



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: FEBRUARY 9, 2015

ITEM NUMBER:

PH-1

SUBJECT: PLANNING APPLICATION PA-14-04 AND PARCEL MAP PM-13-155 FOR A CONVERSION OF A 4-UNIT, DETACHED RESIDENTIAL COMMON INTEREST DEVELOPMENT INTO A SMALL LOT SUBDIVISION

DATE: JANUARY 29, 2015

FROM: PLANNING DIVISION/DEVELOPMENT SERVICES DEPARTMENT

PRESENTATION BY: MEL LEE, SENIOR PLANNER

FOR FURTHER INFORMATION CONTACT: MEL LEE, AICP (714) 754-5611
mel.lee@costamesaca.gov

DESCRIPTION

The proposed project involves the following:

1. **Planning Application PA-14-04:** Conversion of an existing airspace subdivision of a two-story, four-unit, detached residential common interest development previously approved under PA-06-04 to a small lot subdivision consisting of fee simple lots for ownership purposes. No new construction is proposed.
2. **Parcel Map PM-13-155:** A small lot subdivision of the property into 4 individual ownership lots.

APPLICANT

The applicant is Temir Sacuy, who is also 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: 191 through 199 Mesa Drive Application: PA-14-04 and PM-13-155
 Request: Conversion of 4 detached apartment units to a 4-unit small lot subdivision

SUBJECT PROPERTY:

SURROUNDING PROPERTY:

Zone: R2-MD North: Acr. Mesa Dr. (County, Santa Ana Country Club)
 General Plan: Medium Density Residential South: Surrounding properties are
 Lot Dimensions: 140 FT x 124 FT East: zoned R2-MD and
 Lot Area: 17,360 SF (.39 Acres) West: contain residential units.
 Existing Development: 4 detached residential units-no new construction proposed

DEVELOPMENT STANDARD COMPARISON – SMALL LOT STANDARDS (EXISTING DEVELOPMENT)

<u>Development Standard</u>	<u>Required/Allowed</u>	<u>Proposed/Provided</u>
Lot Size:		
Lot Width	100 FT	124 FT
Lot Area	12,000 SF (.28 Acres)	17,360 SF (.39 Acres)
Density:		
DU's/Acre(Medium Density Residential)	1 DU/3,630 SF (12 DU's/Acre)	1 DU/4,340 SF (10 DU's/Acre)
Building Coverage (Existing Development)		
Buildings	NA	5,226 SF (30%)
Paving	NA	5,070 SF (29%)
Open Space	6,944 SF (40%)	7,064 SF (41%)
TOTAL		17,360 SF (100%)
Private Open Space	200 SF/10 FT Min. Dim.	800 SF/20 FT
No. of Stories/Building Height	2 Stories/27 FT	2 Stories/27 FT
Chimney Height	2 FT Above Max. Bldg. Ht.	29 FT
Parkway Landscaping	10 FT Min/3 FT One Side	10 FT/ 3 FT
Distance Between Main Buildings	NA	10 FT Min.
Setbacks		
Front (Mesa Drive)	20 FT	20 FT
Side (left/right)	10 FT/ 10 FT	15 FT/5 FT (1)
Rear	10 FT (1 Story) 20 Feet (2 Story)	33 FT
Parking (Standard Stalls)		
Covered	8	8
Open	8	8
TOTAL	16 Spaces	16 Spaces
Interior garage dimension	Minimum 20 FT X 20 FT	20 FT X 20 FT
(1) This setback can be reduced to a minimum of 5 feet on a case-by-case basis per CMMC 13-42 and is legal nonconforming (see staff report discussion).		
NA = Not Applicable or No Requirement.		
CEQA Status	Exempt per Section 15301, Existing Facilities	
Final Action	Planning Commission	

BACKGROUND

Project Site/Environs

The project site is located on the southwest corner of Mesa Drive and Orange Avenue. The site is .39 acres (17,360 square feet) in size. The property is zoned R2-MD (Multiple Family Residential, Medium Density) and has a General Plan Land Use Designation of Medium Density Residential. The site is bounded by residences to the west, south and east (across from Orange Avenue), and the Santa Ana Country Club in the unincorporated portion of Orange County to the north.

Current Construction and Previous Land Use Entitlements

The site contains a four-unit, two-story, detached residential development. The first residence (199 Mesa Drive) was originally constructed in 2001. On March 6, 2004, Planning Commission approved Design Review PA-03-50 for the construction of the three remaining residences (191, 193, and 195 Mesa Drive). On February 27, 2006, while the three units were under construction, the Planning Commission approved PA-06-04 to convert the 4 units into a one-lot airspace condominium via Parcel Map PM-06-110. Although the project was approved as a 4-unit condominium and the parcel map was recorded and the park fees were paid, the units were never sold individually and a Homeowner's Association (HOA) was never formed. Three of the units are currently rented by the applicant, who is the owner of the property, resides in one of the units, and is the landlord.

Small Lot Subdivision and Elimination of HOA Requirement

On April 1, 2014, the City adopted the Small Lot Subdivision Ordinance (Ord. No. 14-04) that allowed subdivision of multiple family zoning lots into small fee simple lots without requiring a common lot or forming a homeowners association. The ordinance is applicable to a residential subdivision of two to 15 units in the R2-MD, R2-HD, and R3 zones.

The objectives of the small lot ordinance involved the following:

- Promote construction of single-family detached housing for homeownership.
- Allow development of a small lot subdivision without a common lot, therefore eliminating a requirement for an incorporated Homeowner's Association (HOA).
- Require CC&Rs to be recorded for all small lot subdivisions to allow some form of governance without an HOA.
- Allow the option to establish a Maintenance Association or unincorporated HOA.
- Establish new development standards for a small lot subdivision to eliminate multiple requests for variance relief under the R2 and R3 zoning regulations.
- Allow minimum of 30% open space for the development lot.

The Small Lot Ordinance established certain development standards and maintenance mechanisms for multi-family residential lots within the densities allowed by the General Plan. The ordinance was not intended to increase the density in any of the multiple

family residential zones, modify the minimum requirement for parking spaces, or change the approval process for small subdivisions.

Request for Small Lot Subdivision and Conversion of Rental Units to Ownership Units

The applicant now wishes to sell the units individually; however, instead of selling them as condominium units, the applicant is proposing to subdivide the property into 4 fee simple lots to sell them individually. Because the units are currently rented and the HOA was never formed, a conversion is required to facilitate this new subdivision.

ANALYSIS

Existing Unit Types

The existing unit types are summarized in the following table:

Unit Type Summary

	191 Mesa Dr.	193 Mesa Dr.	195 Mesa Dr.	199 Mesa Dr.
Unit Size (Not Including Garage)	2,275 SF	1,957 SF	1,957 SF	2,435 SF
No. of Bedrooms and Baths	3 Beds/3.5 Baths	3 Beds/3.5 Baths	3 Beds/3.5 Baths	3 Beds/3.5 Baths
No. of Stories	2 Stories	2 Stories	2 Stories	2 Stories
No. of Garage Spaces	2	2	2	2
No. of Open Spaces	8			
Total On-Site Spaces	16			

Existing On-Site Parking and Vehicular Circulation

As noted in the table above, the existing development provides two enclosed garage spaces for each unit (8 total); additionally, 8 open parking spaces are provided within the common driveway and between the units, for a total of 16 on-site parking spaces, which complies with the number of parking spaces required per code. Vehicle access to the site is provided from Orange Avenue.

Existing Site Improvements

Decorative perimeter block walls are provided throughout the project. The site landscaping is mature and well maintained. Private patios are provided for each unit along the Mesa Drive frontage. The common driveway is paved with decorative pavers.

The architecture is a two-story ranch-style with concrete tile roofs and exterior stucco with stone enhancements. The colors are light earthen tones. Architectural projections and balconies are included to maximize floor space on upper floors and provide building articulation, texture and variation throughout the project’s design (see site photos attached to this report – Attachment 6).

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 conversion.* Code Section 13-29(g)(10) requires the following findings for conversions:
 1. *The applicant has addressed the displacement of long-term residents, particularly senior citizens and low- and moderate-income families and families with school age children.*
 2. *The proposed conversion conforms to the adopted General Plan.*
 3. *The establishment, maintenance, or operation of the project will not be detrimental to the health, safety, peace, comfort, and general welfare of persons residing or working in the surrounding neighborhood, and the project will be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City.*
 4. *The overall design and physical condition of the conversion project achieves a high standard of appearance, quality, and safety.*
 5. *The proposed conversion project conforms to the Costa Mesa Zoning Code requirements.*

Additional information related to the above findings is described below.

- *The applicant has addressed the displacement of long-term residents, particularly senior citizens and low- and moderate-income families and families with school age children.* As documented by the applicant in Attachment 3, conversion of the units will not result in the displacement of long-term residents, senior citizens, low- and moderate-income families, or families with school age children. The tenants currently rent on a month-to-month basis. The tenants will be offered right of first refusal, with terms more favorable than those offered to the general public. As conditioned, if the tenants confirm they are not interested in purchasing the units, the property owner will be required to pay the registration fee for an apartment referral service.
- *The proposed conversion conforms to the adopted General Plan.* 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 Medium Density Residential. Per the General Plan, Medium Density Residential is intended for residential development with a density up to 12 units to the acre. Because the density of the existing development is 10 units to the acre, 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.

- **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 existing infill residential project within the allowable density for medium-density development. Therefore, adequate infrastructure would be available to serve the proposed project. Therefore, the project is consistent with this General Plan objective.

- **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 conversion project is for ownership units, the conversion is consistent with this General Plan goal.

- **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 was originally developed within the development standards established by the Zoning Code, and continues to be properly maintained in accordance with the City's property maintenance standards. Therefore, conversion of the project will ensure that the development continues to maintain an aesthetically pleasing and functional environment and minimize impacts on existing physical and social resources in accordance with this General Plan goal.

- *The establishment, maintenance, or operation of the project will not be detrimental to the health, safety, peace, comfort, and general welfare of persons residing or working in the surrounding neighborhood, and the project will not be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City.* As stated in the previous section, the project was originally developed within the development standards established by the Zoning Code, and continues to be properly maintained in accordance with the City's property maintenance standards, ensuring that the project will not be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City.
- *The overall design and physical condition of the conversion project achieves a high standard of appearance, quality, and safety.* As noted earlier in this report and as reflected in the site photographs in Attachment 6, the exterior of the project, including building and landscape materials, as well as perimeter walls and fences, are well maintained and in good condition. Additionally, as required by Code Section 13-42(e), the following inspection reports were submitted by the applicant, copies of which are attached (Attachment 4) for reference:

Inspection Report	Summary
Structural	No structural problems noted – building framing, foundations, etc. has a minimum life expectancy of 25 years.
Pest	No pest problems noted.
Paint	No paint problems noted.
Mold	No mold problems noted.
Mechanical	No mechanical problems noted.
Electrical	No electrical problems noted; however, the report notes that some light switches need to be replaced with dimmers and some of the smoke detectors need to be replaced with carbon monoxide detector units (incorporated as a condition of approval).
Plumbing	No plumbing problems noted.
Roof	No roof problems – the concrete tile roofs has a minimum life expectancy of 30-40 years.
Asbestos	Because the construction occurred in the early 2000's, no asbestos materials were used.

- The proposed conversion project conforms to the Costa Mesa Zoning Code requirements for small lot subdivisions. As noted earlier, the project was originally approved and constructed in accordance with the applicable standards of the Zoning Code. The Small Lot Subdivision Ordinance requires a 10-foot side yard setback adjacent to abutting developments, which may be reduced to 5 feet on a case-by-case basis; in this case, however, the 5-foot side yard setback is existing on the west (side) property line and is legal nonconforming.
- The conversion would allow the creation of fee simple lots for homeownership without an HOA. The property would be self-governed by CC&Rs and not subject to a Homeowner's Association. The proposed subdivision identifies ingress/egress easements over driveways and parking areas; there are no common lots which would necessitate the establishment of an HOA. As noted earlier, park fees were paid when the original parcel map was recorded; no additional park fees would be required for this subdivision.

ENVIRONMENTAL DETERMINATION

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15301 for Existing Facilities. This exemption allows for the minor alteration of existing structures, in this case, the minor upgrades identified in the inspection reports submitted by the applicant, involving negligible or no expansion of use beyond what is currently existing.

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

It is staff's opinion that the conversion satisfies the required Code findings 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 requested conversion. 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. Tenant Notifications
 4. Inspection Reports
 5. Vicinity and Zoning Map
 6. Site Photos
 7. Project Plans (Existing Development)

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
- Staff (6)
- File (2)

Temir Sacuy
199 Mesa Drive
Costa Mesa, CA 92627

Dennis Berlien
191 Mesa Drive
Costa Mesa, CA 92627

Dr. Martin Waldron and Deborah Felton
193 Mesa Drive
Costa Mesa, CA 92627

Scott and Emily Carey
195 Mesa Drive
Costa Mesa, CA 92627

**ATTACHMENT 1
DRAFT RESOLUTIONS**

RESOLUTION NO. PC-15-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-14-04 AND PARCEL MAP PM-13-155 FOR PROPERTIES LOCATED AT 191, 193, 195, AND 199 MESA DRIVE

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

WHEREAS, an application was filed by Temir Sacuy, the property owner, requesting approval of the following:

1. **Planning Application PA-14-04:** Conversion of an existing airspace subdivision of a two-story, four-unit, detached residential common interest development previously approved under PA-06-04 to a small lot subdivision consisting of fee simple lots for ownership purposes. No new construction is proposed.
2. **Parcel Map PM-13-155:** A small lot subdivision of the property into 4 individual ownership lots.

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 15301 for Existing Facilities.

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 February 9, 2015 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-14-04 and Parcel Map PM-13-155.

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-14-04 and Parcel Map PM-13-155 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 9th day of February, 2015.

Chair,
Costa Mesa Planning Commission

EXHIBIT A

FINDINGS (APPROVAL)

- A The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(10) in that:

Finding: The applicant has addressed the displacement of long-term residents, particularly senior citizens and low- and moderate-income families and families with school age children.

Facts in Support of Findings: As documented by the applicant, conversion of the units will not result in the displacement of long-term residents, senior citizens, low- and moderate-income families, or families with school age children. The tenants will be offered right of first refusal, with terms more favorable than those offered to the general public. As conditioned, if the tenants confirm they are not interested in purchasing the units, the property owner will be required to pay the registration fee for an apartment referral service.

Finding: The proposed conversion conforms to the adopted General Plan.

Facts in Support of Findings: The General Plan land use designation for the project site is Medium Density Residential. Per the General Plan, Medium Density Residential is intended for residential development with a density up to 12 units to the acre. Because the density of the existing development is 10 units to the acre, it is therefore consistent with the General Plan land use designation.

The conversion is also consistent with the following goals and objectives of the General Plan Land Use Element:

- **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 existing infill residential project within the allowable density for medium-density development. Therefore, adequate infrastructure would be available to serve the proposed project. Therefore, the project is consistent with this General Plan objective.

- **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 conversion project is for ownership units, the conversion is consistent with this General Plan goal.

- **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 was originally developed within the development standards established by the Zoning Code, and continues to be properly maintained in accordance with the City's property maintenance standards. Therefore, conversion of the project will ensure that the development continues to maintain an aesthetically pleasing and functional environment and minimize impacts on existing physical and social resources in accordance with this General Plan goal.

Finding: The establishment, maintenance, or operation of the project will not be detrimental to the health, safety, peace, comfort, and general welfare of persons residing or working in the surrounding neighborhood, nor will the project be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City.

Facts in Support of Findings: The project was originally developed within the development standards established by the Zoning Code, and continues to be properly maintained in accordance with the City's property maintenance standards, ensuring that the project will not be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City.

Finding: The overall design and physical condition of the conversion project achieves a high standard of appearance, quality, and safety.

Facts in Support of Findings: The exterior of the project, including building and landscape materials, as well as perimeter walls and fence, are well maintained and in good condition. Additionally, as required by Code Section 13-42(e), the inspection reports submitted by the applicant indicates that no structural, pest, paint, mold, electrical, mechanical, plumbing, roof, or asbestos problems exist within the project.

Finding: The proposed conversion project conforms to the Costa Mesa Zoning Code requirements.

Facts in Support of Findings: The project was originally approved and constructed in accordance with the applicable standards of the Zoning Code. The Small Lot Subdivision Ordinance requires a 10-foot side yard setback adjacent to abutting developments, which may be reduced to 5 feet on a case-by-case basis; in this case, however, the 5-foot side yard setback is existing on the west (side) property line and is legal nonconforming.

- 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 small lot subdivision, and encourages increased private market investment in neighborhoods.

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

Facts in Support of Findings: The density for the project is 10 units per acre, which complies with allowable density of 12 units per acre 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 existing 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: The existing project does not interfere with the public right-of-way.

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 existing project complies with all regulations set forth by the Costa Mesa Sanitation District as well as the Mesa Water District.

- C. 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 15301 for Existing Facilities. This exemption allows for the minor alteration of existing structures involving negligible or no expansion of use beyond what is currently existing.

- D. 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-14-04 shall coincide with the expiration of the approval of the Tentative Parcel Map PM-13-155 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 applicant shall offer the existing tenants right of first refusal to purchase any of the units with terms more favorable than those offered to the general public. The right shall run for a period of not less than 90 days, from the date of issuance of the subdivision public report (if applicable), unless the tenant gives prior written notice of his or her intention not to exercise the right. If an existing tenant confirms in writing that he/she is not interested in purchasing any of the units, the applicant shall register the tenant with an apartment/rental referral service that is mutually acceptable to the applicant and tenant, and if a registration fee is required, the applicant shall pay said fee. The applicant shall provide the Planning Division staff a copy of the written offer and the tenant's written response prior to map recordation. The applicant shall also provide written evidence that all tenants not accepting the purchase offer are registered with an apartment/rental referral service and the registration fee has been paid, if applicable.
 3. The applicant shall provide each tenant minimum 10 days written notification that an application for a public report will be, or has been, submitted to the Department of Real Estate, and that such report will be available upon request. Prior to final map approval, the applicant shall submit to Planning Division the written notices to tenants along with certified mail receipts.
 4. The applicant shall provide minimum 180 days written notice of intention to convert prior to termination of tenancy due to the conversion. This includes the 60-day notification required as part of the parcel/tract map submittal.
 5. The applicant shall show proof of compliance with all applicable conditions of approval prior to recordation of the final map. This condition shall be completed under the direction of the Planning Staff.
 6. Prior to the sale of units, the applicant shall contact the Building Safety Division and obtain an inspection of all buildings and structures within the existing development. The purpose of the inspection is to determine compliance with applicable building and safety codes as indicated in the inspection reports submitted by the applicant.
 7. Prior to the sale of units, the applicant shall make the changes noted in the electrical report, including, but not limited to, replacing light switches with dimmers and smoke detectors with carbon monoxide detector units. The applicant shall contact the Building Safety Division if any permits for this work is required.
 8. Prior to the sale of units, 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 association or homeowner's association (as applicable) effectively manage parking and contract with a towing service to enforce the parking regulations.
 - b. 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 association or homeowner's association (as applicable).
 - c. The CC&Rs shall contain restrictions requiring residents to park vehicles in the 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 spaces
 - d. The CC&Rs shall contain a notice that the open parking space shall be unassigned and available for visitors.
 - e. The CC&Rs shall be limited to the ground rules related to: architectural control over future building modifications or additions, architectural design and guidelines for the property, and engagement in alternative dispute resolution before filing a lawsuit to resolve conflicts.
 - f. The CC&Rs shall contain provisions requiring that the homeowner's association or maintenance association (as applicable) 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.
 - g. 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.
9. 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.

RESOLUTION NO. PC-15-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DENYING PLANNING APPLICATION PA-14-04 AND PARCEL MAP PM-13-155 FOR PROPERTIES LOCATED AT 191, 193, 195, AND 199 MESA DRIVE

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

WHEREAS, an application was filed by Temir Sacuy, the property owner, requesting approval of the following:

1. **Planning Application PA-14-04:** Conversion of an existing airspace subdivision of a two-story, four-unit, detached residential common interest development previously approved under PA-06-04 to a small lot subdivision consisting of fee simple lots for ownership purposes. No new construction is proposed.
2. **Parcel Map PM-13-155:** A small lot subdivision of the property into 4 individual ownership lots.

WHEREAS, a duly noticed public hearing was held by the Planning Commission on February 9, 2015 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-14-04 and Parcel Map PM-13-155.

PASSED AND ADOPTED this 9th day of February, 2015.

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)(10) in that:

Finding: The applicant has not submitted an adequate and legally binding plan which addresses the displacement of long-term residents, particularly senior citizens and low- and moderate-income families and families with school age children.

Finding: The proposed conversion does not conform to the adopted General Plan.

Finding: The establishment, maintenance, or operation of the project will be detrimental to the health, safety, peace, comfort, and general welfare of persons residing or working in the surrounding neighborhood, and the project will be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City.

Finding: The overall design and physical condition of the conversion project does not achieve a high standard of appearance, quality, and safety.

Finding: The proposed conversion project does not conform to the Costa Mesa Zoning Code requirements.

- B. The subdivision of the property is not consistent with the City's General Plan and Zoning Code.
- C. The Costa Mesa Planning Commission has denied Planning Application PA-14-04 and Parcel Map PM-13-155. 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.
- D. The project is exempt from Chapter IX, Article 11, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

ATTACHMENT 2
APPLICANT'S PROJECT DESCRIPTION

Temir Sacuy
199 Mesa Dr
Costa Mesa, CA 92627
(949) 874-6309
tsacuy@gmail.com

September 24, 2013

Minoo Ashabi
City of Costa Mesa
Development Services Department
77 Fair Drive
P.O. Box 1200
Costa Mesa, CA 92628-1200

RE: 191, 193, 195 & 199 Mesa Dr, Costa Mesa, CA 92627

Dear Minoo Ashabi, Principal Planner:

Please find enclosed my application to obtain zoning variances on the four properties referenced above. I am applying to convert each condo as a single family dwelling. In conjunction with my application I have included the following for your use and review:

Fee Payment (Tentative Parcel Map & Variance) – Check #1283
Public Notification Requirements (Radius Map, Mailing Labels & Certification Letter)
Proposed Plan
Existing Grading Plan

If you have any questions or require further information, feel free to contact me (949) 874-6309 or via email [HYPERLINK "mailto:tsacuy@gmail.com" tsacuy@gmail.com](mailto:tsacuy@gmail.com) .

Sincerely,

Tim Sacuy

**ATTACHMENT 3
TENANT NOTIFICATIONS**

LEE, MEL

From: lhille@pbcm-inc.com
Sent: Thursday, January 22, 2015 11:08 AM
To: LEE, MEL
Cc: Tim Sacuy; Tim Randall
Subject: RE: conversion - 191, 193, 195 & 199 Mesa Dr.
Attachments: 60-day notice of intent to convert- 191, 193, 195 and 199 Mesa Dr..pdf; certified receipts 09.08.14 - Pala Mesa notification letters.pdf

Dear Mr. Lee,

This e-mail serves as a follow-up to your discussion yesterday with Mr. Sacuy regarding the conversion of his properties at the above mentioned addresses.

Attached are copies of the notification letters mailed via USPS certified post. Also included as an attachment are the receipts for each letter dated September 8, 2014.

Please note that each tenant occupying the units 191-195 are on month to month tenancy paying \$3,500 per month rent. Outside of Mr. Sacuy, his wife and children occupying 199 Mesa, there are no other families with children living in the other units. Furthermore, no resident is at a low to moderate income level and do not fall into the senior citizen category.

If you have any questions or require further information regarding this conversion, please let us know. Lastly, if you can confirm receipt of this e-mail with attachments it would be greatly appreciated.

Kind regards,
Lisa

Lisa Hille
Premier Builders & Construction Mgmt, Inc.
P.O. Box 611
Corona Del Mar, CA 92625
(949) 326-3138
lhille@pbcm-inc.com

PALA MESA ESTATES LLC
199 MESA DRIVE
COSTA MESA, CALIFORNIA 92627

September 5, 2014

VIA CERTIFIED MAIL

Dennis Berlien
191 Mesa Drive
Costa Mesa, California 92627

RE: 60 DAY NOTICE OF INTENT TO CONVERT

To the Occupants of 191 Mesa Drive:

The owners of the building at 191 Mesa Drive, Costa Mesa, California 92627, plan to file a Tentative Map with the City of Costa Mesa to convert this building from a condominium project to a small lot subdivision. You shall be given notice of each hearing for which notice is required pursuant to Sections 66451.3 and 66452.5 of the Government Code, you have the right to appear and the right to be heard at any such hearing.

PALA MESA ESTATES LLC, a California
limited liability company

By: _____


Temir Sacuy
Its Sole Member

PALA MESA ESTATES LLC
199 MESA DRIVE
COSTA MESA, CALIFORNIA 92627

September 5, 2014

VIA CERTIFIED MAIL

Dr. Martin Waldron and Deborah Felten
193 Mesa Drive
Costa Mesa, California 92627

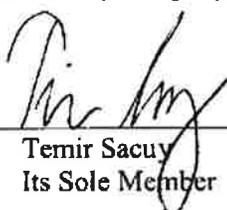
RE: 60 DAY NOTICE OF INTENT TO CONVERT

To the Occupants of 193 Mesa Drive:

The owners of the building at 193 Mesa Drive, Costa Mesa, California 92617, plan to file a Tentative Map with the City of Costa Mesa to convert this building from a condominium project to a small lot subdivision. You shall be given notice of each hearing for which notice is required pursuant to Sections 66451.3 and 66452.5 of the Government Code, you have the right to appear and the right to be heard at any such hearing.

PALA MESA ESTATES LLC, a California
limited liability company

By: _____


Temir Sacuy
Its Sole Member

PALA MESA ESTATES LLC
199 MESA DRIVE
COSTA MESA, CALIFORNIA 92627

September 5, 2014

VIA CERTIFIED MAIL

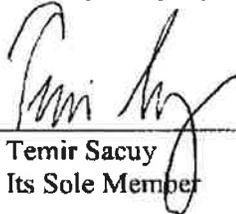
Scott and Emily Carey
195 Mesa Drive
Costa Mesa, California 92627

RE: 60 DAY NOTICE OF INTENT TO CONVERT

To the Occupants of 195 Mesa Drive:

The owners of the building at 195 Mesa Drive, Costa Mesa, California 92627, plan to file a Tentative Map with the City of Costa Mesa to convert this building from a condominium project to a small lot subdivision. You shall be given notice of each hearing for which notice is required pursuant to Sections 66451.3 and 66452.5 of the Government Code, you have the right to appear and the right to be heard at any such hearing.

PALA MESA ESTATES LLC, a California
limited liability company

By: 

Temir Sacuy
Its Sole Member

PALA MESA ESTATES LLC
199 MESA DRIVE
COSTA MESA, CALIFORNIA 92627

September 5, 2014

VIA CERTIFIED MAIL

Temir and Joey Sacuy
199 Mesa Drive
Costa Mesa, California 92627

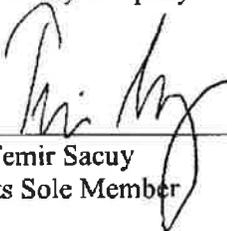
RE: 60 DAY NOTICE OF INTENT TO CONVERT

To the Occupants of 199 Mesa Drive:

The owners of the building at 199 Mesa Drive, Costa Mesa, California 92627, plan to file a Tentative Map with the City of Costa Mesa to convert this building from a condominium project to a small lot subdivision. You shall be given notice of each hearing for which notice is required pursuant to Sections 66451.3 and 66452.5 of the Government Code, you have the right to appear and the right to be heard at any such hearing.

PALA MESA ESTATES LLC, a California
limited liability company

By: _____


Temir Sacuy
Its Sole Member

7014 0510 0001 1822 9380

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For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here
 SEP 18 2014

Sent To
 DR MARTIN WAALDRON
 & DEBORAH FELTEN
 193 MESA DR
 COSTA MESA, CA

PS Form 3800, August 2006 See Reverse for Instructions

7014 0510 0001 1822 9397

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
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Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here
 SEP 18 2014

Sent To
 SCOTT S. EMILY CAREY
 195 MESA DR
 COSTA MESA, CA 92627

PS Form 3800, August 2006 See Reverse for Instructions

7014 0510 0001 1822 9373

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
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OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here
 SEP 18 2014

Sent To
 DENNIS BERLIEN
 191 MESA DR
 COSTA MESA, CA

PS Form 3800, August 2006 See Reverse for Instructions

7014 0510 0001 1822 9427

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here
 SEP 18 2014

Sent To
 TENIR S. JOFY SACHY
 199 MESA DR
 COSTA MESA, CA 92627

PS Form 3800, August 2006 See Reverse for Instructions

TUSTIN PD
 TUSTIN, California
 927819998
 0569390510 -0095
 09/08/2014 (800)275-8777 04:13:56 PM

Product Description	Sales Receipt Sale Qty Unit Price	Final Price
COSTA MESA CA 92627-4620 Zone-1 First-Class Mail Letter 0.40 oz. Expected Delivery: Tue 09/09/14 @@ Certified		\$0.49
USPS Certified Mail #: 70140510000118229373		\$3.30
Customer Postage		-\$0.49
Subtotal:		\$3.30
Issue Postage:		\$3.30
COSTA MESA CA 92627-4620 Zone-1 First-Class Mail Letter 0.40 oz. Expected Delivery: Tue 09/09/14 @@ Certified		\$0.49
USPS Certified Mail #: 70140510000118229427		\$3.30
Customer Postage		-\$0.49
Subtotal:		\$3.30
Issue Postage:		\$3.30
COSTA MESA CA 92627-4620 Zone-1 First-Class Mail Letter 0.40 oz. Expected Delivery: Tue 09/09/14 @@ Certified		\$0.49
USPS Certified Mail #: 70140510000118229397		\$3.30
Customer Postage		-\$0.49
Subtotal:		\$3.30
Issue Postage:		\$3.30
COSTA MESA CA 92627-4620 Zone-1 First-Class Mail Letter 0.40 oz. Expected Delivery: Tue 09/09/14 @@ Certified		\$0.49
USPS Certified Mail #: 70140510000118229380		\$3.30
Customer Postage		-\$0.49
Subtotal:		\$3.30
Issue Postage:		\$3.30

Total: \$13.20

Paid by:
 Debit Card \$13.20
 Account #: XXXXXXXXXXXX4854
 Approval #: 084497
 Transaction #: 935
 23 903501005
 Receipt#: 002115

@@ For tracking or inquiries go to
 USPS.com or call 1-800-222-1811.

BRIGHTEN SOMEONE'S MAILBOX. Greeting cards available for purchase at select Post Offices.

In a hurry? Self-service kiosks offer quick and easy check-out. Any Retail Associate can show you how.

Order stamps at usps.com/shop or call 1-800-Stamp24. Go to usps.com/clicknship to print shipping labels with postage. For other information call 1-800-ASK-USPS.

Get your mail when and where you want it with a secure Post Office Box. Sign up for a box online at usps.com/poboxes.

Bill#: 1000504216044
 Clerk: 04

All sales final on stamps and postage
 Refunds for guaranteed services only
 Thank you for your business

HELP US SERVE YOU BETTER

TELL US ABOUT YOUR RECENT
 POSTAL EXPERIENCE

Go to:
<https://postalexperience.com/Pos>

Or scan this code with your mobile device.



YOUR OPINION COUNTS

Customer Copy

**ATTACHMENT 4
INSPECTION REPORTS**

Hello Mino,

RE: 191,193,195 & 199 Mesa Drive, conversion to SFD

Here are all the reports per your request. Sorry it took awhile to get everything together. I did not include an asbestos report since the development took place in early 2000, well past any concerns for asbestos issues. Please let me know if there is anything else you need.

Regards,

Tim Sacuy
(949) 874-6309

Received
City of Costa Mesa
Development Services Department
JUN 26 2014

SHUCRI "CHUCK" I. YAGHI

Consulting Engineers: Residential & Commercial

112 E. Chapman Ave, Suite D, Orange, CA 92866 TEL: 714/997-9120 FAX: 714/744-3676

DATE: 4/25/14

JOB #: 14177

TO: CITY OF COSTA MESA
ATTN: MINOO ASHABI, AIA
PRINCIPLE PLANNER
TEL: (714) 754-5610

FROM: SHUCRI I. YAGHI, P.E.

REGARDING: SUB DIVISION OF PROPERTY INTO FOUR UNITS
191-199 MESA DR.
COSTA MESA, CA.

SUBJECT: STRUCTURAL INFORMATION PER ITEM (e)(2) OF THE
DEVELOPMENT STANDARD

SHUCRI "CHUCK" I. YAGHI

Consulting Engineers: Residential & Commercial

112 E. Chapman Ave, Suite D, Orange, CA 92866 TEL: 714/997-9120 FAX: 714/744-3676

Findings:

WE HAVE VISITED THE SITE AND REVIEWED THE ORIGINAL AS BUILT DRAWINGS WITH THE FOLLOWING INFORMATION:

- A.) ONE STRUCTURE WAS BUILT IN 2001 AND THREE STRUCTURES IN 2004.
- B.) THERE IS NO EVIDENCE OF ANY SOIL PROBLEMS OR SETTLEMENT.
- C.) THE CONDITION OF THE BUILDING'S WALL, CEILING, WINDOWS, DOORS, PARKING, AND DRAINAGE FACILITIES APPEAR TO BE IN GOOD OPERATING CONDITION.
- D.) THE FIREPLACES AND EXTERIOR LIGHTING ARE IN GOOD OPERATING CONDITION.
- E.) ALL BEDROOM WINDOWS COMPLY WITH EGRESS REQUIREMENTS OF THE C.B.C.
- F.) ALL WALLS AND FLOOR/CEILING ASSEMBLIES COMPLY WITH CURRENT CODE REQUIREMENTS FOR SOUND TRANSMISSION.
- G.) ALL BUILDING WOOD FRAMES, SILL PLATES, ANCHOR BOLTS, CONNECTORS AND FOUNDATION AS PER THE AS BUILT DRAWINGS SHOULD HAVE A MINIMUM OF 25 YEARS OF LIFE EXPECTANCY.

IF YOU HAVE ANY PROBLEMS PLEASE FEEL FREE TO CONTACT ME.



PREPARED BY: SHUCRI I, YAGHI, P.E.

STANDARD NOTICE OF WORK COMPLETED AND NOT COMPLETED

NOTICE - All recommendations may not have been completed - See below - Recommendations not completed.

This form is prescribed by the Structural Pest Control Board.

Building No. 191-199	Street Mesa	City Costa Mesa	Zip 92627	Date of Completion 5/13/2014
-------------------------	----------------	--------------------	--------------	---------------------------------



EVANS TERMITE CONTROL

4002 CHANNEL PL SUITE B

NEWPORT BEACH CA 92663

Tel 949-642-2130 Fax 949-722-8022 Alt 714-296-1730

EVANSTERMITE@SBCGLOBAL.NET

Report #: 27938

Registration #: PR4462

Escrow #:

Ordered By: Sacuy	Property Owner and/or Party of Interest: Sacuy 191-199 Mesa Costa Mesa CA 92627 same	Completion Sent To: same
----------------------	--	-----------------------------

The following recommendations on the above designated property, as outlined in Wood Destroying Pests and Organisms Inspection Report No. 27938, dated _____, have been and/or have not been completed.

Recommendations completed by this firm that are in accordance with the Structural Pest Control Board's Rules and Regulations:

7a1

Recommendations completed by this firm that are considered secondary and substandard measures under Section 1992 of the Structural Pest Control Board's Rules and Regulations including person requesting secondary measure.

Cost of work completed:

Cost:	\$ 0.00
Inspection Fee:	\$ 0.00
Other:	\$ 0.00
Total:	\$ 0.00

Recommendations not completed by this firm:

Estimated Cost: \$ 0.00

Remarks:

THIS IS TO CERTIFY THAT THE PROPERTY DESCRIBED HEREIN IS NOW FREE ACTIVE INFESTATION OR INFECTION IN ANY ACCESSIBLE AREA AND IS IN ACCORDANCE WITH THE STRUCTURAL PEST CONTROL BOARD RULES AND REGULATIONS.

38

Signature

You are entitled to obtain copies of all reports and completion notices on this property reported to the Board during the preceding two year upon payment of a search fee to: Structural Pest Control Board, 2005 Evergreen Street, Suite 1500, Sacramento, California, 95815-3831.

NOTE: Questions or problems concerning the above report should be directed to the manager of this company. Unresolved questions or problems with services performed may be directed to the Structural Pest Control Board at (916) 561-8708. (800) 737-8188 or www.pestboard.ca.gov. 43M-44 (Rev. 10/01)

Rainbow Painting Group, Inc.
State License # 784344

1345 N. Red Gum St., Ste. 10
Anaheim, CA 92806

Tel: (800) 559-4559

Fax: (714) 632-1156

Email: rainbowpusa@gmail.com

May 8, 2014

Pala Mesa Estates
Contact: Temir Sacuy

Re: 191, 193, 195, & 199 Mesa Dr., Costa Mesa, CA 92627

This letter is to verify that the abovementioned properties were painted in accordance with the contract specifications, manufacturer recommendations and industry standards for the following description of work:

Interior & Exterior Painting

Rainbow Painting Group, Inc. also verifies that the painting on these properties is currently in safe and good condition.

James Kim



President



Office Locations
o Irvine, Ca

EMS Western Region
212 Technology Dr Ste: M
Irvine, Ca 92618
949.333.3998 Office
949.266.5502 Fax

Inspection Notes and Observations for EMS Client No. Mesa dr. 5-13

May 13, 2014

Client Name. Mr. Tim Sacuy

Property Location: 191,193,195 and 199 Mesa Dr. Costa Mesa, Ca

Property Type: Single-family Residential

Environmental Mold Services was contacted by Mr. Tim Sacuy regarding his properties located at 191,193,195 and 199 Mesa Dr. Costa Mesa, Ca. Mr. Sacuy wanted to have an indoor air quality inspection performed on his properties as part of the cities requirements. So, Mr. Sacuy contacted Environmental Mold Services to come out and perform an inspection. After the initial visual inspection was completed, and the findings were discussed by Mr. Harris it was **decided by both parties not to have any surface or air samples** sent to the laboratory for analysis.

EMS was scheduled for an inspection Tuesday May 13, 2014 at 8:30 am.

The following are my observed notes and opinions as requested by Mr. Sacuy and are based on my experience, education and training as a Certified Mold Inspector, Certified Mold Remediator. They should not be considered as a basis for health evaluation purposes, abatement activities or legal proceedings. Comprehensive testing has not been contracted by the property owner to date:

NOTES & OBSERVATIONS:

Upon entering the property described above, **No** odor typically associated with an indoor moisture and/or mold occurrence was observed. Mold odors are normally associated with the microbial Volatile Organic Compound (mVOC's) off gassing produced by active mold growth.

Unit 191

Kitchen- Overall good condition. No visual mold and or water staining present at time of inspection.

Living/Dining room- Overall good condition. No visual mold and or water staining present at time of inspection.

Master bedroom- Overall good condition. No visual mold and or water staining present at time of inspection.

Master bathroom- Overall good condition. No visual mold and or water staining present at time of inspection.

Guest Bedrooms- Overall good condition. No visual mold and or water staining present at time of inspection.

Guest Bathrooms- Overall good condition. No visual mold and or water staining present at time of inspection.

Laundry room- Overall good condition. No visual mold and or water staining present at time of inspection.

Unit 193

Kitchen- Overall good condition. No visual mold and or water staining present at time of inspection.

Living/Dining room- Overall good condition. No visual mold and or water staining present at time of inspection.

Master bedroom- Overall good condition. No visual mold and or water staining present at time of inspection.

Master bathroom- Overall good condition. No visual mold and or water staining present at time of inspection.

Guest Bedrooms- Overall good condition. No visual mold and or water staining present at time of inspection.

Guest Bathrooms- Overall good condition. No visual mold and or water staining present at time of inspection.

Laundry room- Overall good condition. No visual mold and or water staining present at time of inspection.

Unit 195

Kitchen- Overall good condition. No visual mold and or water staining present at time of inspection.

Living/Dining room- Overall good condition. No visual mold and or water staining present at time of inspection.

Master bedroom- Overall good condition. No visual mold and or water staining present at time of inspection.

Master bathroom- Overall good condition. No visual mold and or water staining present at time of inspection.

Guest Bedrooms- Overall good condition. No visual mold and or water staining present at time of inspection.

Guest Bathrooms- Overall good condition. No visual mold and or water staining present at time of inspection.

Laundry room- Overall good condition. No visual mold and or water staining present at time of inspection.

Unit 199

Kitchen- Overall good condition. No visual mold and or water staining present at time of inspection.

Living/Dining room- Overall good condition. No visual mold and or water staining present at time of inspection.

Master bedroom- Overall good condition. No visual mold and or water staining present at time of inspection.

Master bathroom- Overall good condition. No visual mold and or water staining present at time of inspection.

Guest Bedrooms- Overall good condition. No visual mold and or water staining present at time of inspection.

Guest Bathrooms- Overall good condition. No visual mold and or water staining present at time of inspection.

Laundry room- Overall good condition. No visual mold and or water staining present at time of inspection.

OPINIONS AND RECOMMENDATIONS:

It is my opinion that the property **would Not** qualify as an amplified site for mold at this time. I **do Not** feel that the indoor air quality has been compromised, at this time.

Recommendations:

- No further actions are warranted at this time.

These observations and recommendations are given in good faith and NOT to be used for the exclusive determination of existing mold, moisture proliferation, compromised indoor air quality or health evaluation purposes.

Thank you for the opportunity to be of service. We sincerely hope that we have achieved our mission of providing you with the best Knowledge, Integrity, Service & Solutions in the industry. If you have any questions, please feel free to give me a call.

Keith Harris, CMI, CMR, CHMM
President
Environmental Mold Services, Inc.

05/13/2014
Date

REFERENCES

The following reference materials may have been used to develop this report:

- United States Environmental Protection Agency (2001). Mold Remediation in Schools and Commercial Buildings (EPA Publication No. 402-K-01-001). Washington, DC: US Environmental Protection Agency.
- New York City Department of Health (2000). Guidelines on Assessment and Remediation of Fungi in Indoor Environments. New York: New York City Department of Health.
- Macher, J. (Ed.). (1999). Bioaerosols: Assessment and Control. Cincinnati: American Conference of Governmental Industrial Hygienists.
- Dillon, H.K., Heinsohn, P.A., & Miller, J.D. (Eds.). (1996). Field Guide for the Determination of Biological Contaminants in Environmental Samples. Fairfax, VA: American Industrial Hygiene Association.
- ASHRAE Standard 62-2001, Ventilation for Acceptable Indoor Air Quality. American Society of Heating, Refrigerating and Air Conditioning Engineers, Inc., Atlanta, GA. 2001.
- Indoor Environmental Standards Organization (2002). Standards of Practice for the Assessment of Indoor Environmental Quality, Vol.1. Minneapolis, MN: Indoor Environmental Standards Organization.
- IICRC (2003) Standard and Reference Guide for Professional Mold Remediation S520. Vancouver, WA: Institute of Inspection, Cleaning and Restoration Certification.



Front of home.



Unit 199 living/dining room.



Unit 199 kitchen area.



Unit 199 master bedroom.



Unit 199 laundry room.



Unit 199 guest bathroom.



Unit 195 kitchen area.



Unit 195 living room.



Unit 195 master bathroom.



Unit 195 master bedroom.



Unit 193 kitchen area.



Unit 193 master bathroom.



Unit 193 master bedroom.



Unit 193 laundry area.



Unit 191 living room.



Unit 191 kitchen area.



Unit 191 master bathroom.



Unit 191 master bedroom.

WARRANTY

Environmental Mold Services has prepared this report for the exclusive use of its client. Environmental Mold Services, in performing its professional services, has applied scientific judgment that it believes is consistent with industry guidelines set forth in the Guidelines on Assessment and Remediation of Fungi in Indoor Environments by the New York City Department of Health & Mental Hygiene Bureau of Environmental & Occupational Disease Epidemiology. Environmental Mold Services inspected structures and/or contents in a good faith effort to observe pertinent detail. Due to the limitations of time, access, and other variables, certain details may have been overlooked. Environmental Mold Services has relied in good faith upon the information and representations of others in the preparation of this report and the opinions expressed herein. Accordingly, Environmental Mold Services accepts no responsibility for deficiencies, omissions, misrepresentations, or fraudulent acts of persons interviewed.

It is always possible that chemical and/or biological agents may be in a building that have not been targeted for assay, have not been identified by science as a potential health threat, or are present in such small quantities or low levels that they were not detected by the sampling and/or analytical methods employed. Accordingly, it cannot be determined with absolute certainty that there is no risk of exposure to some chemical and/or biological agent.

Reliance or use by any such third party without explicit authorization in the report does not make said third party a third party beneficiary to EMS's contract with the Client. Any such unauthorized reliance on or use of this report, including any of its information or conclusions, will be at third party's risk. For the same reasons, no warranties or representations, expressed or implied in this report, are made to any such third party.

In matters involving indoor air quality, health, and safety, there is no substitute for sound medical advice. Persons experiencing adverse health effects of any kind should seek a medical diagnosis; symptoms could be related to the onset of a serious illness and delay of any kind should be avoided.

Environmental Mold Services assumes no liability for any loss, injury, claim, or damage arising directly or indirectly from any use or reliance on this report or the opinions expressed herein. Environmental Mold Services makes no warranty, express or implied. This report is limited only to the samples taken and locations sampled. Additional sampling may be needed to further identify other pollutants, or other mold/ fungus affected areas inside the property.

This report was prepared pursuant to the contract EMS has with the Client. That contractual relationship included an exchange of information about the subject site that was unique and between EMS and its client and serves as the basis upon which this report was prepared. Because of the importance of the communication between EMS and its client, reliance or any use of this report by anyone other than the Client, for whom it was prepared, is prohibited and therefore not foreseeable to EMS. No warranty is made. Environmental Mold Services liability and that of its contractors and subcontractors arising from any services rendered hereunder shall not exceed the total fee paid by the client to Environmental Mold Services.

Thank you for the opportunity to work with you on this project. Please call the undersigned at (949) 333-3998, if you have questions.

June 16, 2014

Mr. Temir Sacuy
C/O Pala Mesa Estates
199 Mesa Drive
Costa Mesa, CA 92627

Re: Mechanical Compliance 07-17
191, 193, 195 Mesa Drive, Costa Mesa, CA 92627

Dear Mr. Sacuy:

I have inspected the mechanical equipment in regards to heating and cooling systems for the above referenced address' on the above referenced date and have found them to be at current mechanical code.

No non-complaint deficiencies were noted at the time of inspection.

Sincerely,



Ian Waddell
Professional Engineer, State of California
04219 Exp. 3/31/2014



TomTech Design

Building Electrical System

Lic.# 757209

9985 Tujunga Canyon Blvd

Tujunga, CA 91042

(818)427-7464

Edwardtomasian@aol.com

May 19 , 2014

To: Tim Sacury @ 949-874-6309 or, TSACUY@gmail.com

Regarding: 191, 193,195 & 199 Mesa Dr. Costa Mesa

Dear Tim,

I have prepared this **report** based on the survey or assessment of we conducted May 14 of 2014 on the existing electrical system of all building in that scope .

You can submit this report to Building and Safety of Costa Mesa for review.

Theses are the items or devices that we tested or assessed for their proper operation and their consistency with National Electrical Code , California Electrical code, NFPA-1(national Fire Protect. Assoc.), NFPA-70 and NFPA-70A.

***Note that:** The qualified, licensed electrical Contractor installed the electrical system through out these buildings at the time when NEC/CEC 2005 was the governing code.*

Item#1 Lighting:

Installation methods, types, safety

All approved, and meet the code requirement.

Item#2 Power outlet , receptacle, GFCIs:

Installation methods, types, safety

All approved, and meet the code requirement.

Item#3 Controls (switches, dimmers)

Installation methods, types, safety

All approved, and meet the code requirement except that,

Few switches controlling non-efficacy lights have to be replaced with dimmers.

Item#4 Fire smoke Alarm:

Installation methods, types, safety

All approved, and meet the code requirement except that,

Few smoke detectors (In first floors) have to be replaced with Carbon monoxide combo types.

Item#5 Wiring through-out:

Installation methods, types, safety

All approved, and meet the code requirement.

Item#6 Wiring devices (device boxes, j.boxes) :

Installation methods, types, safety

All approved, and meet the code requirement.

Item#7 System grounding & equipment grounding:

Installation methods, types, safety

All approved, and meet the code requirement.

Item#2 Main metering equipment (services), sub panel boards, circuit breakers :

Installation methods, types, safety

All approved, and meet the code requirement.

After our of survey we concluded that,

Overall Electrical System for these building are in compliance with Electrical Code:
Except few items that are mentioned above , recommend to be adjusted or corrected
towards %100 approval.

Thank you

Please call me for any question,

Edward Tomasian

@ 818-427-7464

From: Temir Sacuy tsacuy@gmail.com
Subject: Pala Mesa Estates - Plumbing Report for 191,193,195 & 199 Mesa Drive, Costa Mesa
Date: May 8, 2014 at 1:04 PM
To: Master Plumbing greggsmasterplumbing@hotmail.com

Hi Greg,

Please copy and use the narrative below for the body of your email. In addition, please reference the "Subject" properties as well. Thanks!

Attention: Temir Sacuy on behalf of Pala Mesa Estates:

Per your request, I performed an inspection at 191,193,195 & 199 Mesa Drive in Costa Mesa. I found the plumbing systems of the properties to be in excellent working order and in compliance with the current California Plumbing Code. No pools, saunas, spas or fountains were on the properties and the on lot sewer systems were camera tested and are in excellent condition. Please let me know if you need any further assistance.

Best,

Greg Francabandera / Master Plumbing CSLB # 473194

103 W. Escalones, San Clemente, CA 92672
Phone: (949) 498-2274 Fax: (949) 498-3744
Lic.# B/C -39 567238 HYPERLINK "http://

www.jlray.com" www.jlray.com

Inspection

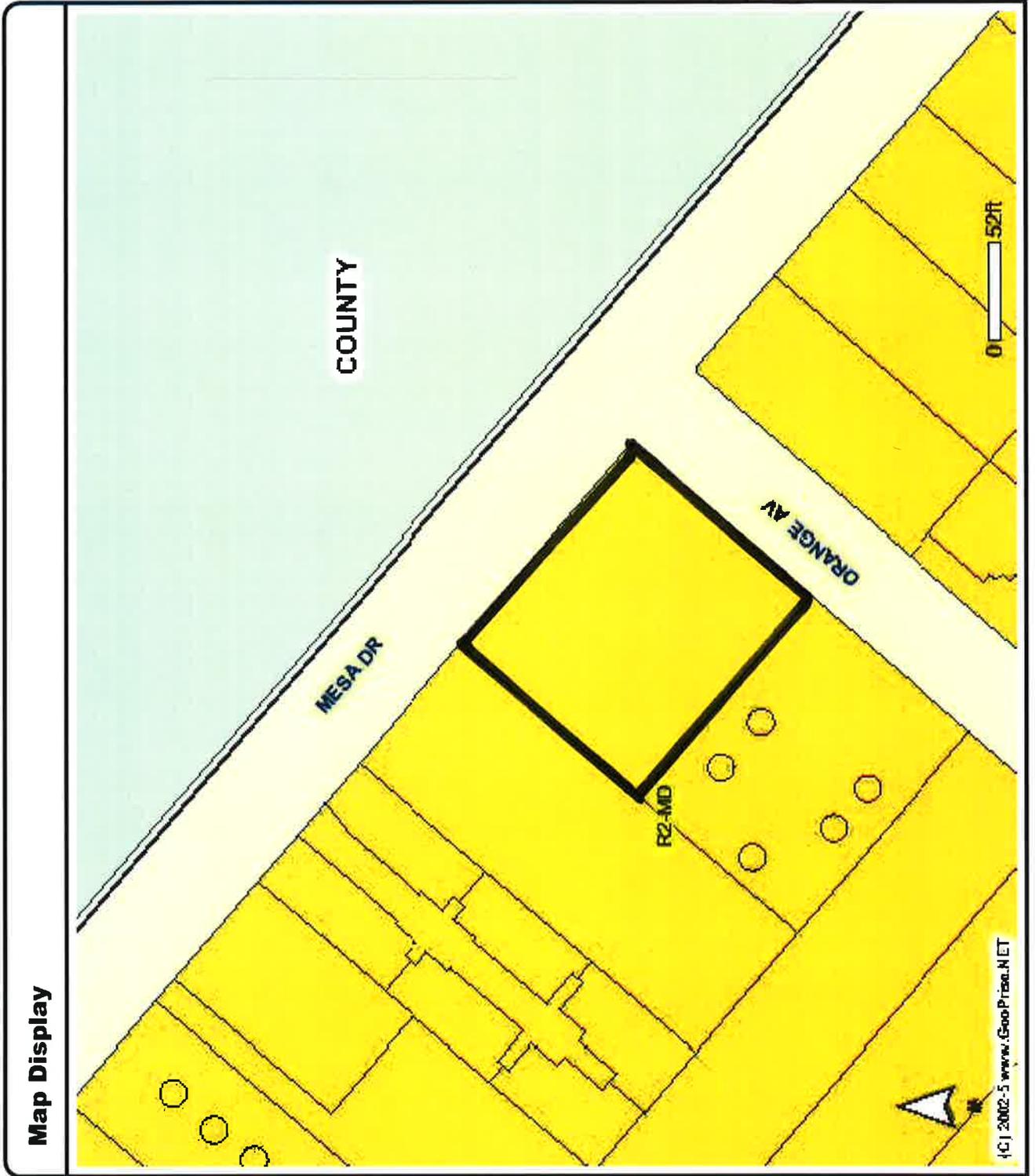
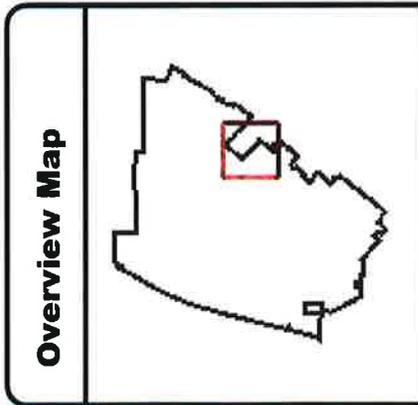
May 14, 2014

Tim Sacuy / Pala Mesa Estates
199 Mesa Drive
Costa Mesa Ca. 92627

Subject / roof report / 191 , 193 , 195 , 199 Mesa Drive Costa Mesa

Per your request ,The above referenced roofs have been inspected, The lightweight concrete roof made by Auburn tile is in excellent condition , life expectancy of this type of roof is 30 to 40 years with regular maintenance Checking flashings and gutters every five years.

**ATTACHMENT 5
VICINITY AND ZONING MAPS**



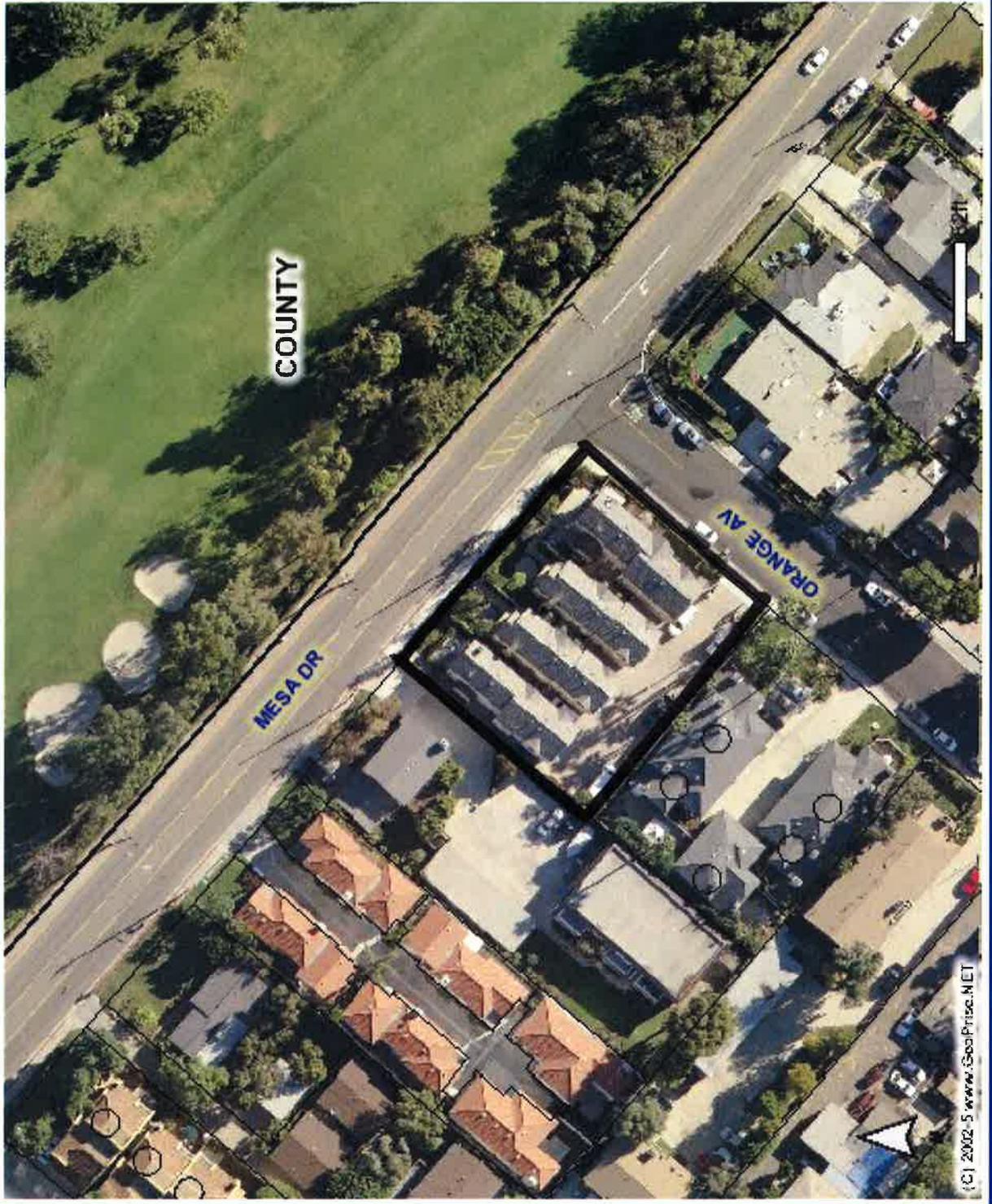
Legend

Hydrology Channel	Water Ways
Street Names	Zoning
Parcel Lines	AP
City Boundary	C1
	C1-S
	C2
	CL
	I&R
	I&R-S
	MG
	MP (cont)

Overview Map



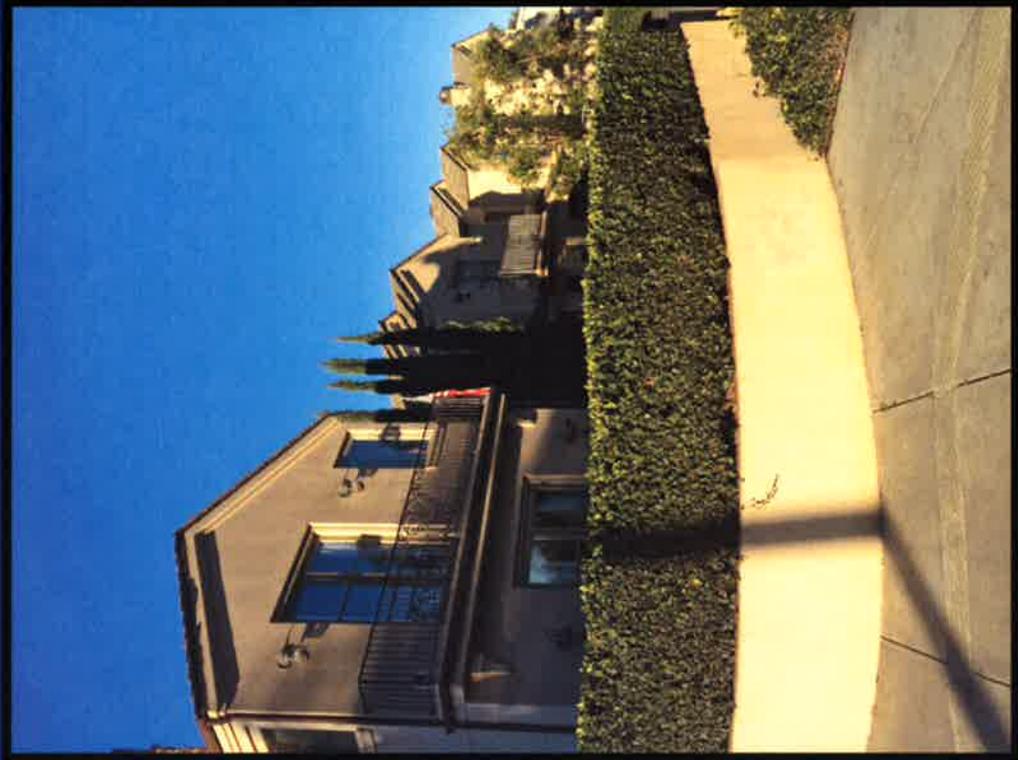
Map Display



Legend

- Hydrology Channels
- Street Names
- Parcel Lines
- City Boundary
- Water Ways
- Ortho Level1
- Ortho 2008 Level1
- Ortho Level1 2006
- Parcels

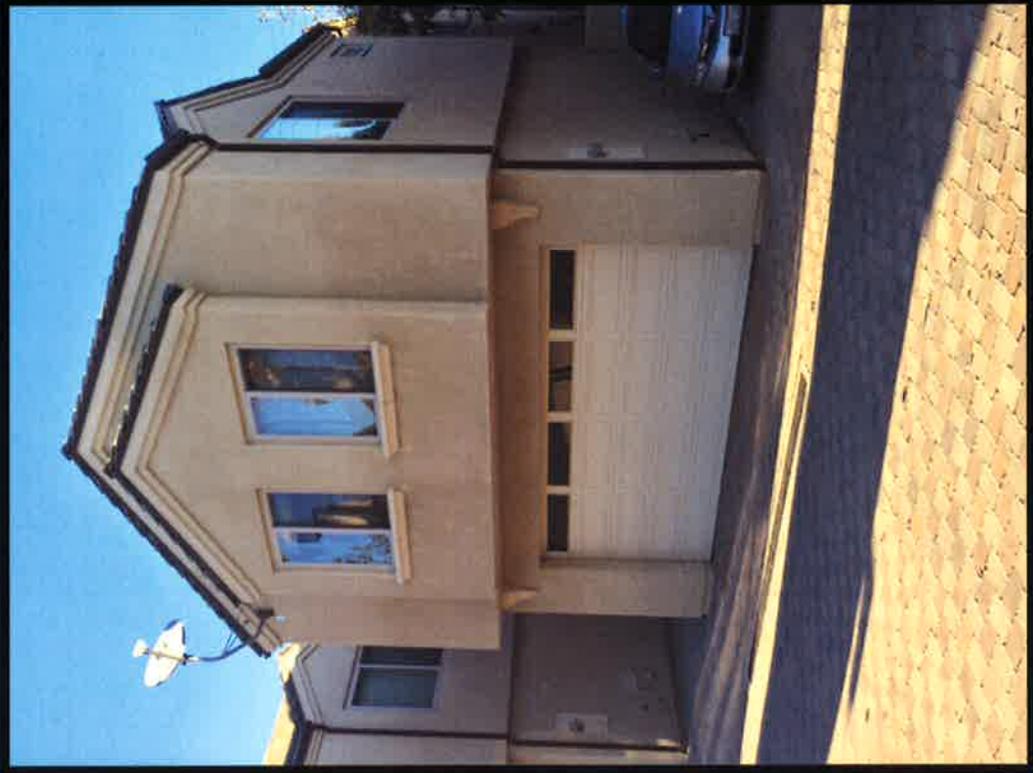
**ATTACHMENT 6
SITE PHOTOS**

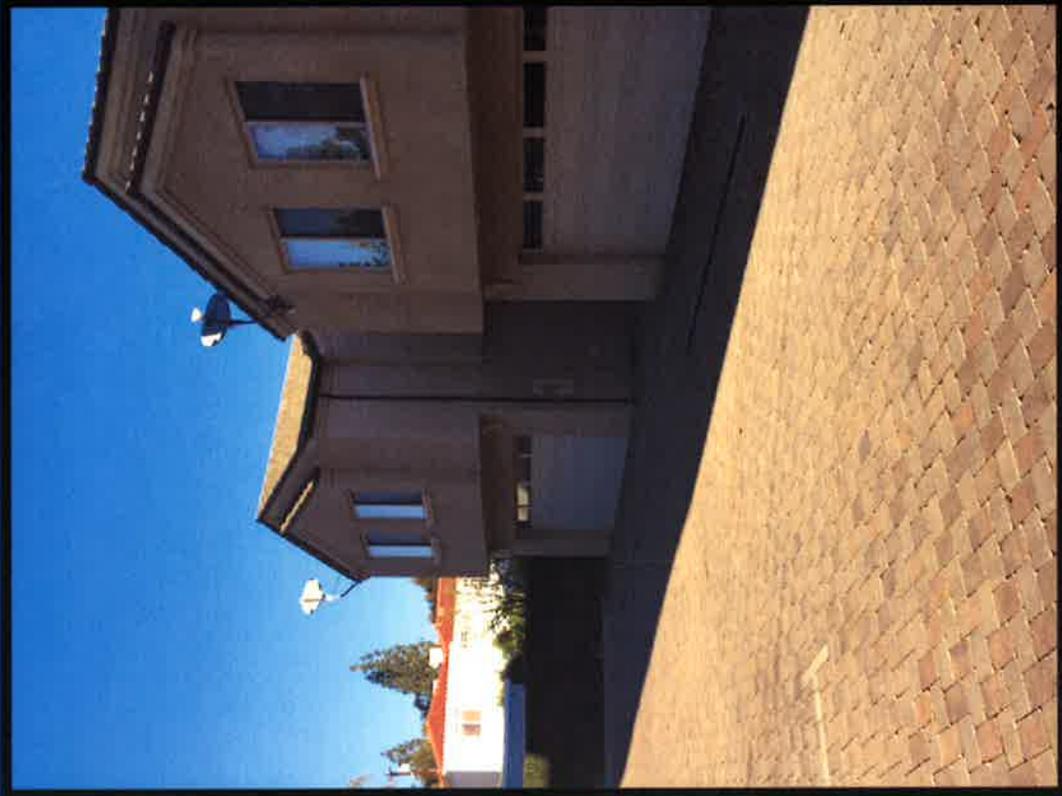










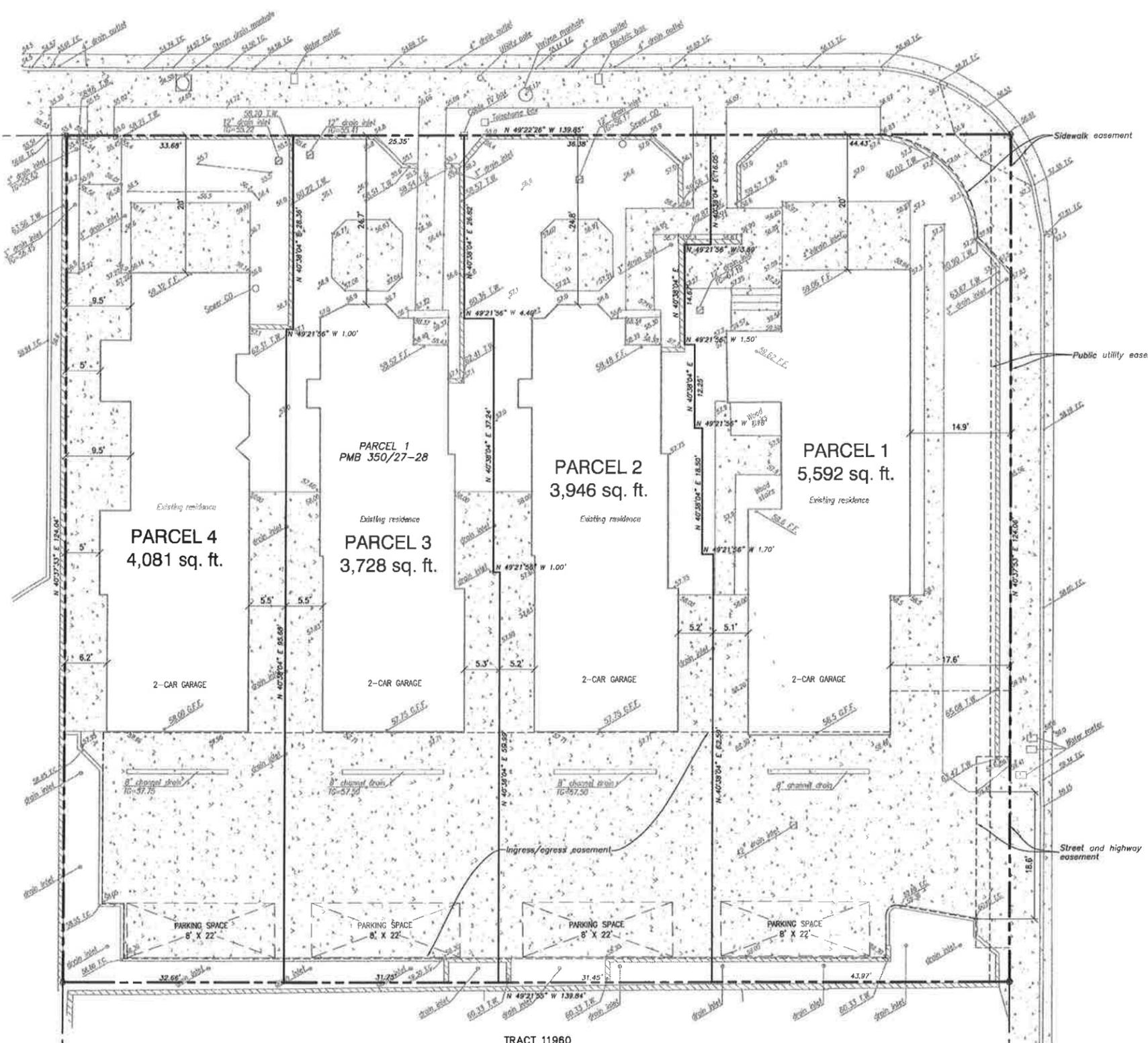


**ATTACHMENT 7
PROJECT PLANS**

MESA DRIVE



SCALE: 1"=8'



TRACT 11960

ORANGE AVENUE

SITE DATA

OWNER/SUBDIVIDER: TEMIR SACYU
199 MESA DRIVE
COSTA MESA, CA 92627
TEL: (949) 874-6309

ENGINEER: TOAL ENGINEERING, INC.
139 AVENIDA NAVARRO
SAN CLEMENTE, CA 92672
PH: (949) 492-8586

OLAV S. MEUM LS 4384 DATE

GENERAL PLAN LAND USE DESIGNATION: RM (MULTI-FAMILY RESIDENTIAL)

EXISTING LAND USE: DETACHED CONDOMINIUMS

TOTAL AREA: 17,347 SQ. FT. (0.40 AC)

EXISTING ZONING: RM (MULTI-FAMILY RESIDENTIAL)

CONTOUR INTERVAL: N/A

PROPOSED GRADING: N/A

MAXIMUM SLOPE GRADIENT: N/A

NUMBER OF PARCELS: 4

UTILITIES:

GAS SERVICE: SOUTHERN CALIFORNIA GAS CO.

ELECTRIC SERVICE: SOUTHERN CALIFORNIA EDISON

SEWER: CITY OF COSTA MESA

WATER: COSTA MESA WATER DISTRICT

TELEPHONE SERVICE: PACIFIC BELL

TELEVISION SERVICE: TIME WARNER COMMUNICATIONS

NOTES:

1. SUBJECT PROPERTY IS LOCATED WITHIN THE COSTA MESA UNIFIED SCHOOL DISTRICT.

LEGAL DESCRIPTION:

IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA, BEING PARCEL 1 OF PARCEL MAP NO. 2006-110 AS PER MAP FILED IN BOOK 350, PAGES 27 & 28 OF PARCEL MAPS, RECORDS OF SAID ORANGE COUNTY.

STATEMENT OF OWNERSHIP:

I, TEMIR SACYU, DO HEREBY STATE THAT I AM THE OWNER OF THE SUBJECT PROPERTY COMPRISING THIS TENTATIVE PARCEL MAP AND THAT I HAVE CONSENTED TO ITS SUBDIVISION.

TEMIR SACYU DATE



VICINITY MAP
NOT TO SCALE

TOTAL LOT AREA: 17,347 sq. ft.
SITE COVERAGE: 5,263 sq. ft. (30%)
TOTAL OPEN SPACE: 12,084 sq. ft. (70%)

TENTATIVE PARCEL MAP NO. 2013-155

TENTATIVE PARCEL MAP
PARCEL 1, P.M. 2006-110 (P.M.B. 350/27&28)
COSTA MESA, CALIFORNIA

H. SCALE:	DATE:	DATE:	DATE:	DATE:	DATE:
1"=8'	8/23/13	8/23/13	8/23/13	8/23/13	8/23/13
V. SCALE:	DATE OF SURVEY:	DR. FILE:	APPROV.:	DATE:	DATE:
N/A	5/8/13				

TOAL ENGINEERING, INC.
Civil Engineers and Land Surveyors
139 Avenida Navarro
San Clemente, California
Ph: 949-492-8586 Fax: 949-496-8625

PROJECT DATA

LOT SIZE - 17223 SF
 993
 EXIST RES. 19 FLR 2975 SF BALCS - 93 SF
 (3 BEDRM) 200 FLR 1431 SF PATIO - 366 SF
 TOTAL 4406 SF
 GARAGE - 470 SF

NEW RESIDENCES
 PLAN A 1ST FLR - 700 SF BALCS - 82 SF
 (3 BEDRM) 2ND FLR - 1132 SF PATIO - 221 SF
 TOTAL 1832 SF
 GARAGE - 470 SF

NEW RESIDENCES (2)
 PLAN B 1ST FLR - 700 SF BALCS - 82 SF
 (3 BEDRM) 2ND FLR - 1132 SF PATIO - 221 SF
 TOTAL 1832 SF
 GARAGE - 470 SF

TOTAL 1ST FLR BLDG INCLUDING GARAGE 5826 SF (30.2%)
 2182 / 17223 = 12.7%

PARKING (DRIVEWAY) 5710 SF (33.2%)
 4970 (28.8%)

PARKING REQUIRED
 OPEN & COVERED (14'x12') x 4 UNITS = 12 CARS
 GUEST 1 x 4 UNITS = 4 CARS
 TOTAL 16 CARS
 PROVIDED 16 CARS

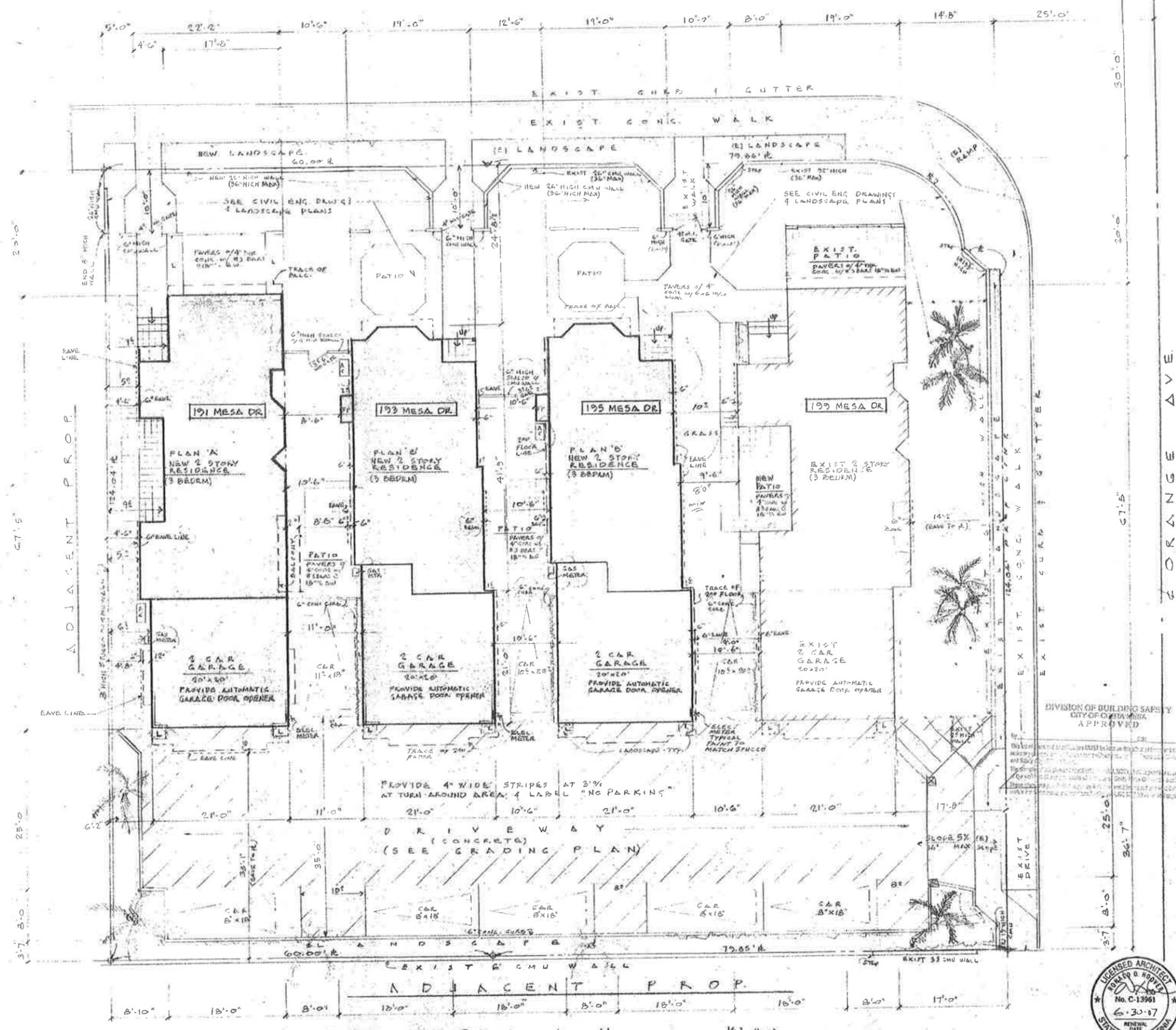
PROJECT ADDRESS: 199 MESA DR COSTA MESA, CALIF.

ARCHITECT: RON HOOVER PH (714) 434-8218
 29 NIETO AVE
 LONG BEACH, CA 90803

OWNER: TIM SACUY PH (714) 874-6307
 191 MESA DR
 COSTA MESA, CALIF 92627

OCCUPANCY / GROUP - R3 / U1
 TYPE OF CONSTRUCTION - N1N
 NO. OF STORIES - 2
 SPRINKLERS - NO

571
 (30.2%)
 4970
 (28.8%)



DIVISION OF BUILDING SAFETY
 CITY OF COSTA MESA
 APPROVED



ARCHITECT
RON HOOVER
 29 NIETO AVE
 LONG BEACH
 CALIFORNIA 90803
 PH (714) 434-8218
 FAX (714) 434-8217
 THREE RESIDENCES
 FOR: TIM SACUY PH (714) 874-6307
 191 MESA DRIVE COSTA MESA, CALIF.

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ROOM FINISH SCHEDULE

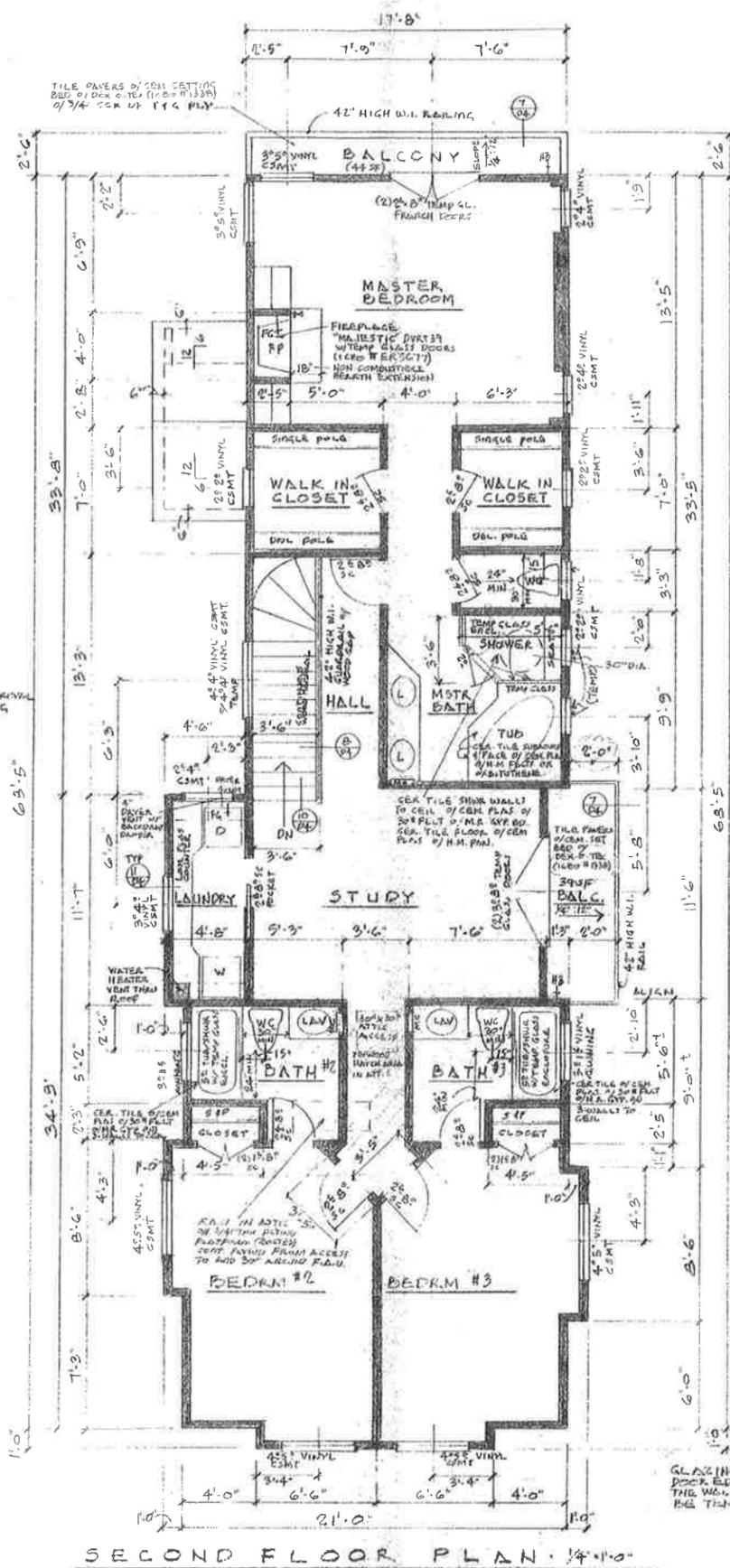
ROOM	BASE	FLOOR	WALLS	CEILING	REMARKS
FOYER	WOOD	CARPET & PAD	CER. TILE	5/8" TYPE X GYP BD	
LIVING R.M.					
DINING					
KITCHEN					
FAMILY R.M.					
POWDER R.M.					
CLOSET					
STAIRWELL					
GARAGE					
MASTER BEDRM					
MASTER BATH					
WALK-IN CLOSETS					
HALL					
STUDY					
LAUNDRY					
BEDROOMS #2 & #3					
BATHROOMS #2 & #3					
CLOSETS					

NOTES

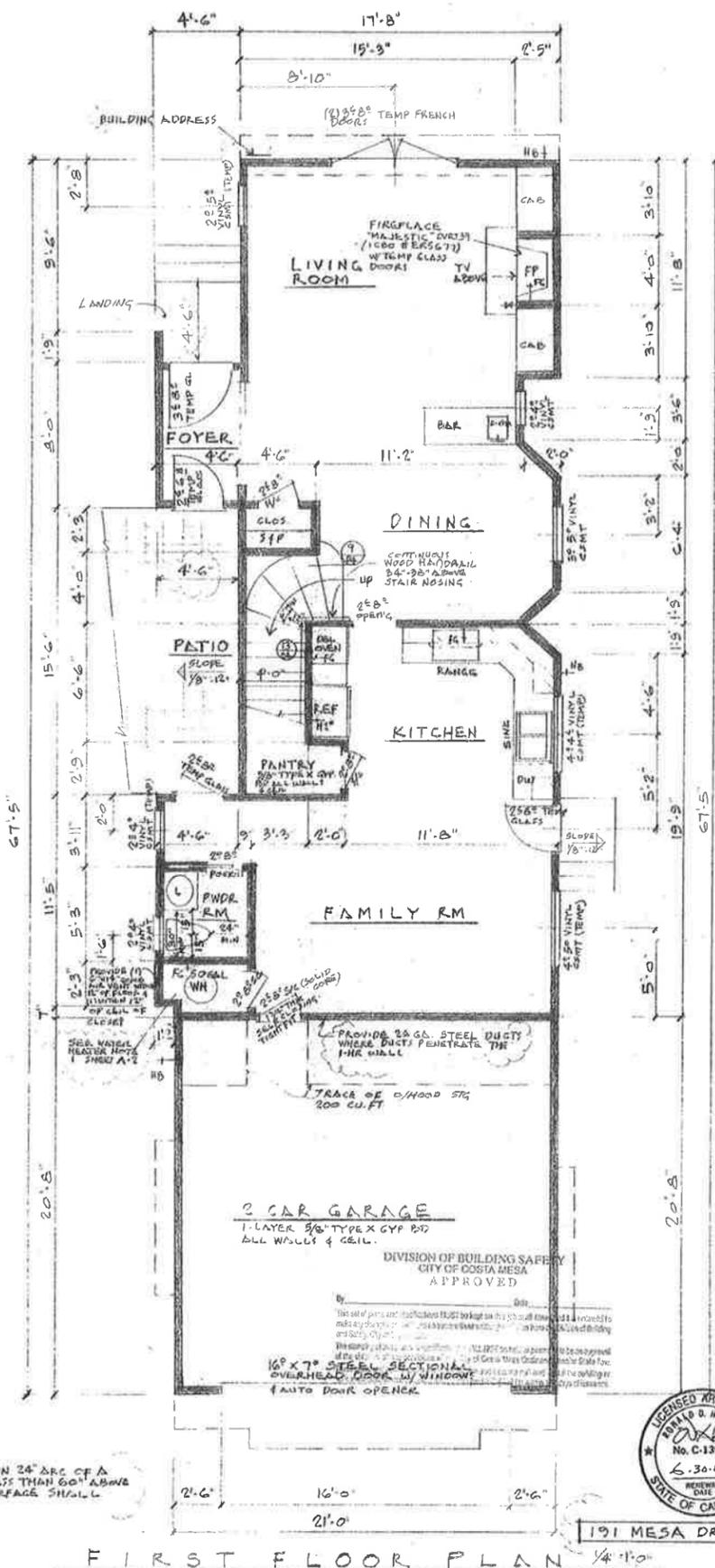
- WINDOWS TO BE MANUFACTURED BY "MILGARD" VINYL WINDOWS - DOUBLE PANE W/ MAX "U" VALUE OF .55
- ALL INTERIOR FINISHES TO BE VERIFIED BY OWNER.
- ALL CABINET FINISHES & STYLES TO BE SELECTED BY OWNER. CABINET VALUE TO PROVIDE SHOP DRAWINGS FOR APPROVAL PRIOR TO MANUFACTURING.
- ALL FINISH PLUMBING FIXTURES & APPLIANCES TO BE PROVIDED BY OWNER & INSTALLED BY GEN. CONTRACTOR.

WALL COVERINGS IN SHOWERS OR TUBS & SHOWERS SHALL BE TILE OR CEMENT PLASTER TO 70" MINIMUM ABOVE FINISH.

PLAN 'A'



SECOND FLOOR PLAN 1/4" = 1'-0"



FIRST FLOOR PLAN 1/4" = 1'-0"

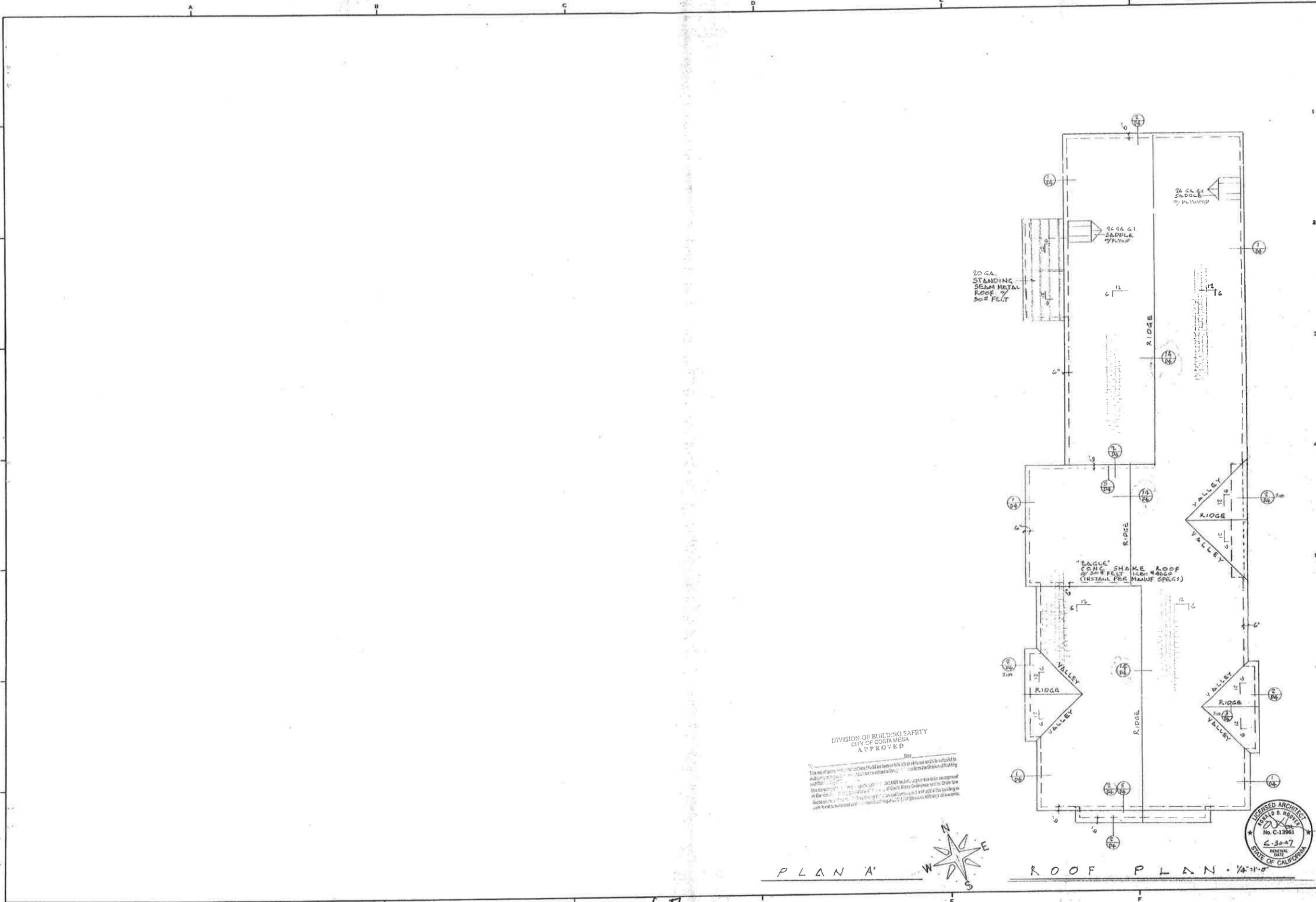
ARCHITECT
RON HOOVER

THREE RESIDENCES
FOR TIM SACY
199 MESA DR. COSTA MESA, CALIF.

DATE 5.20.04
JOB NUMBER 0313
SHEET 2
SHEETS CONSECUTIVE 5



191 MESA DR.



DIVISION OF BUILDING SAFETY
CITY OF COSTA MESA
APPROVED



PLAN A

ROOF PLAN - 1/4" = 1'-0"



ARCHITECT	RON HOOVER	TEL: 949.438.8818 FAX: 949.438.8817
THREE RESIDENCES	FOR: TIM SACHY	PH: (949) 874-6302
	C: 1999 MESA DR. COSTA MESA, CALIF.	
DATE	5-20-04	
JOB NUMBER	0313	
SHEET	3	
SHEETS CONSECUTIVE	9	
REVISION	7-12-04	

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