to the west is a parking lot for the existing multi-family complex with no adjacent dwelling unit facing the rear elevation of Plan 3.

Last year, my Client and I had several meetings with Claire Flynn, Assistant Director of Development Services, to ensure that our proposed design concept would be acceptable and be in substantial compliance with the City of Costa Mesa Design Guidelines. Upon review, Claire commented that our design solution was very well planned and in substantial compliance with all of the design constraints but specifically pointed out that our proposed low density development was encroaching into the 20'-0" front setback. She indicated that if we maintained a 10'-0" front setback, we would need to apply for a Variance. She also mentioned that if we maintain 40% of the 20'-0" front setback, which is 12'-0", we could apply for an Administrative Adjustment and to show the front door forward to Viola Place to support the Administrative Adjustment.

Last but not least, our collective vision for this project was to promote single-family home ownership on the west side of Costa Mesa. We feel that this design solution meets most the Design Guideline criteria that we set out to accomplish through creative design solutions and working with Claire Flynn and Mel Lee's experience and suggestions to accomplish this task. It is our hope that you will give careful consideration in approving this project that both the City of Costa Mesa and my Client, John Pitts can be proud of for years to come.

I look forward to your favorable response.

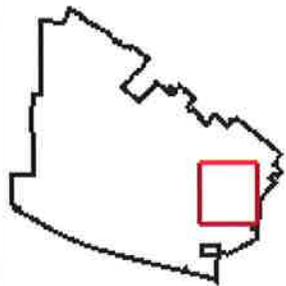
Sincerely,



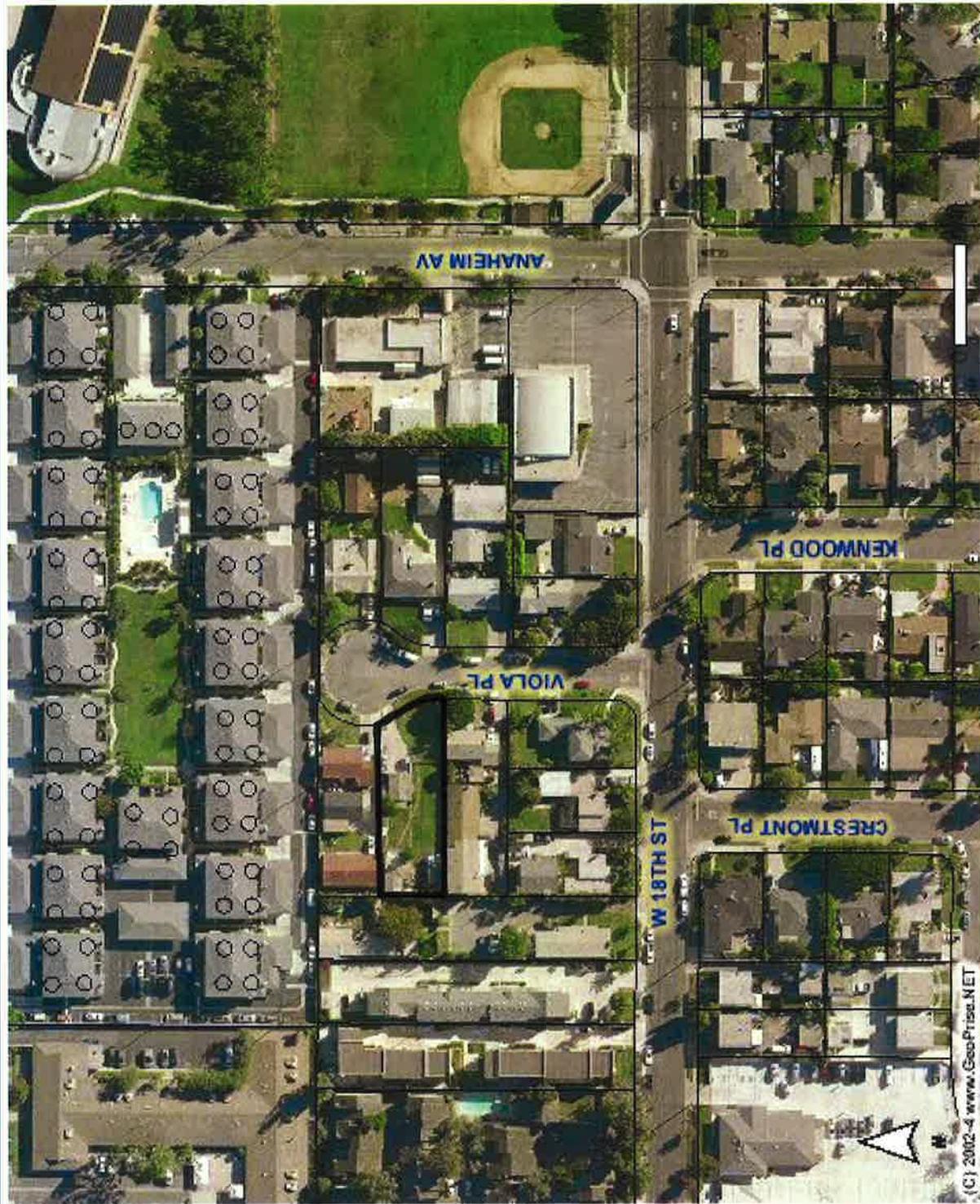
Jeffrey V. Riggs, Architect

**ATTACHMENT 3
VICINITY AND ZONING MAP**

Overview Map

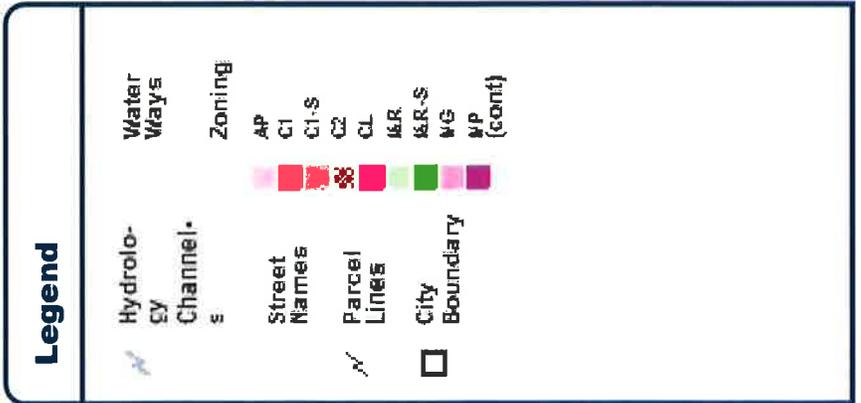
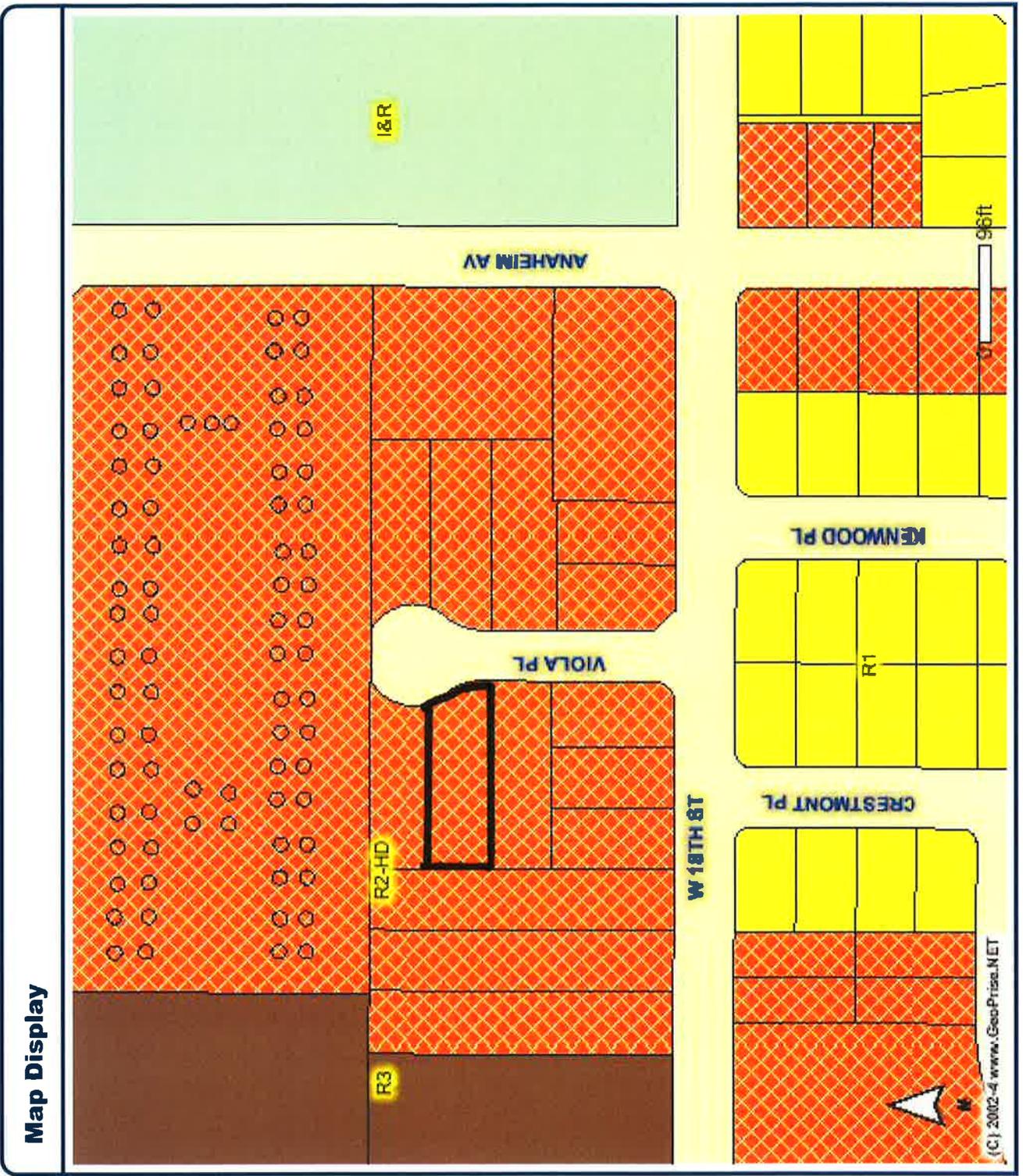


Map Display

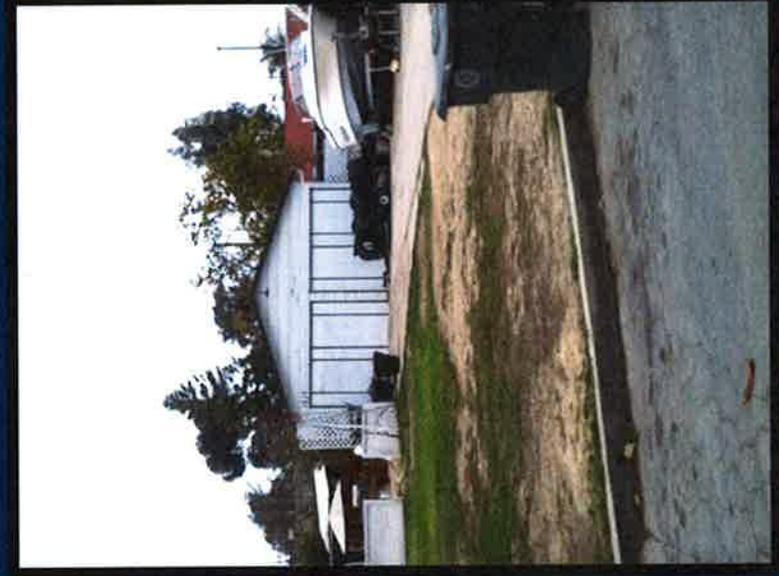


Legend

- Hydrology Channels
- Street Names
- Parcel Lines
- City Boundary
- Parcels
- Ortho 2010 Level 2
- Ortho 2008 Level 2
- Ortho 2006 Level 2



**ATTACHMENT 4
SITE PHOTOS**



**PHOTO OF SUBJECT PROPERTY (CENTER)
AND ABUTTING PROPERTIES TO THE SOUTH (LEFT) AND NORTH (RIGHT)**

**ATTACHMENT 5
PROJECT PLANS**



1817 Viola Place

Costa Mesa, California

- Site Plan
- Plan 1 Floor Plans
- Plan 1 Elevations
- Plan 2 Floor Plans
- Plan 2 Elevations
- Plan 3 Floor Plans
- Plan 3 Elevations
- Roof Plans

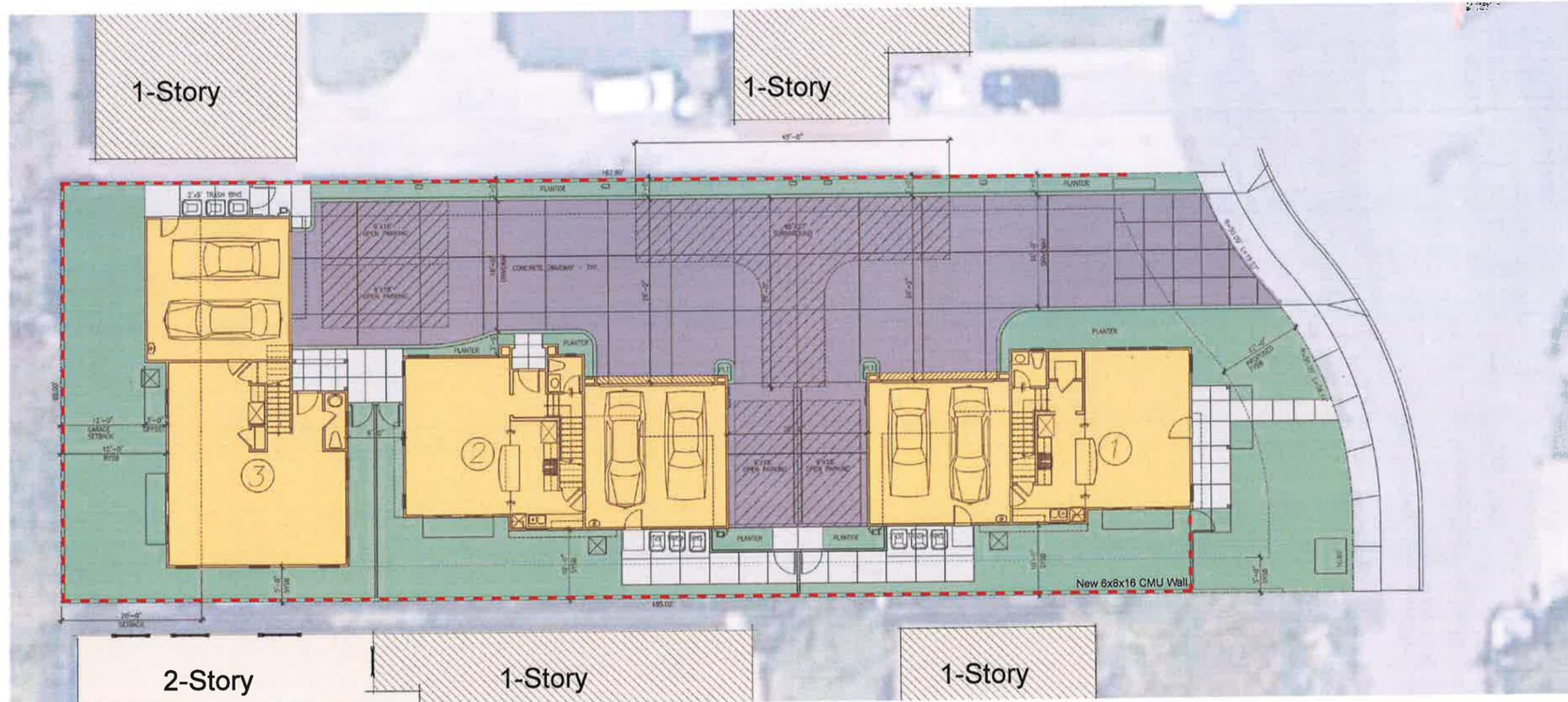


Site Data:

Total Lot Area 10,675 SQ.FT.

Required Open Space
40% of Lot Area 4270 SQ.FT.

Provided Open Space
38.3% of Lot Area 4092 SQ.FT.



Site Plan

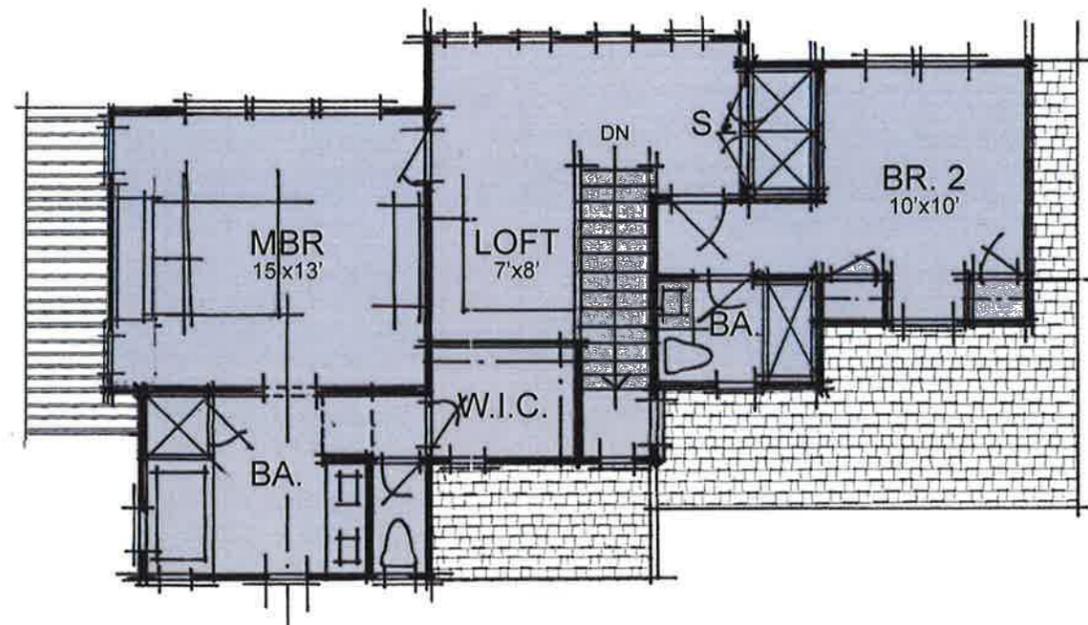
1817 Viola Place
Costa Mesa, California 44

Mr. & Mrs. John Pitts
220 Newport Center Drive
Newport Beach, CA 92660

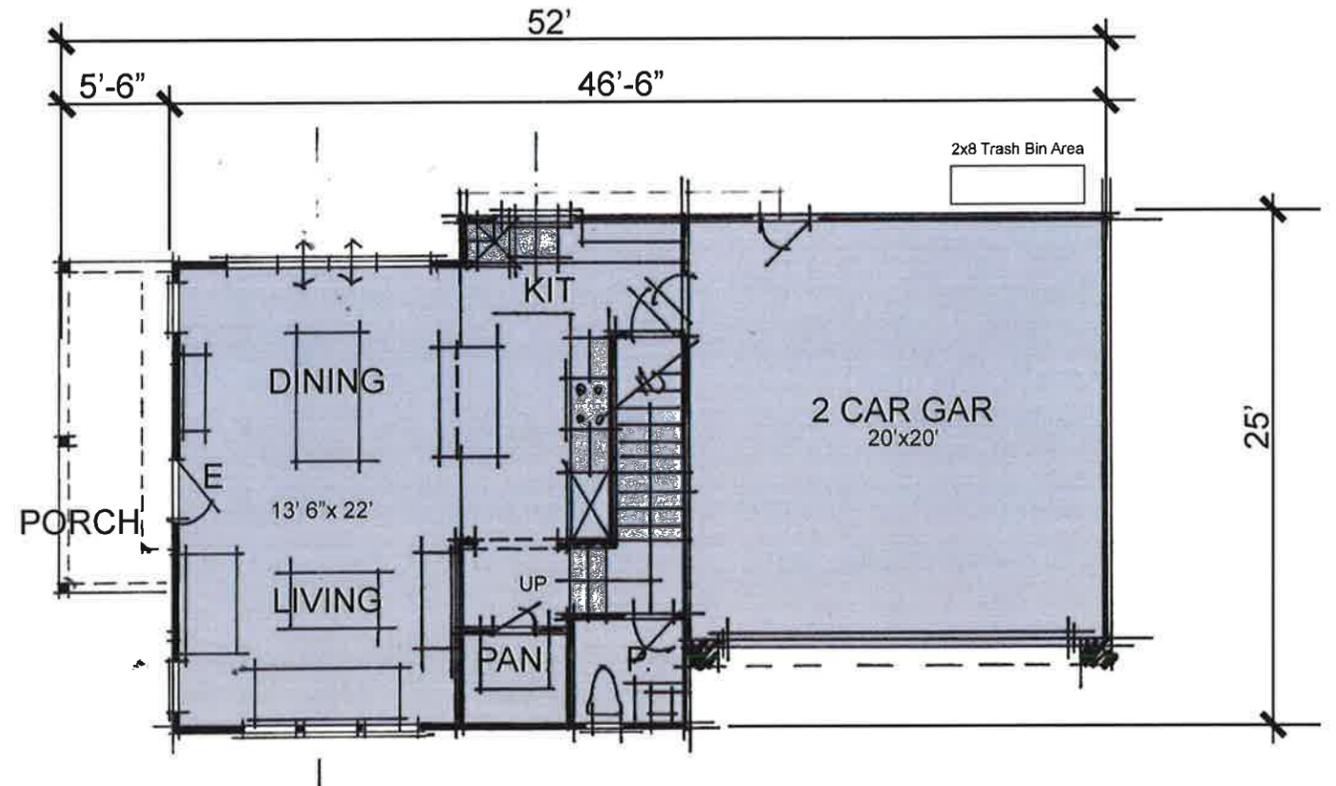
0' 4' 8' 16'
1"=8' SCALE
November 19, 2014



RIGGS ARCHITECTURE
25 PECOS RANCHO SANTA MARGARITA, CA 92688
C 949 233 1553 E jriggs@cox.net



Upper Level



Lower Level

Plan 1
 1436 S.F.
 2 Bdrm/Loft/2.5 Bath
 2 Car Garage
 Floor Plan

1817 Viola Place

Costa Mesa, California 45

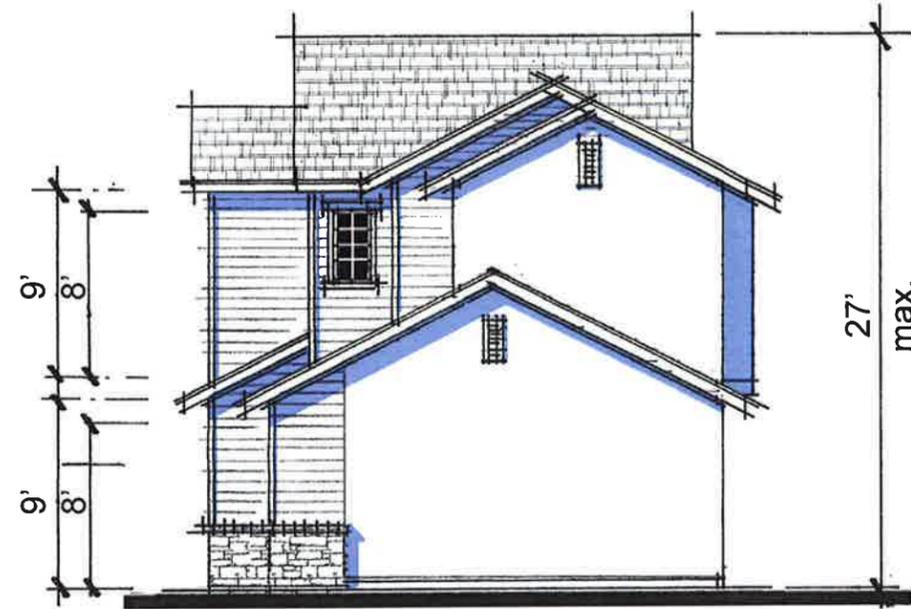
Mr. & Mrs. John Pitts
 220 Newport Center Drive
 Newport Beach, CA 92660

0' 4' 8'
 1"=4' Scale
 November 19, 2014


RIGGS ARCHITECTURE
 25 PECOS RANCHO SANTA MARGARITA, CA 92688
 C 949 233 1553 E riggs09@cox.net



Left



Rear



Right



Front

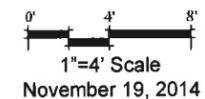
STYLE ELEMENTS

- Roof: Asphalt Composition Roofing
- Metal Roof: Standing Seam Metal Roof
- Fascia: 2x4 Wood Fascia
- Eaves Overhang: 12" Overhang
- Exterior: 6" Hardie Lap Siding
- Window and Door Trim: Wood Trim
- Garage Door: Decorative Metal Roll-Up Garage Door
- Entry Door: Decorative Front Entry Door
- Brick: Brick Veneer

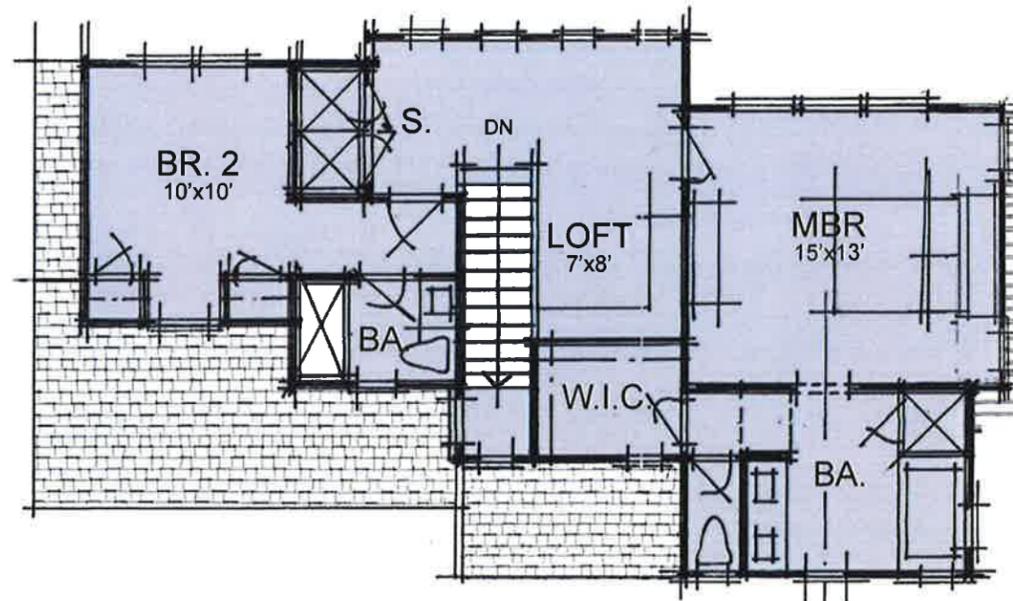
Mr. & Mrs. John Pitts
 220 Newport Center Drive
 Newport Beach, CA 92660

Plan 1
 Conceptual Elevations

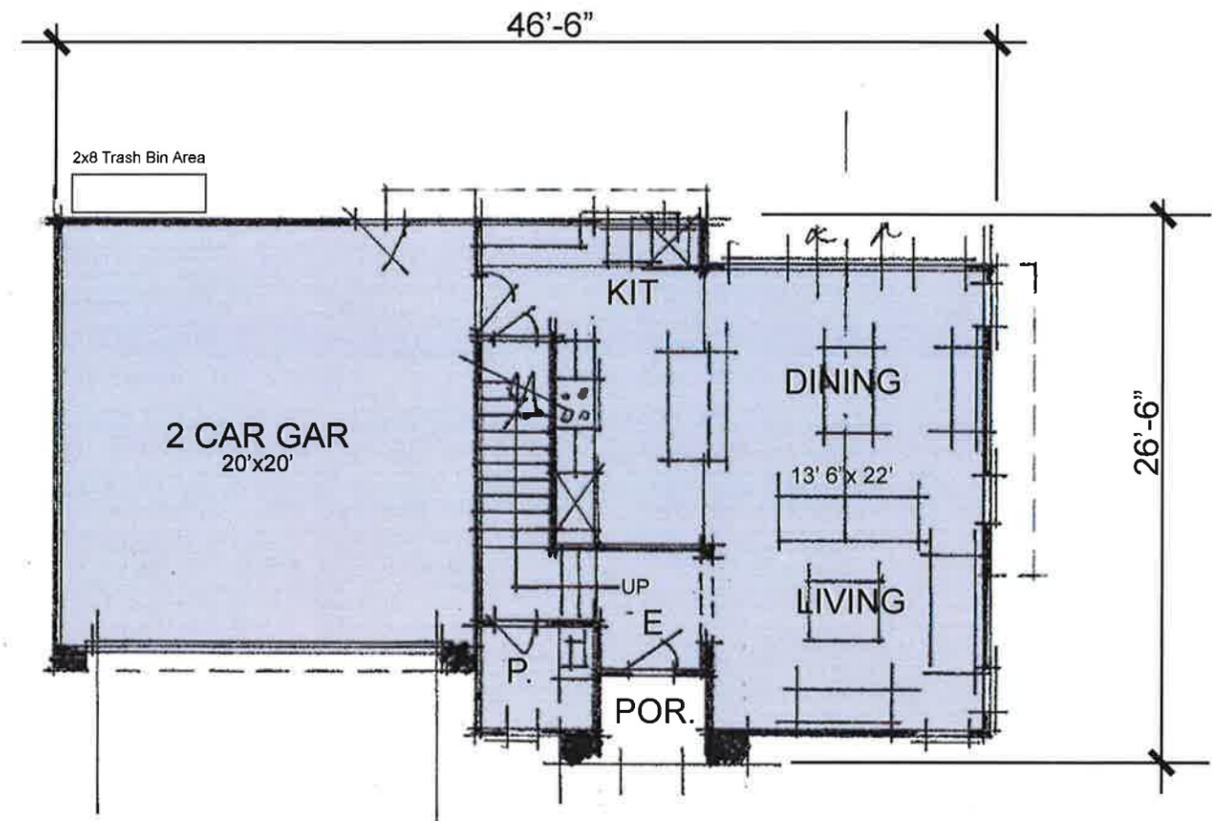
1817 Viola Place
 Costa Mesa, California 46



RIGGS ARCHITECTURE
 25 PECOS RANCHO SANTA MARGARITA, CA 92686
 © 949 233 1553 E jriggs09@cox.net



Upper Level



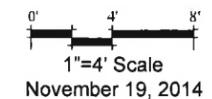
Lower Level

Plan 2
 1386 S.F.
 2 Bdrm/Loft/2.5 Bath
 2 Car Garage
 Floorplan

1817 Viola Place

Costa Mesa, California 47

Mr. & Mrs. John Pitts
 220 Newport Center Drive
 Newport Beach, CA 92660





Left



Rear



Right



Front

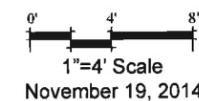
STYLE ELEMENTS

- Roof: Asphalt Composition Roofing
- Metal Roof: Standing Seam Metal Roof
- Fascia: 2x4 Wood Fascia
- Eaves Overhang: 12" Overhang
- Exterior: 6" Hardie Lap Siding
- Window and Door Trim: Wood Trim
- Garage Door: Decorative Metal Roll-Up Garage Door
- Entry Door: Decorative Front Entry Door
- Brick: Brick Veneer

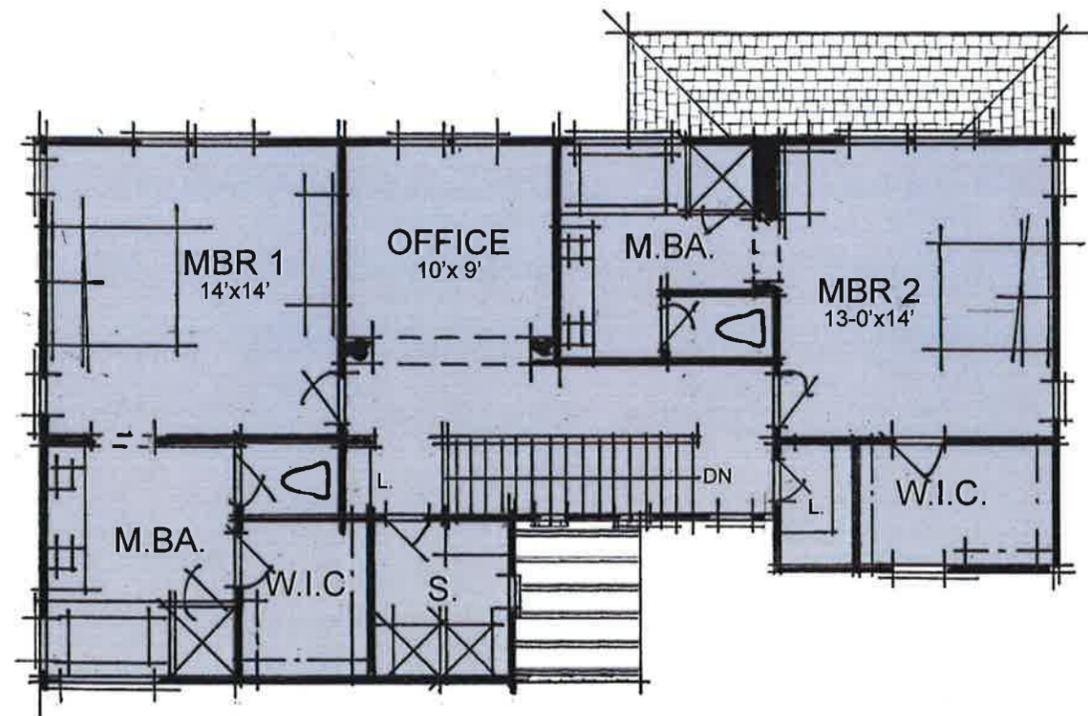
Mr. & Mrs. John Pitts
 220 Newport Center Drive
 Newport Beach, CA 92660

Plan 2
 Conceptual Elevations

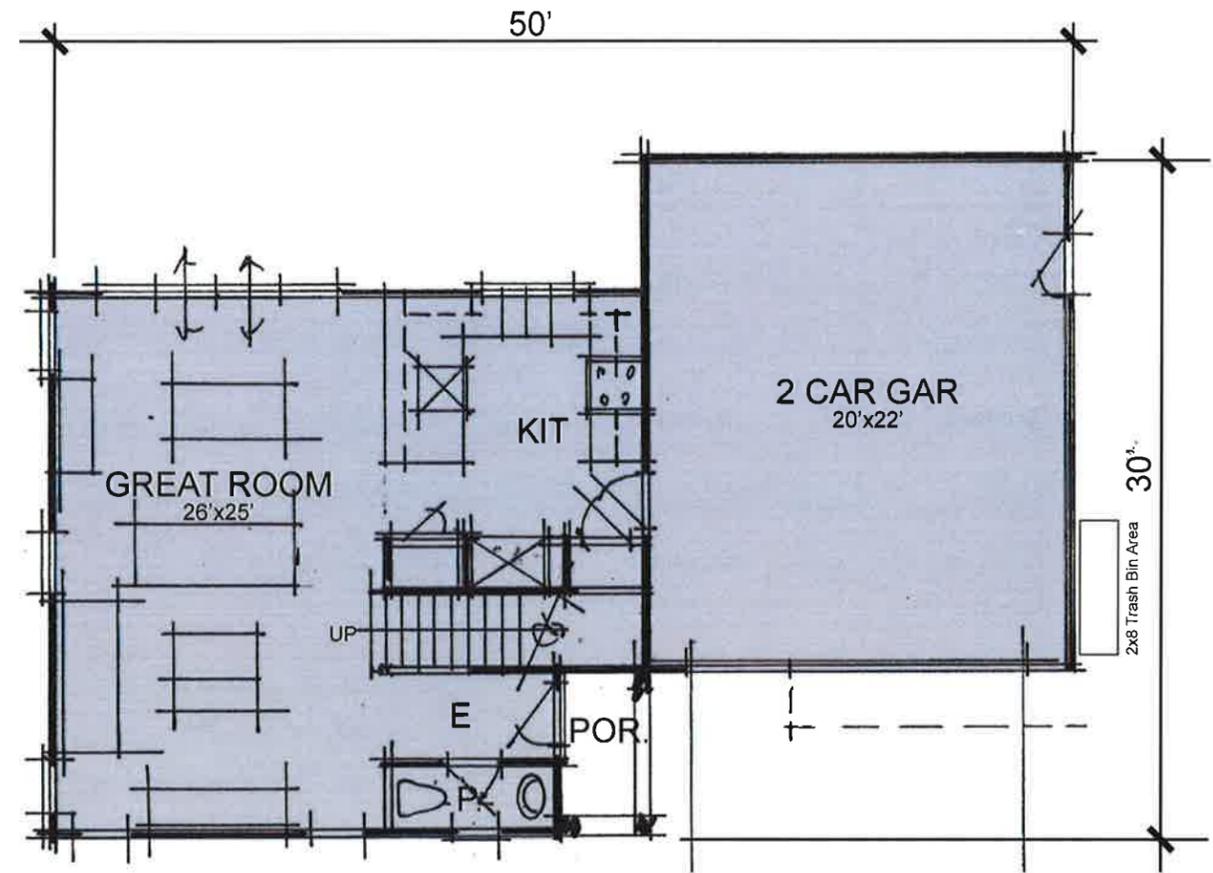
1817 Viola Place
 Costa Mesa, California 48



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 25 PECOS RANCHO SANTA MARGARITA, CA 92688
 C 949 233 1553 E jriggs09@cox.net



Upper Level



Lower Level

Plan 3

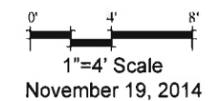
1625 S.F.
Dual Master/ Office/2.5 Bath
2 Car Garage

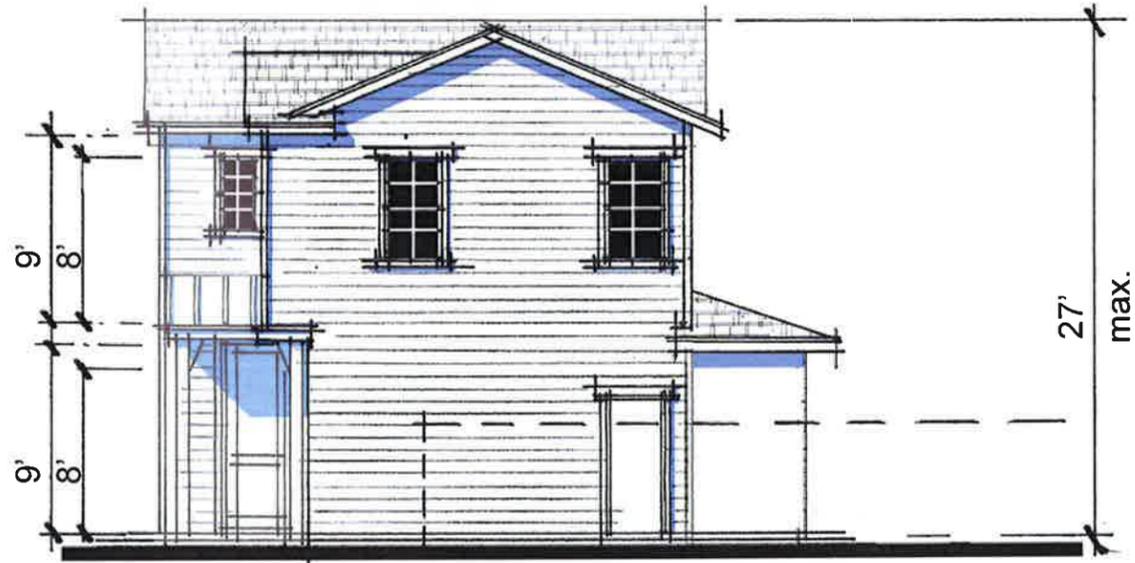
Floorplan

1817 Viola Place

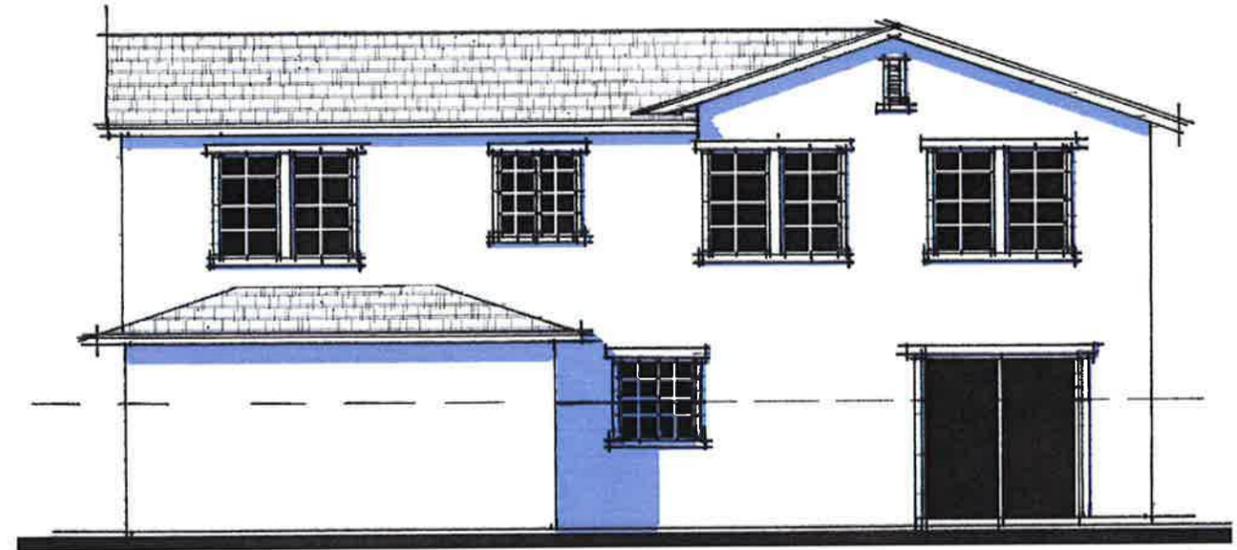
Costa Mesa, California 49

Mr. & Mrs. John Pitts
220 Newport Center Drive
Newport Beach, CA 92660





Right



Rear



Left



Front

STYLE ELEMENTS
 Roof: Asphalt Composition Roofing
 Fascia: 2x4 Wood Fascia
 Eaves Overhang: 12" Overhang
 Exterior: 6" Hardie Lap Siding
 Window and Door Trim: Wood Trim
 Garage Door: Decorative Metal Roll-Up Garage Door
 Entry Door: Decorative Front Entry Door

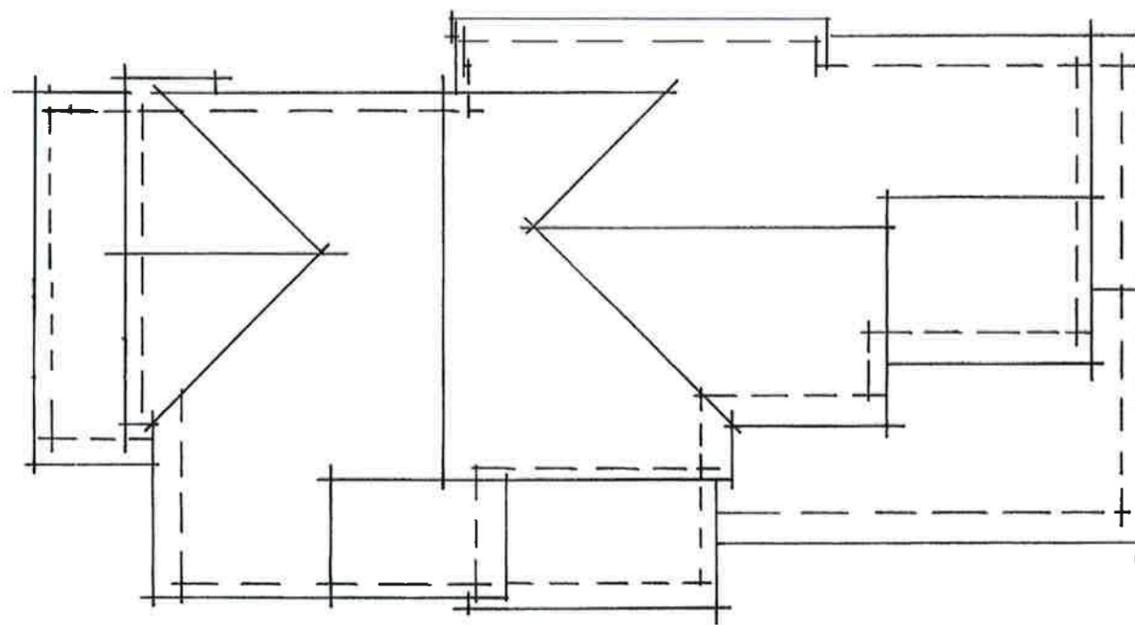
Plan 3
 Conceptual Elevations

1817 Viola Place
 Costa Mesa, California 50

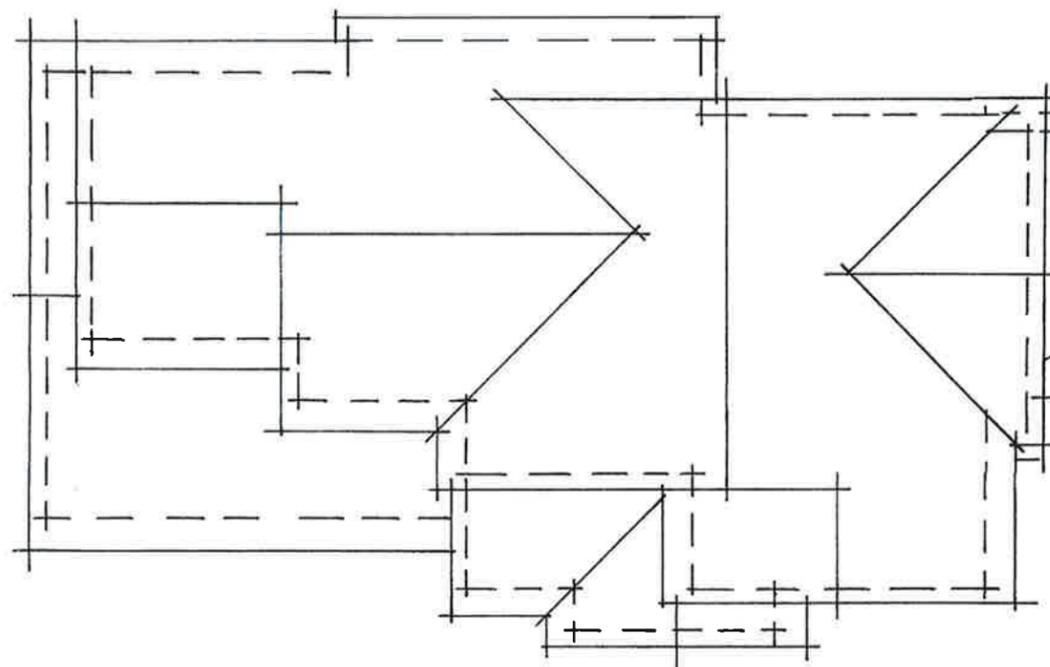
Mr. & Mrs. John Pitts
 220 Newport Center Drive
 Newport Beach, CA 92660

0' 4' 8'
 1"=4' Scale
 November 19, 2014

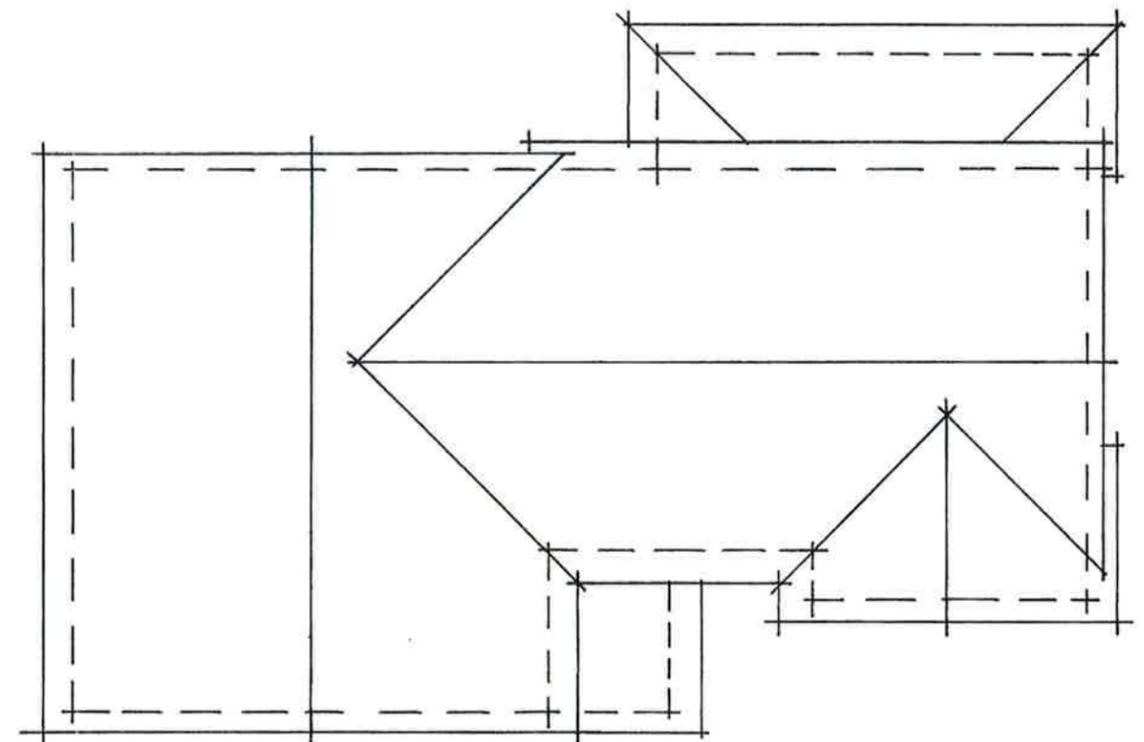

RIGGS|ARCHITECTURE
 25 PECOS RANCHO SANTA MARGARITA, CA 92688
 C 949 233 1553 E jr@riggs09@cox.net



Plan 1



Plan 2

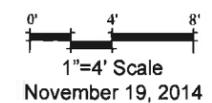


Plan 3

Roof Plans

1817 Viola Place
 Costa Mesa, California 51

Mr. & Mrs. John Pitts
 220 Newport Center Drive
 Newport Beach, CA 92660



FOR CONDOMINIUM PURPOSES

Tentative Parcel Map No. 2014-107 & Preliminary Grading Plan

LOT 2 OF TRACT NO. 1148, SHERWOOD TRACT, IN THE CITY OF COSTA MESA, COUNTY OF ORANGE,
STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 36, PAGE 35 OF MISCELLANEOUS MAPS,
RECORDS OF ORANGE COUNTY, CALIFORNIA.

DATE OF PREPARATION: **November 2014**

NOTES:
0.245 ACRES GROSS AND NET
LAND NOT SUBJECT TO INUNDATION OR OVERFLOW.
NO LAND OR PARKS TO BE DEDICATED

PROPOSED LAND USE:
3 SINGLE FAMILY RESIDENCES (1 PARCEL)

ASSESSOR'S PARCEL NUMBERS:
424-241-18

SETBACK REQUIREMENTS:
FRONT 10'
SIDES 5'
REAR 20'

LEGAL DESCRIPTION:

ALL OF LOT 2 OF TRACT NO. 1148, SHERWOOD TRACT, IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 36, PAGE 35 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

BASIS OF BEARINGS:

THE BEARINGS SHOWN HEREON ARE BASED UPON THE BEARING BETWEEN O.C.S. HORIZONTAL CONTROL STATION GPS NO. 6233 AND STATION GPS NO. 1533 BEING NORTH 79°34'23" WEST, PER RECORDS ON FILE IN THE OFFICE OF THE COUNTY SURVEYOR.

OWNER/SUBDIVIDER:

MR. JOHN PETTS
220 NEWPORT CENTER DRIVE, #11-649
NEWPORT BEACH, CA 92660

SITE ADDRESS:

1817 VIOLA PLACE
COSTA MESA, CA 92627

FLOOD ZONE:

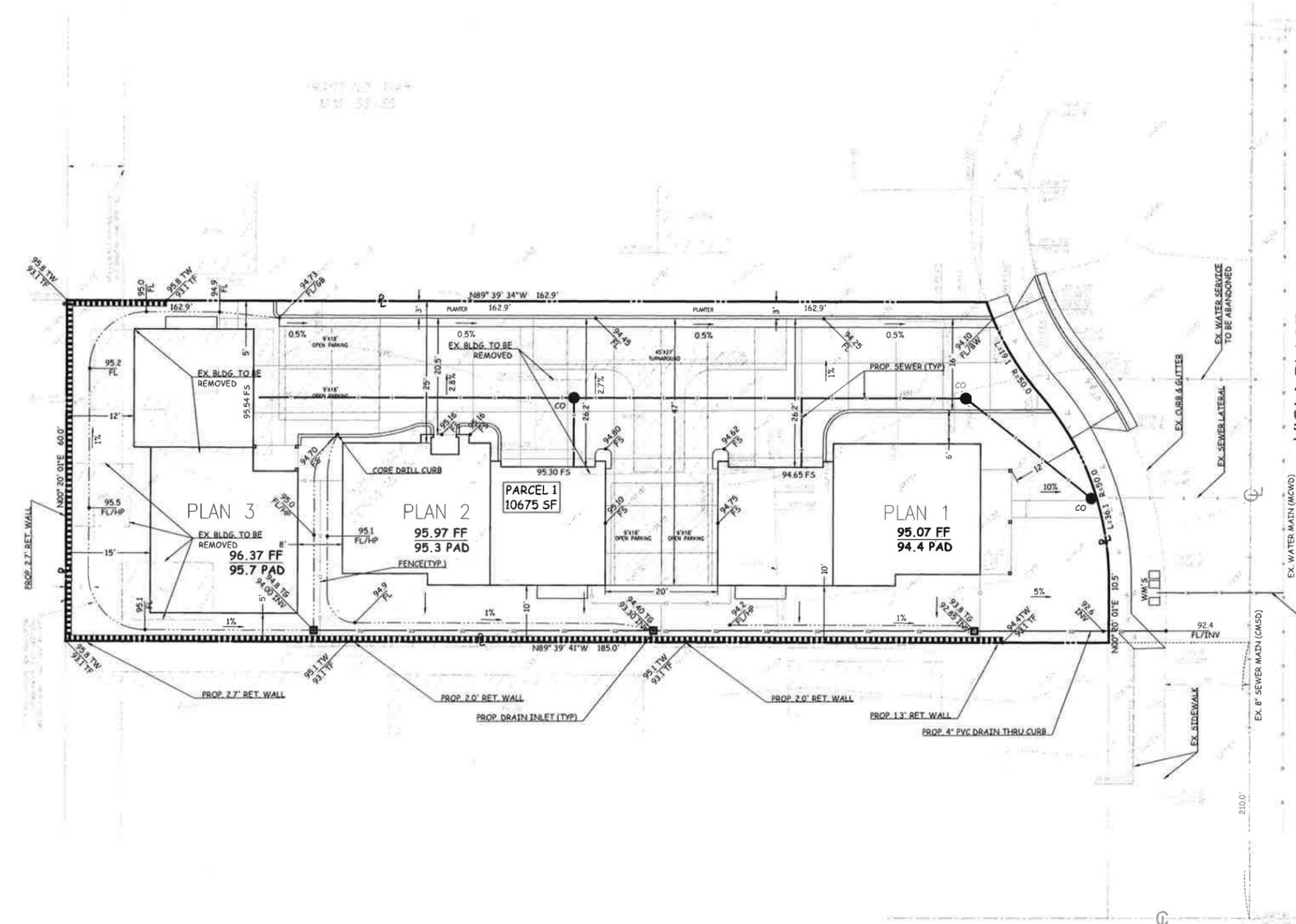
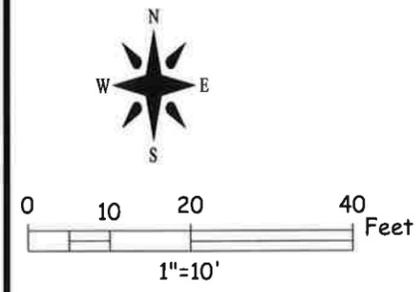
ZONE X, OUTSIDE THE 500 YEAR FLOOD BOUNDARIES.

ESTIMATED GRADING QUANTITIES:

RAW CUT: 180 CY
RAW FILL: 250 CY
IMPORT: 70 CY

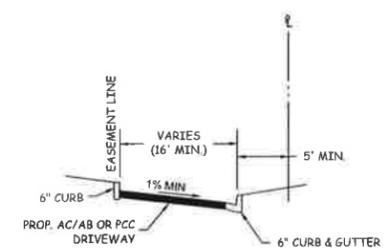
ENGINEER:

ROBIN B. HAMERS & ASSOCIATES, INC.
234 E. 17TH STREET, SUITE 205
COSTA MESA, CA 92627
(949) 548-1192

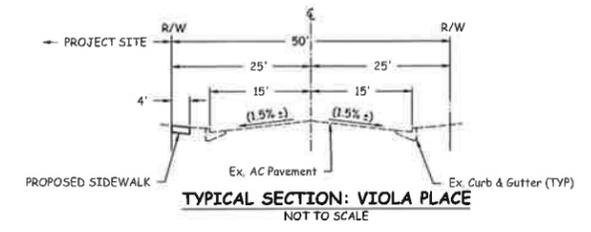


AREA SUMMARY TABLE		
PARCEL #	AREA (SF)	AREA (ACRE)
1	10,674	0.245

- LEGEND:**
- AC ASPHALTIC CONCRETE
 - BW BACK OF WALK
 - CL CENTERLINE
 - FG FINISHED GRADE
 - WATER METER
 - PP POWER POLE
 - SIGN
 - TC TOP OF CURB
 - PROPERTY LINE
 - CENTERLINE
 - CURB & GUTTER
 - DRAIN PIPE
 - WATER MAIN
 - SEWER MAIN



TYPICAL SECTION: DRIVEWAY
NOT TO SCALE



TYPICAL SECTION: VIOLA PLACE
NOT TO SCALE

18TH STREET

Plan Date: 11/18/2014

NO.	DATE	DESCRIPTION

52



PREPARED BY:
ROBIN B. HAMERS & ASSOC., INC.
CIVIL ENGINEERS
234 E. 17TH STREET, SUITE 205
COSTA MESA, CALIFORNIA 92627
(949) 548-1192

R.B.H.

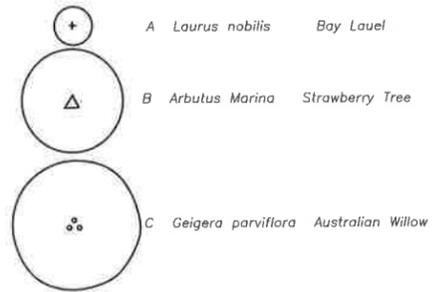
11/18/2014
DATE

For Condominium Purposes
**Tentative Parcel Map No. 2014-107
& Preliminary Grading Plan**

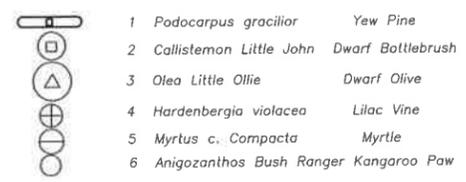
1817 VIOLA PLACE
COSTA MESA, CA

SHEET
1
OF 1

PLANTING LEGEND
TREES



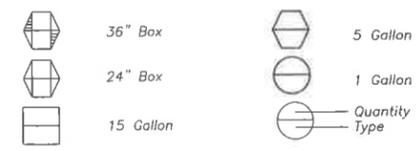
SHRUBS/VINES



GROUNDCOVERS

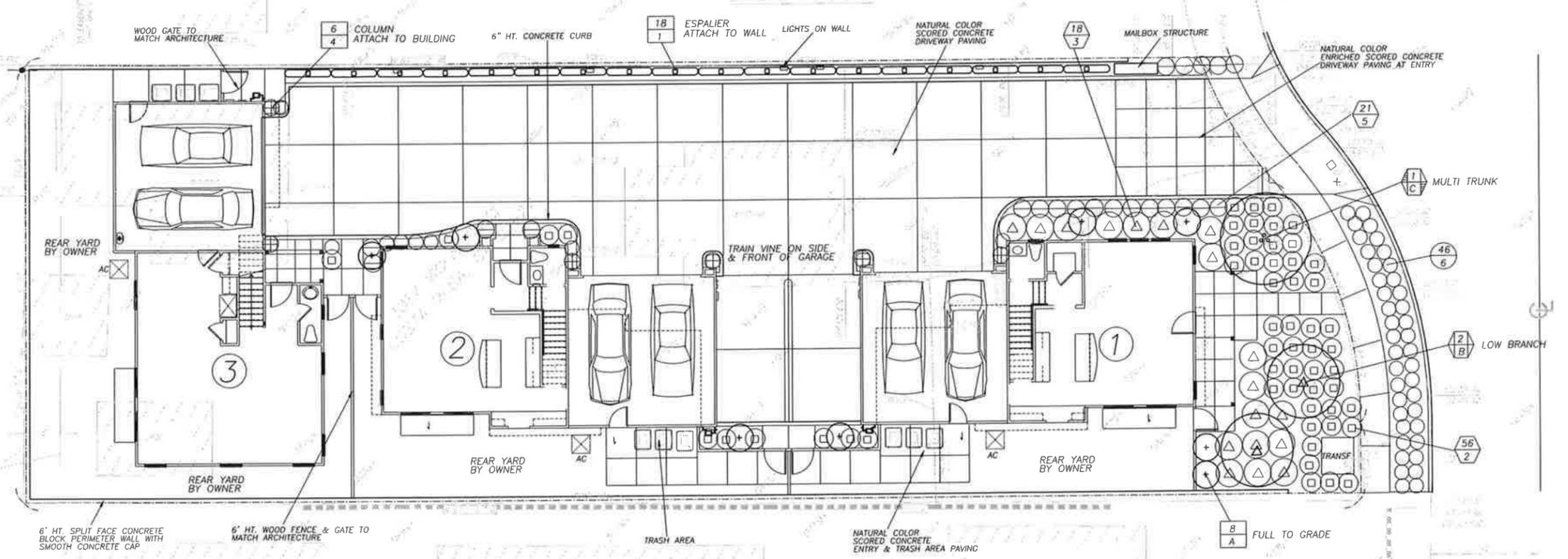
Provide 2" layer shredded bark mulch under all site shrub areas.
Provide sample to Landscape Architect for review and approval.

LEGEND



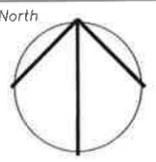
TABULATION

Shrub Area = 1,370 S.F.
Turf Area = 0 S.F.
Total Landscape Area = 1,370 S.F.



Dale Waldo Landscape Architecture
59 Rockport Irvine, California 92602
Phone (714) 730-3947 Fax (714) 730-3987
License number 2528

VIOLA PLACE
LOT 2 TRACT 1148 COSTA MESA
1817 VIOLA PLACE COSTA MESA
John Pitts 220 Newport Center Drive #11-649 Newport Beach, CA 92660



Date	18 NOV 14
Revision	
	▲
	▲
	▲
	▲

Title
PRELIMINARY LANDSCAPE PLAN

Sheet
1 OF 1

Scale 1"=8'-0"
Job Number 14-125

53



Entry DriveView

1817 Viola Place

Costa Mesa, California 54

Mr. & Mrs. John Pitts
220 Newport Center Drive
Newport Beach, CA 92660

0' 4' 8'
1"=4' Scale
November 19, 2014



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25 PECOS RANCHO SANTA MARGARITA, CA 92688
C 949 233 1553 E jriggs05@cox.net



Birdseye View

1817 Viola Place

Costa Mesa, California 55

Mr. & Mrs. John Pitts
220 Newport Center Drive
Newport Beach, CA 92660

0' 4' 8'
1"=4' Scale
November 19, 2014


RIGGS ARCHITECTURE
25 PECOS RANCHO SANTA MARGARITA, CA 92688
C 949 233 1583 E jriggs06@cox.net



Birdseye View

1817 Viola Place

Costa Mesa, California 5b

Mr. & Mrs. John Pitts
220 Newport Center Drive
Newport Beach, CA 92660

0' 4' 8'
1"=4' Scale
November 19, 2014



RIGGS|ARCHITECTURE
25 PECOS RANCHO SANTA MARGARITA, CA 92688
C 949 233 1553 E jriggs79@cox.net



Dunn Edwards

El Dorado Stone
Bergamo Hillstone

GAF Roofing
Weathered Wood

STYLE ELEMENTS

- Roof: Asphalt Composition Roofing/
Standing Seam Metal Roof
- Fascia: 2x4 Wood Fascia
- Eaves Overhang: 12" Overhang
- Exterior: 6" Hardie Lap Siding
- Window and Door Trim: Wood Trim
- Garage Door: Decorative Metal Roll-Up Garage Door
- Entry Door: Decorative Front Entry Door
- Brick: Brick Veneer



Plan 1 Color Scheme

1817 Viola Place
Costa Mesa, California

57

Mr. & Mrs. John Pitts
220 Newport Center Drive
Newport Beach, CA 92660



RIGGS ARCHITECTURE
25 PECOS RANCHO SANTA MARGARITA, CA 92668
C 949 233 1553 E jriggs@rigns.net

November 21, 2014



Dunn Edwards



El Dorado Stone
Bergamo Hillstone



GAF Roofing
Weathered Wood

STYLE ELEMENTS

- Roof: Asphalt Composition Roofing/
Standing Seam Metal Roof
- Fascia: 2x4 Wood Fascia
- Eaves Overhang: 12" Overhang
- Exterior: 6" Hardie Lap Siding
- Window and Door Trim: Wood Trim
- Garage Door: Decorative Metal Roll-Up Garage Door
- Entry Door: Decorative Front Entry Door
- Stone: Stone Veneer



Plan 2 Color Scheme

1817 Viola Place
Costa Mesa, California

58

Mr. & Mrs. John Pitts
220 Newport Center Drive
Newport Beach, CA 92660

November 21, 2014



FIGGS ARCHITECTURE
25 PECOS RANCHO SANTA MARGARITA, CA 92668
C 949 233 1553 E figgs@figgs.com



Dunn Edwards



GAF Roofing
Weathered Wood

STYLE ELEMENTS

- Roof: Asphalt Composition Roofing/
Standing Seam Metal Roof
- Fascia: 2x4 Wood Fascia
- Eaves Overhang: 12" Overhang
- Exterior: 6" Hardie Lap Siding
- Window and Door Trim: Wood Trim
- Garage Door: Decorative Metal Roll-Up Garage Door
- Entry Door: Decorative Front Entry Door



Plan 3 Color Scheme

1817 Viola Place
Costa Mesa, California

59

Mr. & Mrs. John Pitts
220 Newport Center Drive
Newport Beach, CA 92660

November 21, 2014



RIGGS ARCHITECTURE
25 PECOS RANCHO SANTA MARGARITA, CA 92685
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