



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: JUNE 8, 2015

ITEM NUMBER: PH-2

SUBJECT: PLANNING APPLICATION PA-15-06 DESIGN REVIEW FOR A TWO-UNIT RESIDENTIAL DEVELOPMENT AT 1620 ORANGE AVENUE

DATE: MAY 28, 2015

FROM: PLANNING DIVISION/DEVELOPMENT SERVICES DEPARTMENT

PRESENTATION BY: RYAN LOOMIS, ASSOCIATE PLANNER

**FOR FURTHER INFORMATION CONTACT: RYAN LOOMIS (714) 754-5608
ryan.loomis@costamesaca.gov**

DESCRIPTION

This item was continued from the Planning Commission meeting of May 11, 2015 and re-noticed. The proposed project is a Design Review for the development of a 2-unit, two-story, residential small lot development with the following deviations from the Residential Small Lot Subdivision development standards:

- a. Minor Modification for rear yard setback (10 feet required, 8 feet proposed).
- b. Minor Modification for front yard setback distance (20 feet required; 16 feet proposed to the support posts of the front patio.)

The project shall be contingent upon the submission and approval of a subdivision map to subdivide the property for home ownership purposes.

APPLICANT

The applicant is Brett Ettinger from Ferguson – Ettinger Architects, Inc., as authorized agent for the property owner, BSB Newport, LLC.

RECOMMENDATION

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

PLANNING APPLICATION SUMMARY

Location:	1620 Orange Avenue APN: 425-201-03	Application Number:	PA-15-06
Request:	Design Review of a two unit two-story residential development.		

SUBJECT PROPERTY:
SURROUNDING PROPERTY:

Zone:	R2-HD	North:	R-3 C1 PDC	Multi-Family Residential Local Business District Planned Development Commercial
General Plan:	HDR	South:	R-3 R2-HD	Multi-Family Residential Multi-Family Residential, High Density
Lot Dimensions:	75 FT x 90 FT	East:	R-3	Multi-Family Residential
Lot Area:	6,750 square feet	West:	C1	Local Business District
Existing Development: One parcel with one unit one-story residential development				

DEVELOPMENT STANDARD COMPARISON FOR SMALL LOT SUBDIVISION

Development Standard	Required/Allowed Small Lot Subdivision Ordinance	Proposed/Provided
Lot Area	No minimum per Small Lot Subdivision Standards	Unit 1- 3,600 SF Unit 2- 3,150 SF
Open space (development lot)	30% of total lot area per Small Lot Subdivision Standards	2,065 SF Unit 1 (57%) 1,553 SF Unit 2 (49%) Total= 3,618 SF (54%)
Open space (individual unit)	200 SF with no dimension less than 10 feet per Small Lot Subdivision Standards	Unit 1- 276 SF- (min dimension of 12 feet.) Unit 2- 308 SF – (min. dimension of 12 feet.10 in.)
Density:		
High Density Residential Land Use/ R2-HD Zone	1 du/3,000 SF (14.5 DU's/Acre- 2 Units Total)	1 du/3,375 SF (13 DU's/Acre- 2 Units Total)
Building Height	Two-stories / 27 ft.	26'-11 ¼" (Unit 1) 26'-9 ¼" (Unit 2)
Distance between main buildings	No Minimum /SLO	9 ft.
Building Setbacks: (Development Lot)		
Front (Orange Ave) (Unit 1)	20 ft.	16 ft. ¹
Side (street-side) (16 th Place)	10 ft.	15 ft. (Unit 1) 19 ft. (Unit 2)
Side (interior)		
Unit 1- First Floor	5 ft.	5 ft.
Unit 1- Second Floor	5 ft.	5 ft.
Unit 2- First Floor	5 ft.	5 ft.
Unit 2- Second Floor	5 ft.	24 ft.
Rear (interior) ³		
Unit 1- First Floor	NA	NA
Unit 1- Second Floor	NA	NA
Unit 2- First Floor	10 ft.	9 ft. ¹
Unit 2- Second Floor	10 ft.	8 ft. ¹
% ratio of 2nd floor to 1st floor (Unit 1)	100%	54%
% ratio of 2nd floor to 1st floor (Unit 2)	100%	48%
Driveway Length	19 ft.	19 ft. (Unit 1) 18 ft. (Unit 2) ²
Parking	Two garage and two open per unit	Unit 1-Two garage and two open Unit 2-Two garage and two open
Total	8 spaces	8 spaces
Final Action	Planning Commission	
CEQA Review	Exempt, Class 3 for new construction or conversion of small structures	

1. Minor Modification required-

2. Public Services requires 1-foot sidewalk easement along 16th Place, 18-foot driveway length minimum per Transportation Services.

3. The rear setback of 10 feet was adopted per Ordinance 15-03 amending Title 13, Chapter V, Article 2.5, Residential Small Lot Subdivision, of the Costa Mesa Municipal Code effective May 21, 2015

BACKGROUND

Project Site/Environs

The subject project site is a 6,750 square-foot parcel located on the southeast corner of Orange Avenue and 16th Place. The project site is currently developed with an approximately 840 square-foot single-story residence with detached 240 square-foot garage built in the late 1940's. Existing driveway and access are provided along Orange Avenue. The property is zoned R2-HD with a maximum development potential of 2 dwelling units (14.5 dwelling units per acre). The proposed project will replace the existing residential unit when built.

ANALYSIS

Project Description

Planning Application PA-15-06 was continued off calendar pursuant to the Planning Commission's action at the May 11, 2015 meeting. Aside from revised changes described below, staff's recommendation for approval, subject to conditions, has not changed. A link to the original May 11, 2015 staff report is provided at following link:

<http://www.costamesaca.gov/ftp/planningcommission/agenda/2015/2015-05-11/PH-1.pdf>

New information and clarifications for the record are included in this report. The following is a brief summary of the issues:

Ordinance 15-03 was adopted by City Council on April 21, 2015, amending Title 13, Chapter V, Article 2.5, Residential Small Lot Subdivision, of the Costa Mesa Municipal Code. The ordinance became effective 30 days after City Council approval, and therefore became effective May 21, 2015. The code amendment was provided to promote consistency with certain standards for residential development in the R-2MD, R2-HD, and R3 zones, and included the following setback amendments:

Ordinance 15-03 Code Amendments		
	Old S.L.O Requirement	New S.L.O Requirement
Side Yard Setback (interior)	10 ft.	5 ft.
Rear Yard Setback	10 ft. for one-story, two-stories and three-story development This setback can be reduced to a minimum of five feet on a case by case basis depending on the setbacks of adjacent properties and if the building design includes off-sets, variety of roof slopes and massing, and excellence in design in terms of materials, colors and additional articulation as deemed appropriate by Development Services Director.	10 ft.

The original project proposed at the May 11, 2015 Planning Commission requested a 5-foot development lot rear setback based on previous Residential Small Lot Subdivision standards. Planning Commission continued the project off calendar to address the rear setback issue. Condition of Approval No. 17 from the original (May 11th) staff report requested the applicant work with Planning staff to increase the rear setback of the proposed two-story

structure (Unit 2) from 5 feet [proposed] to 8-10 feet, or to the extent reasonable and practicable. As such, Planning Commission requested the applicant revise the project to be more in line with the new 10-foot rear setback requirement required by the recently amended Small Lot Subdivision Ordinance. The applicant has revised the project to address the rear setback issue, and currently requests approval of a Minor Modification to allow for a 20% reduction in front yard and rear yard depths. As such, the revised project is requesting a 16-foot front setback between the front property line and the support posts of the front patio for Unit 1, and an 8-foot rear setback between Unit 2 and the rear property line (easterly property line). The new design also proposes a reduction in the distance between Unit 1 and Unit 2 from 10 feet to 9 feet, as each unit proposes a 4'-6" interior side setback between buildings.

The revised project includes minor changes to the footprint of both Unit 1 and Unit 2 to accommodate the increased rear setback. A comparison between the original and revised project's development summary is provided below.

PA-15-06 Revised Development Summary Comparison Table		
	Old Project	Revised Project
Unit 1 Lot Area	3,750 SF	3,600 SF
Unit 2 Lot Area	3,000 SF	3,150 SF
Unit 1 Building Area	1,472 SF	1,472 SF
Unit 2 Building Area	1,500 SF	1,489 SF
Front Setback (Unit 1 only)		
Unit 1 Front Porch Supporting Posts	17 ft.- 4in.	16 ft.
Unit 1 Main Building	20 ft.	19 ft.
Side (Interior) Setback		
Unit 1 First Floor Rear Setback	5 ft.	5 ft.
Unit 1 Second Floor Rear Setback	5 ft.	5 ft.
Unit 2 First Floor Rear Setback	5 ft.	5 ft.
Unit 2 Second Floor Rear Setback	24 ft.	24 ft.
Side (Street) Setback		
Unit 1	15 ft.	15 ft.
Unit 2	19 ft.	19 ft.
Rear Setback (Unit 2 only)		
Unit 2 First Floor Rear Setback	6 ft.	9 ft.
Unit 2 Second Floor Rear Setback	5 ft.	8 ft.
Distance between buildings	10 ft.	9 ft.
Private Open Space		
Unit 1	298 SF	276 SF
Unit 2	334 SF	308 SF
Development Lot Open Space	53%	54%

Design Review PA-15-06

The project complies with the review criteria and development standards of the Small Lot Subdivisions Ordinance, and the Residential Design Guidelines. The project provides for a five-foot interior side setback (southern property line), and requests a Minor Modification to allow for a 20% reduction in required rear yard depth, or an 8-foot rear setback (easterly

property line.) In addition, the project requests a Minor Modification to allow for a 20% reduction in required front yard, which would allow for a 16-foot front yard setback from the front property line to the support posts of the front patio for Unit 1. The garage for Unit 1 will remain set back a minimum of 19 feet from the front property line.

JUSTIFICATIONS FOR APPROVAL

Pursuant to Title 13, Section 13-29, *Planning Application Review Process*, 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 Design Review PA-15-06, based on the following assessment of facts and findings which are also reflected in the draft resolution.

- *The proposed project complies with the General Plan and with the Zoning Code standards.* The creation of the subdivision is consistent with General Plan Land Use Objective LU-1A.4 in that it creates new homeownership opportunities to improve the balance between renter and owner occupied housing in the City. The project design complies with all development standards of the Small Lot Subdivision Ordinance, including five foot interior side and rear setbacks permitted due to the excellence in design of the project. The proposed project does not exceed the maximum density of less than 20 units per acre, consistent with the General Plan designation of High Density Residential. The proposed project also does not exceed the maximum density allowance of 14.5 units per acre, per the R2-HD zone standards.
- *The proposed project's request for a Minor Modification to allow a 20% or less reduction in both front and rear setbacks 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 proposed project is compatible and enhances the architecture and design of the existing and anticipated development in the vicinity.* The project is requesting a Minor Modification to allow for a maximum 20% decrease from the required front and rear yard setback. The Small Lot Subdivision Ordinance requires a minimum 20-foot front setback, however a 20% reduction in front yard setback would allow for a 16-foot setback. Unit 1 is the only unit proposed along the development lot's front setback. In regards to the rear setback, the Small Lot Subdivision Ordinance requires a minimum 10-foot rear setback. A 20% reduction in rear yard setback would allow for an 8-foot setback. Unit 2 is the only unit proposed along the development lot's rear setback.

The setbacks of existing neighboring structures were considered with regard to the project's proposed modification to both front and rear setback. The project is requesting a reduction from 20 feet to 16 feet for the front setback along the front (westerly) property line for Unit 1. This reduction would allow the projecting patio cover along the front entryway of Unit 1 to project 4 feet into required 20-foot front setback. Per Minor Modification Standards Table 13-28(j), the front setback can be reduced by a minimum of 20% in required front yard depth, provided the garage is set back a minimum of 19 feet from the front property line. The garage for Unit 1 is proposed at the 19-foot setback from the front property line. The 20% reduction in front yard depth is located away from property adjacent to the project site, and does not affect pedestrian travel along Orange Avenue. In addition, the proposed 16-foot setback for the covered porch will not impact the visual line of site safety issues related to

vehicular travel. The proposed project will not be 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.

Unit 2 is located along the development lot rear setback (easterly property line.) Unit 2 is designed in a manner that considers the neighboring properties. The second story of Unit 2 is designed to not impact the livable units along the southern and eastern property line as the second story portion of the unit is positioned along the portion of the property facing 16th Place. As proposed, the second story windows are placed in a manner to align and overlook an existing 1-story carport located at 207 16th Place. The proposed second-story portion of Unit 2 is approximately 32 feet in length along the project's development lot rear setback. The remaining 19 feet of Unit 2 along the rear setback will remain as first floor. The roofline between the second story portion and first story portion of Unit 2 drops approximately five feet in elevation. The second-story elevation does not extend beyond the carport area of the property to the east. To justify an 8-foot second story setback along the rear property line, it could be considered that the second floor elevation would not be directly impacting habitable space in the neighboring property. An 8-foot rear setback for a second story structure could also be considered minimal due to the location of the neighboring carport. At the time of the release of this staff report, the adjoining property owner to the east has not submitted correspondence on the proposed project. Therefore, the proposed modification to the rear project will not be 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.

In regards to design, the proposed units are designed to be consistent with the materials, massing, scale and articulation of the multi-family residential area for maximum compatibility. The design of the units are well articulated with deep overhangs, porches, roof dormers, stepped floor plans, and small second floor decks. The proposed second floor decks for both Unit 1 and Unit 2 do not overlook into neighboring properties, but are located along Orange Avenue (Unit 1) and 16th Place (Unit 2). In addition, the proposed project provides for adequate landscaping with drought tolerant trees, shrubs, and groundcover to enhance the project site. In addition, the proposed project provides for adequate landscaping with drought tolerant trees, shrubs, and groundcover to enhance the project site.

- The proposed project meets the purpose and intent of the Residential Design Guidelines. The design of the two-story homes complies with the building mass and form, setbacks, elevation treatments, window placement, and architectural consistency guidelines. The project is custom designed by the Ferguson-Ettinger architectural firm and features excellence in architectural design. Each home will blend harmoniously into the surrounding environment. Unit 1 will be oriented toward Orange Avenue with garage access off Orange Avenue. Unit 2 will be oriented toward 16th Place with garage access off 16th Place. Elevations are enhanced with premium materials, wall offsets, gable roofs, significant horizontal and vertical articulation, as well as numerous accents and details. The design of the units are well articulated with deep overhangs, porches, roof dormers, stepped floor plans, and small second floor decks to enhance visual interest. The combination use of exterior materials, including light grey integrally colored exterior cement plaster, white beveled cementitious board horizontal siding, charcoal grey standing seam metal roofing, dark

bronze anodized aluminum windows and sliding doors, stained wood entry doors, posts, and beams, provide broken building facades to promote variety and interest. Each unit is designed to be consistent with the materials, massing, scale and articulation of this multi-family residential area for maximum compatibility.

- The proposed project is conditioned to include a 1-foot sidewalk easement. To maintain ADA compliance for sidewalks, the project will include a 1-foot sidewalk easement along 16th Place. Unit 2 driveway is proposes a 19-foot driveway, however the 1-foot easement will shorten the length to 18 feet. Per Transportation, the minimum sized driveway for open parking is 18 feet.
- The landscape concept plan is consistent with the City's standards for multi-family development. Specifically, the plan includes landscaping in the setback abutting the public right-of-way, within the private open space areas, and along the driveway and parking areas for each unit. The concept plan shows approximately 3 large trees along the perimeter of the development lot, shrubs along the fences and perimeter of each unit to encourage privacy, and drought tolerant ground cover throughout the project. A detailed landscape plan is required pursuant to the following condition of approval:

Per code requirements, 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.

- The Declaration of the Covenants, Conditions, and Restrictions (CC&Rs) is required to be filed on the property. The Small Lot Ordinance requires that all small lot subdivisions establish some form of self-governance through CC&Rs, maintenance associations, and/or homeowner's associations. In the City of Costa Mesa, the most common type of association is an incorporated homeowner's association. This is a corporation in which the members of the corporation vote for a board of directors which runs the affairs of the corporation. In this case, as a 2-unit small lot development, Code does not require that an HOA be established. The Small Lot Ordinance requires, at a minimum, that CC&Rs be recorded on the property. Because there are no common areas for circulation, parking, or landscape purposes, a condition of approval requires that the CC&Rs shall contain 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.
- The applicant requests an exception to the solid masonry wall requirement and proposes a high quality stained/treated wood fence around the perimeter of the project site. Article 9, Section 13-75 for fences and walls, requires all exterior property lines of the master development lot to have solid masonry walls that conform to City standards in respect to height and location of walls. Exceptions to the requirements, per Section 13-75 (2)(iii), however provides exceptions to the solid wall requirement by the final review authority. These exceptions may include, but are not limited to, combination masonry walls with vinyl fencing, stained/treated wood, wrought iron fencing, green wall, and green sustainable composite materials. The project proposes

a high quality stained/treated wood fence around the exterior property lines and within the development pursuant to the following condition of approval:

The applicant shall submit a detailed wall and fence plan for review by the Development Director prior to issuance of the building permit. The location and heights of fences/walls shall comply with Code requirements, as well as any visibility standards for traffic safety related to ingress and egress. The private, interior fences or walls between the homes shall be a minimum of six feet in height.

Applicant's Justification For Rear Yard Setback Minor Modification

The applicant is requesting a Minor Modification to allow for an 8'-0" and 9'-0" rear yard setback for Unit 2. As discussed in Attachment 2, *Project Justification Letter*, the reduction in rear yard setback is being requested due to hardship and compromised design.

Specifically, the reduction in rear yard setback will allow for continued privacy and maximize the natural light for Units 1 and 2. According to the applicant, any further reduction in setback between the proposed units would compromise these features. In addition, moving Unit 1 and Unit 2 closer than less than 4'-0" between the fence and the building, will render it non-compliant with ADA (Americans with Disabilities Act). Further, requiring Unit 2 to meet the 10-foot rear yard setback would compromise the design, including reducing Unit 2 garage size to below code standards, and reducing two of the bedroom room floor areas to an undesirable room size. The proposed 8'-0" and 9'-0" rear yard setbacks are the absolute most the lot can afford without making this project infeasible and causing unreasonable hardship.

ENVIRONMENTAL DETERMINATION

The project is exempt from the provisions of the California Environmental Quality Act under Section 15303 (Class 3), New Construction or Conversion of Small Structures. In urbanized areas, up to three single-family residences may be constructed or converted under the Class 3 exemption.

PUBLIC NOTICE

Pursuant to Title 13, Section 13-29(d), of the Costa Mesa Municipal Code, three types of public notification have been completed no less than 10 days prior to the date of the public hearing:

1. Mailed notice. A public notice was mailed to all property owners within a 500-foot radius of the project site. The required notice radius is measured from the external boundaries of the property. (See attached Notification Radius Map.)
2. On-site posting. A public notice was posted on each street frontage of the project site.
3. Newspaper publication. A public notice was published once in the Daily Pilot newspaper.

As of May 28, 2015, application PA-15-06 has received a communication from the property owner located at 1612 Orange Avenue, which is adjacent and south of the proposed

project site. Attachment 5, Telephone Record Form, includes concerns expressed by the property owner.

ALTERNATIVES

The Planning Commission has the following 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

Approval of the Design Review will allow development of a two-unit small lot subdivision. The approval of the planning application shall not be final and effective until the subdivision of the property into two small lots for home ownership is finalized and recorded. The map shall be recorded prior to issuance of grading permits for the proposed two-unit development. The Development Services Director may grant a 4 month extension as needed to allow additional time to process and record the final map. If the property is not subdivided into a small lot subdivision, as required by Code, applicant shall apply and obtain approval for a variance from the Code-required rear setback requirements in the R2-HD zone prior to issuance of grading permits for the proposed project. The project is deemed to be a high-quality development, therefore it is consistent with the intent of the General Plan and Zoning Code. Resolutions for approval and denial of the project are attached for consideration by the Planning Commission.



RYAN LOOMIS
Associate Planner



CLAIRE L. FLYNN, AICP
Assistant Director of Development
Services

- Attachments:
1. Draft Planning Commission Resolutions and Exhibits
 2. Project Justification Letter
 3. Revised Project Plans/Elevations/Perspectives
 4. Notification Radius Map
 5. Telephone Record Form

Distribution: Director of Economic & Development Services/Deputy CEO
Senior Deputy City Attorney

Public Services Director
City Engineer
Transportation Services Manager
Fire Protection Analyst
File (2)

Brett Ettinger
Ferguson- Ettinger Architects Inc.
29 Parker Way
Santa Barbara, CA 93101

Peter Naghavi
In_Focus Consultants
418 Avenida Salvador
San Clemente, CA 92672

**ATTACHMENT 1:
Draft Planning Commission Resolutions and Exhibits**

RESOLUTION NO. PC-15-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-15-06, LOCATED AT 1620 ORANGE AVENUE, FOR DESIGN REVIEW OF A 2-UNIT RESIDENTIAL DEVELOPMENT

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

WHEREAS, an application was filed by Brett Ettinger from Ferguson – Ettinger Architects, Inc., as authorized agent for the property owner, BSB Newport, LLC, requesting approval of the following:

1) **Design Review PA-15-06** for the development of a 2-unit, two-story, residential small lot development with the following deviations from the Residential Small Lot Subdivision development standards:

- Minor Modification for rear yard setback (10 feet required, 8 feet proposed).
- Minor Modification for front yard setback distance (20 feet required; 16 feet proposed to the support posts of the front patio).

WHEREAS, a duly noticed public hearing held by the Planning Commission on June 8th, 2015 with all persons having the opportunity to speak for and against the proposal;

WHEREAS, the two-unit project is exempt from the provisions of the California Environmental Quality Act under Section 15303 (Class 3), Construction and Conversion of Small Structures;

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-15-06.

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-15-06 and upon applicant's compliance with each and all of the conditions in Exhibit B, and compliance of

all applicable federal, state, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

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 June, 2015.

Robert L. Dickson Jr., Chair
Costa Mesa Planning Commission

EXHIBIT A

FINDINGS

- A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(g)(14) because:

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 design of the two-story homes complies with the building mass and form, side and rear yard setbacks, elevation treatment, and architectural consistency guidelines. The proposed residences include elevations with varied roof forms and modulated vertical and horizontal planes. The buildings are placed on the property with sufficient setbacks to provide private useable open space and minimizes the potential privacy impacts to surrounding properties. The location of the units takes into consideration the rear yards of the abutting homes and places the buildings away from the neighboring property to the south and east. Two small second story windows in Unit 1, which are located in the master bedroom and bathroom, face the neighboring one-story residence to the south. Three second story windows in Unit 2, including two within in the bedrooms and one within the bathroom, face the neighboring one-story carport to the east. The construction of a decorative six-foot tall decorative wall or wood fence around the perimeter will improve the aesthetics of the site and the abutting properties. The exterior elevations of the proposed homes incorporate cementitious board siding, integrally colored exterior cement plaster, and enhanced windows to provide visual interest. Private open space and landscaping for each unit will be comprised of three (3) new street trees, screening and/or accent trees, and drought-tolerant native groundcover.

Finding: The visual prominence associated with the construction of a two-story house or addition in a predominantly single-story neighborhood has been reduced through appropriate transitions between the first and second floors and the provision of second floor offsets to avoid flat two-story walls.

Facts in Support of Findings: The subject site is in a neighborhood with both single-story and two-story residences. The combination of horizontal and vertical siding and stucco for both units provides a vertical break between the first and second story. The second story is smaller than the first story, with the second story limited to the area above the attached garages. This provides for an offset along the north elevation for Unit 1 and south elevation for Unit 2.

The second floor of Unit 1 is set back 19 feet from the front property line and 36 feet from the street side property line along 16th Place. The distance from the south side property line to the first story garage and second story for Unit 1 is 5 feet, however Unit 1 is built in a narrow fashion facing the 5 foot interior side setback. In addition, minimum window exposure is provided along the south elevation for Unit 1. Unit 2 second story is located 8 feet from the rear (eastern) property line and 24 feet from the interior side setback (south side property line). The second story portion of Unit 2, however, overlooks the single-story carport located along the 8-foot rear setback, or the property to the east. The differing use of siding for the first story and second story elevations provide a vertical break and interest between the first and second story. The second floors of both units are visually less prominent than the first floors.

Finding: As applicable to affordable multi-family housing developments, the project complies with the maximum density standards allowed pursuant to the general plan and provides affordable housing to low or very-low income households, as defined by the California Department of Housing and Community Development. The project includes long-term affordability covenants in compliance with state law.

Facts in Support of Finding: The proposed project complies with the maximum density allowed of 20 dwelling units per acre per the General Plan Designation of High Density Residential. The project is not an affordable housing development and does not require long-term affordability covenants.

- B. The proposed project complies with Costa Mesa Municipal Code Section 13-29(g)(6) because:

Finding: 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.

Facts in Support of Finding: The project is requesting a reduction from 20 feet to 16 feet for the front setback along the front (westerly) property line for Unit 1 to allow the projecting patio cover along the front entryway to project four feet into required 20-foot setback. Per Minor Modification Standards Table 13-28(j), the front setback can be reduced by a minimum of 20% in required front yard depth provided the garage is set back a minimum of 19 feet from the front property line. The garage for Unit 1 is proposed at the 19-foot setback from the front property line. The 20% reduction in front yard depth is located away from property adjacent to the project site, and does not affect pedestrian travel along Orange Avenue. The proposed project will not be 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 project is also requesting a Minor Modification to allow for a maximum

16

20% decrease in required rear yard setback (easterly property line.) The Small Lot Subdivision Ordinance requires a minimum 10-foot rear setback, and a 20% reduction in rear yard setback would allow for an 8-foot setback. Unit 2 is the only unit proposed along the development lot's rear setback. The setbacks of existing neighboring structures were considered with regard to the proposed 8-foot rear setback for Unit 2. Specifically, Unit 2 is designed in a manner that considers the neighboring properties. The second story of Unit 2 is facing away from the livable units along the southern and eastern property line, and the second story windows are placed to align with the existing 1-story carport located at 207 16th Place. The proposed second-story portion of Unit 2 is approximately 32 feet in length along the project's development lot rear setback. This second story is positioned along the portion of Unit 2 facing 16th Place. As proposed, the second story would overlook a carport on the neighboring property to the east. The remaining 19 feet of Unit 2 along the rear setback will remain as first floor. The roofline between the second story portion and first story portion of Unit 2 drops approximately five feet in elevation. The second-story elevation does not extend beyond the carport area of the property to the east. To justify an 8-foot second story setback along the rear property line, it could be considered that the second floor elevation would not be directly impacting habitable space in the neighboring property. An 8-foot rear setback for a second story structure could also be considered minimal due to the location of the neighboring carport. At the time of the release of this staff report, the adjoining property owner to the east has not submitted correspondence on the proposed project.

Finding: 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 Finding: The project is requesting a reduction from 20 feet to 16 feet for the front setback along the front (westerly) property line for Unit 1 to allow the projecting patio cover to project 4 feet into required 20-foot development lot front yard setback. In addition, the project is requesting a reduction from 10 feet to 8 feet for the required development lot rear yard setback (easterly property line.) Both units provide for quality design and architecture that is consistent with the materials, massing, scale and articulation of the multi-family residential area. The design of the units are well articulated with deep overhangs, porches, roof dormers, stepped floor plans, and small second floor decks. Landscaping along Orange Avenue will enhance the appearance of the corner lot and enhance the neighborhood. Therefore, the proposed project will enhance the architecture and design of the existing and anticipated development in the vicinity.

- C. **Finding:** The project is exempt from the provisions of the California Environmental Quality Act under Section 15303 (Class 3) for New Construction or Conversion of Small Structures.

Facts in Support of Finding: In urbanized areas, up to three single-family

residences may be constructed under the Class 3 exemption. The project proposes to construct two residential units and therefore qualifies for a Class 3 exemption.

- 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 approval of Planning Application PA-15-06 is contingent on the applicant submitting for a Tentative Parcel Map pursuant to the Residential Small Lot Subdivision. The planning application for a small lot subdivision is contingent upon the submission and approval of a tentative parcel map within one year of the approval date of PA-15-06 unless a time extension is granted by the Planning Commission. The approval of the planning application shall not be final and effective until the subdivision of the property into two small lots for home ownership is finalized and recorded. The map shall be recorded prior to issuance of grading permits for the proposed two-unit development. The Development Services Director may grant a 4 month extension as needed to allow additional time to process and record the final map. If the property is not subdivided into a small lot subdivision, as required by Code, applicant shall apply and obtain approval for a variance from the Code-required rear setback requirements in the R2-HD zone prior to issuance of grading permits for the proposed project.
2. The conditions of approval for PA-15-06 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
3. 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.
4. The applicant shall submit a detailed wall or fence plan for review by the Development Director prior to issuance of the building permit. The location and heights of fences/walls shall comply with Code requirements, as well as any visibility standards for traffic safety related to ingress and egress. The private, interior fences or walls between the homes shall be a minimum of six feet in height. Prior to issuance of certificate of occupancy, the applicant shall construct a minimum six-foot tall decorative stained/treated wood fence around the perimeter of the project site, as approved by the Developer 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. The Development Services Director shall review and approve any future additions to the exterior walls, after project completion, which shall be constructed of materials which are identical and/or compatible with the original wall or fence.
5. If the project is constructed in phases, the perimeter wall, landscaping along the frontages, and irrigation shall be installed prior to the release of utilities for the first phase.
6. 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.

7. The subject property's ultimate finished grade level may not be filled/raised in excess of 30 inches above the finished grade of any abutting property. If additional fill dirt is needed to provide acceptable on-site storm water flow to a public street, an alternative means of accommodating that drainage shall be approved by the City's Building Official prior to issuance of any grading or building permits. Such alternatives may include subsurface tie-in to public storm water facilities, subsurface drainage collection systems and/or sumps with mechanical pump discharge in-lieu of gravity flow. If mechanical pump method is determined appropriate, said mechanical pump(s) shall continuously be maintained in working order. In any case, development of subject property shall preserve or improve the existing pattern of drainage on abutting properties. Applicant is advised that recordation of a drainage easement across the private street may be required to fulfill this requirement.
8. 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.
9. 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.
10. Final building elevations shall include wrap around siding on the second stories of all elevations.
11. A minimum 20 foot by 20 foot clear inside dimension shall be provided for the two-car garages. The proposed garages shall be used for parking as required by code as it is not habitable space; further excess storage which prevents parking the required number of vehicles is prohibited.
12. 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.
13. Provide proof of recordation of Tentative Parcel Map prior to issuance of building permits.
14. 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&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.
- b. 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.
15. Prior to issuance of a certificate of occupancy, the applicant shall file and record a declaration of covenants, conditions, and restrictions (CC&Rs) on the property. The establishment of a homeowner's association shall be optional. Prior to issuance of a building permit, a draft of the CC&Rs shall be remitted to the Development Services Director and City Attorney's office for review and approval. Because there are no common areas for circulation, parking, or landscape purposes, 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. The Development Services Director has the discretion to request any other provisions in the CC&Rs to promote self-governance between the two property owners.
16. 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 (1) City's approval of the project, including but not limited to any proceeding under the California Environmental Quality Act. 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.
- Utilities 17. Prior to the issuance of a connection permit, the applicant shall pay the applicable water connection fees.
- Parks/
Prkwys. 18. Plant one (1) 24" Box Pyrus calleryana 'Chanticleer' on Orange Avenue frontage. Tree to be planted 3' back of sidewalk in dedicated ROW. Plant two (2) 24" Box Magnolia grandiflora 'Samuel Sommer' OR Lophostemon confertus (Brisbane Box) on 16th Place frontage. Trees to be planted 3' back of sidewalk in dedicated ROW.
- Eng. 19. Dedicate a one foot public sidewalk easement behind existing right of way line on 16th Place.
- Eng. 20. Dedicate a diagonal corner cut-off and construct case "A" wheelchair ramp per CCM Std Dwg No 416 at the corner of Orange Avenue and 16th Place.
- Eng. 21. Submit subdivision application and comply with conditions of approval and code requirements.

- Eng. 22. Applicant is informed Orange Avenue and 16th Place is under a "NO OPEN CUT" moratorium. Open cutting the street pavement during the moratorium period shall require resurfacing requirements.

CODE REQUIREMENTS (PA-15-06)

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.

- Ping.
1. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections, final occupancy and utility releases will not be granted until all such licenses have been obtained.
 2. All noise-generating construction activities shall be limited to 7 a.m. to 7 p.m. Monday through Friday and 9 a.m. to 6 p.m. Saturday. Noise-generating construction activities shall be prohibited on Sunday and the following Federal holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
 3. Development shall comply with all requirements of Section 13-32, Title 13, of the Costa Mesa Municipal Code relating to development standards for residential projects.
 4. All on-site utility services shall be installed underground.
 5. Installation of all new utility meters shall be performed in a manner so as to obscure the installation from view from any place on or off the property. The installation shall be in a manner acceptable to the public utility and shall be in the form of a vault, wall cabinet, or wall box under the direction of the Planning Division.
 6. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.
 7. 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.
 8. Landscaping and irrigation shall be installed in accordance with the approved plans prior to final inspection or occupancy clearance.
 9. 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.
 10. If present and/or projected exterior noise exceeds 60 CNEL, California Noise Insulation Standards, Title 25, California Code of Regulations require a maximum interior noise level of 45 CNEL for residential structures. If required interior noise levels are achieved by requiring that windows be inoperable or closed, the design for the structure must also specify the

means that will be employed to provide ventilation, and cooling if necessary, to provide a habitable interior environment.

11. Prior to issuance of occupancy permits, the Developer shall pay a park impact fee or dedicate parkland to meet the demands of the proposed development.
- Bldg. 12. Comply with the requirements of the adopted 2013 California Residential Code, 2013 California Building 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 Residential Code, California Building 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.
13. Submit grading plans, an erosion control plan and a hydrology study.
14. Submit precise grading plans, an erosion control plan and a hydrology study. A precise grading and a hydrology report plan shall not be required if any of the following are met:
 - 1- An excavation which does not exceed 50 CY on any one site and which is less than 2 ft. in vertical depth, or which does not create a cut slope greater than 1 ½:1 (excluding foundation area).
 - 2- A fill less than 1 foot in depth placed on natural grade with a slope flatter than 5:1, which does not exceed 50 CY on any one lot and does not obstruct a drainage course.
 - 3- A fill less than 3 ft. in depth, not intended to support structures, which does not exceed 50 CY on any one lot and does not obstruct a drainage course.
15. Submit a soil's report for the project. Soil's Report recommendations shall be blueprinted on both the architectural and the precise grading plans.
16. 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 device a minimum of 12 inches plus two percent (2%). 2013 California Residential Code CRC 403.1.7.3
17. Lot shall be graded to drain surface water away from foundation walls. The grade shall fall a minimum of six inches within the first ten feet. CRC R401.3
18. Projections, including eaves, shall be one-hour fire resistive construction, heavy timber or of noncombustible material if they project into the five foot setback area from the property line. They may project a maximum of 12 inches beyond the three foot setback. CRC Tables R302.1(1) and R302.1(2).
- Fire 19. Street addresses shall be visible from the public street and may be displayed either on the front door, on the fascia adjacent to the main entrance, or on another prominent location. When the property has alley access, address numerals shall be displayed in a prominent location visible from the alley. Numerals shall be a minimum six (6) inches in height with not less than one-half-inch stroke and shall contrast sharply with the background.

- Trans. 20. Construct residential driveway approach at locations specified on submitted site plan. Drive approach dimensions shall be W=16 feet, X=4 feet, per City Standards.
21. Close unused drive approaches with full height curb and gutter per City Standards.
- Eng. 22. At the time of development submit for approval an Offsite Plan to the Engineering Division and Grading Plan to the Building Division that shows Sewer, Water, Existing Parkway Improvements and the limits of work on the site, and hydrology calculations, both prepared by a registered Civil Engineer or Architect. Construction Access approval must be obtained prior to Building or Engineering Permits being issued by the City of Costa Mesa. Pay Offsite Plan Check fee per Section 13-231 of the C.C.M.M.C. and an approved Offsite Plan shall be required prior to Engineering Permits being issued by the City of Costa Mesa.
23. Maintain the public Right-of-Way in a "wet-down" condition to prevent excessive dust and remove any spillage from the public Right-of-Way by sweeping or sprinkling.
24. Obtain an encroachment permit from the Engineering Division for any work in the City public right-of-way. Pay required permit fee & cash deposit or surety bond to guarantee construction of off-site street improvements at time of permit per section 15-31 & 15-32, C.C.M.M.C. as approved by City Engineer. Cash deposit or surety bond amount to be determined by City Engineer.
25. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then construct P.C.C. driveway approaches per City of Costa Mesa Standards as shown on the Offsite Plan. Location and dimensions are subject to the approval of the Transportation Services Manager. ADA compliance required for new driveway approaches.
26. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then construct P.C.C. Residential sidewalk per City of Costa Mesa Standards as shown on the Off-site Plan, including four (4) feet clear around obstructions in the sidewalk.
27. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then remove any existing driveways and/or curb depressions that will not be used and replace with full height curb and sidewalk at applicant's expense.
28. Fulfill Drainage Fee requirements per City of Costa Mesa Ordinance No. 06-19 prior to approval of Final Map/Approval of Plans.
29. In order to comply with the 2003 Drainage Area Management Plan (DAMP), the proposed Project shall prepare a Water Quality Management Plan conforming to the Current National Pollution Discharge Elimination System (NPDES) and the Model WQMP, prepared by a Licensed Civil Engineer or Environmental Engineer, which shall be submitted to the Department of Public Works for review and approval.
- a) A WQMP (Priority or Non-Priority) 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.
- b) Location of BMPs shall not be within the public right-of-way.

SPECIAL DISTRICT REQUIREMENTS (PA-15-06)

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. To receive credit for buildings to be demolished, call (714) 754-5307.3. Applicant shall submit a plan showing sewer improvements that meets the District Engineer's approval to the Building Division as part of the plans submitted for plan check.4. The applicant is required to contact the Costa Mesa Sanitary District at (714) 754-5307 to arrange final sign-off prior to certificate of occupancy being released.5. Unless an off-site trash hauler is being used, applicant shall contact the Costa Mesa Sanitary District at (714) 754-5043 to pay trash collection program fees and arrange for service for all new residences. Residences using bin or dumpster services are exempt from this requirement.6. Applicant shall contact Costa Mesa Sanitary District at (949) 654-8400 for any additional district requirements. |
| AQMD | <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. |
| School | <ol style="list-style-type: none">8. Pay applicable Newport Mesa Unified School District fees to the Building Division prior to issuance of building permits. |
| State | <ol style="list-style-type: none">9. Comply with the requirements of the California Department of Food and Agriculture (CDFA) to determine if red imported fire ants (RIFA) exist on the property prior to any soil movement or excavation. Call CDFA at (714) 708-1910 for information. |
| Water | <ol style="list-style-type: none">10. 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. |

RESOLUTION NO. PC-15-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DENYING PLANNING APPLICATION PA-15-06 LOCATED AT 1620 ORANGE AVENUE, FOR DESIGN REVIEW OF A 2-UNIT RESIDENTIAL DEVELOPMENT

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

WHEREAS, an application was filed by Brett Ettinger from Ferguson – Ettinger Architects, Inc., as authorized agent for the property owner, BSB Newport, LLC, requesting approval of the following:

1) **Design Review PA-15-06** for the development of a 2-unit, two-story, residential small lot development with the following deviations from the Residential Small Lot Subdivision development standards:

- Minor Modification for rear yard setback (10 feet required, 8 feet proposed).
- Minor Modification for front yard setback distance (20 feet required; 16 feet proposed to the support posts of the front patio).

WHEREAS, a duly noticed public hearing held by the Planning Commission on June 8, 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-15-06.

DENIED this 8th day of June, 2015.

Robert L. Dickson Jr., Chair
Costa Mesa Planning Commission

EXHIBIT A

FINDINGS (DENIAL)

- A. The proposed project does not comply with Costa Mesa Municipal Code Section 13-29(e) because:
 - 1. A compatible and harmonious relationship does not exist between the proposed use and existing buildings, site development, and uses on surrounding properties.
 - 2. The proposed project does not comply with the performance standards as prescribed in the Zoning Code.
 - 3. The proposed project is not consistent with the General Plan or Zoning Code.

- B. The proposed project does not comply with Costa Mesa Municipal Code Section 13-29(g)(14) because:
 - 1. The project does not comply with the City of Costa Mesa Zoning Code and does not meet 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.
 - 2. The visual prominence associated with the construction of a two-story house or addition in a predominantly single-story neighborhood has not been reduced through appropriate transitions between the first and second floors and the provision of second floor offsets to avoid flat two-story walls.

- C. The proposed project does not comply with Costa Mesa Municipal Code Section Code Section 13-29(g)(6) because:
 - 1. 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.
 - 2. 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 is not consistent with the City's General Plan and Zoning Code.

- E. The Costa Mesa Planning Commission has denied Planning Application PA-15-06. 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 Justification Letter**

Ryan Loomis
Associate Planner - City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92628

RE: Request for Minor Modification
1620 Orange Avenue

Dear Ryan,

BSB Newport LLC is pleased to submit our revised design package for the proposed development of two single family dwelling units at 1620 Orange Avenue in Costa Mesa.

We are requesting Minor Modification to allow for an 8'-0" and 9'-0" Rear Yard Setback for Unit 2. This is the maximum setback this Unit can provide for the following reasons:

1. Moving the Unit further west would severely limit the space between each unit, compromising the privacy and available natural light for Units 1 and 2.
2. The current, proposed design provides very limited, functional space between the Units and the face of the proposed privacy fence. Moving the Unit further west would compromise this space, and, by reducing it to less than 4'-0" between the fence and the building, render it non-compliant with ADA (Americans with Disabilities Act).
3. The only way to potentially pick up more rear yard space for Unit 2 would be to either;
 - A. Reduce Unit 2 Garage width from 20'-0" to 19'-0" clear – this is not allowed per Code, or,
 - B. Reduce the already small-sized 2 Bedrooms for Unit 2 from 11'-0" wide to 10'-0" wide. This would make these 2 bedrooms impractical and make this Unit undesirable, or
 - C. Move Unit 1 Garage further west, reducing driveway depth from 19'-0" to 18'-0". This is not allowed per Code.
4. The current Site and Floor Plan designs for Unit 2, although adequate, are very modest, and already compromised due to the land-locked nature of the Lot, the increased rear yard shown and the tight and narrow space between the 2 Lots/Units. The current, proposed 8'-0" and 9'-0" rear yard setbacks are the absolute most this lot can afford without making this project infeasible and causing unreasonable hardship.

The second floor of Unit 1 is positioned to the south, away from the intersection of Orange Avenue and 16th Place to ensure a modest scale, a generous front yard and maximum traffic safety at this corner. The second floor of Unit 2 is positioned to the north, away from the two story dwelling unit to the southeast, to ensure privacy for both properties, and to maintain maximum sunlight to the side and rear yard areas of Unit 2.

Each Unit is designed with quality materials and detailing, appropriate massing, scale and articulation in order to be sensitive to and compatible with the character of this multi-family residential neighborhood. Each Unit is well articulated with deep overhangs, porches, roof dormers, stepped floor plans, and small second floor decks. Each Unit is comprised of a combination of exterior materials including light grey integrally colored exterior cement plaster, white beveled, cementitious board horizontal siding, charcoal grey standing seam metal roofing, dark bronze anodized aluminum windows and sliding doors, and stained wood entry doors, posts and beams. Landscaping for each Lot will be comprised of 3 new street trees (per City Arborist), screening and/or accent trees, and drought-tolerant native groundcover to be determined.

Thank you for considering our request.

Sincerely,

Brett Ettinger
Ferguson Ettinger Architects, Inc.

Cc: Scott Burnham
Peter Naghavi, PE
Bryce Burnham

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**ATTACHMENT 3:
Revised Project Plans/Elevations/Perspectives**

PROJECT SUMMARY

PROJECT DATA:

LOCATION: 1620 ORANGE AVENUE, COSTA MESA, CA 92627
 ZONE: R-2, HD - SMALL LOT
 CONSTRUCTION TYPE: V.B. FIRE SPRINKLERED
 OCCUPANCY: R-3, U-1

PROJECT DESCRIPTION

DEMOLITION OF EXISTING SINGLE FAMILY RESIDENCE
 NEW 2 STORY, 2 UNIT RESIDENTIAL DEVELOPMENT EACH WITH ATTACHED 2 CAR GARAGES PER SMALL LOT ORDINANCE
 EACH UNIT INCLUDES 2 CAR OFFSTREET GUEST PARKING SPACES

BUILDING DATA:

	BEDROOMS	TOTAL HABITABLE		HABITABLE LOWER		HABITABLE UPPER		GARAGE		DECKS
		NET	GROSS	NET	GROSS	NET	GROSS	NET	GROSS	
UNIT 1:	3	1,349 S.F.	1,472 S.F.	739 S.F.	809 S.F.	610 S.F.	663 S.F.	402 S.F.	430 S.F.	28 S.F.
UNIT 2:	3	1,363 S.F.	1,489 S.F.	789 S.F.	865 S.F.	574 S.F.	624 S.F.	402 S.F.	427 S.F.	21 S.F.
TOTAL:	6	2,712 S.F.	2,961 S.F.	1,528 S.F.	1,674 S.F.	1,184 S.F.	1,287 S.F.	804 S.F.	857 S.F.	49 S.F.

PARKING DATA:

	UNIT 1	UNIT 2
2 COVERED		2 COVERED
2 UNCOVERED		2 UNCOVERED
TOTAL:	4	4

SITE DATA:

	UNIT 1	UNIT 2
LANDSCAPE	1,619 S.F.	1,011 S.F.
HARDSCAPE	448 S.F.	542 S.F.
DRIVEWAY	286 S.F.	304 S.F.
BUILDING FOOTPRINT	1,239 S.F.	1,293 S.F.
TOTAL LOT AREA:	3,600 S.F.	3,150 S.F.
LOT OPEN AREA:	2,065 S.F.	1,553 S.F.
PRIVATE OPEN SPACE:	276 S.F.	308 S.F.
	57% TOTAL LOT AREA	49% TOTAL LOT AREA

SHEET INDEX:

- A1.1 PROJECT DATA, SHEET INDEX, VICINITY MAP, CONTEXT MAP
- A1.2 SITE PLAN, LANDSCAPE PLAN
- A2.1 MAIN FLOOR PLANS - UNIT 1 AND UNIT 2
- A2.2 UPPER FLOOR PLANS - UNIT 1 AND UNIT 2
- A2.3 ROOF PLANS - UNIT 1 AND UNIT 2
- A4.1 BUILDING ELEVATIONS - UNIT 1 AND UNIT 2
- A4.2 BUILDING ELEVATIONS, BUILDING SECTIONS - UNIT 1 AND UNIT 2

OWNER

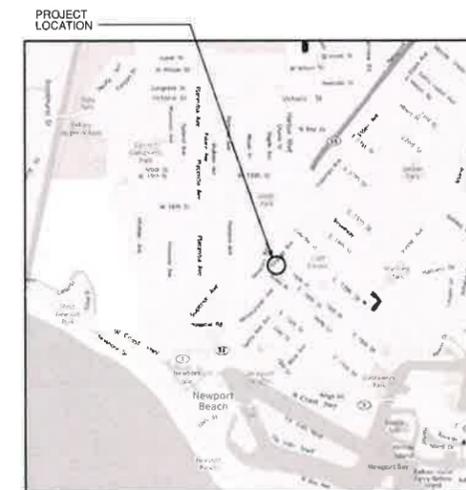
BSB NEWPORT, LLC
 1100 NEWPORT CENTER DRIVE, SUITE 200 NEWPORT BEACH, CA 92660
 TEL: 949 760 9150
 FAX: 949 760 0430

ARCHITECT

FERGUSON - ETTINGER ARCHITECTS INC.
 29 PARKER WAY SANTA BARBARA, CA 93101
 TEL: 805 899 9171
 FAX: 805 957 4222

SURVEYOR

RDM SURVEYING, INC.
 23016 LAKE FOREST DR, #409 LAGUNA HILLS, CA 92653
 TEL: 949 858 2924
 FAX: 949 858 3438

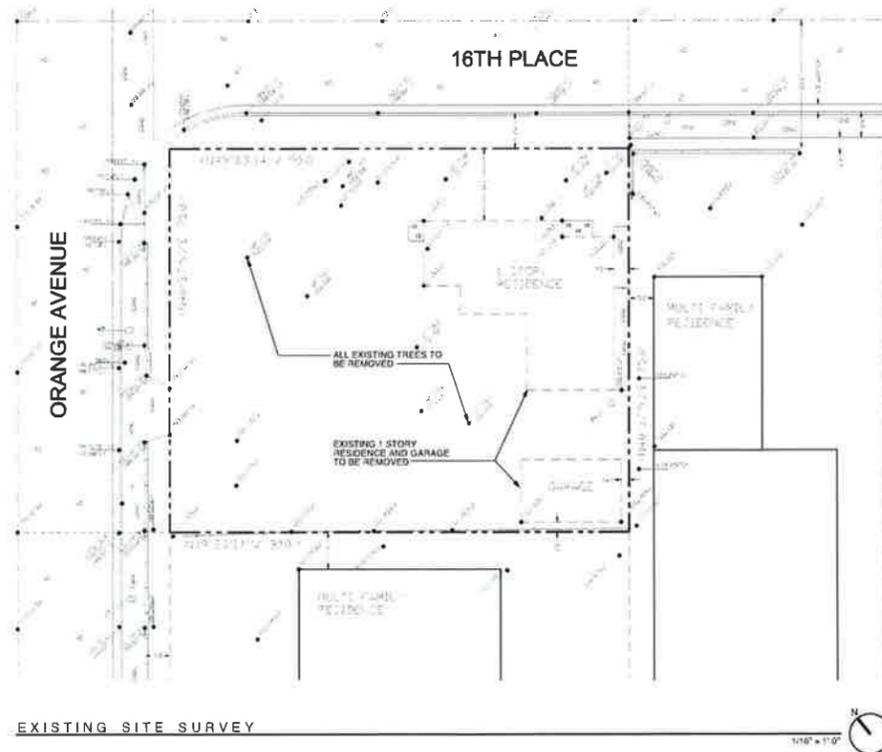


VICINITY MAP

USE OF ARCHITECT'S INSTRUMENTS OF SERVICE:
 DRAWINGS, SPECIFICATIONS AND OTHER DOCUMENTS, INCLUDING THOSE IN ELECTRONIC FORM, PREPARED BY THE ARCHITECT AND THE ARCHITECT'S CONSULTANTS ARE INSTRUMENTS OF SERVICE FOR USE SOLELY WITH RESPECT TO THIS PROJECT. THE ARCHITECT AND THE ARCHITECT'S CONSULTANTS SHALL BE DEEMED THE AUTHORS AND OWNERS OF THEIR RESPECTIVE INSTRUMENTS OF SERVICE AND SHALL RETAIN ALL COMMON LAW, STATUTORY AND OTHER RESERVED RIGHTS, INCLUDING COPYRIGHTS. THE INSTRUMENTS OF SERVICE SHALL NOT BE USED FOR FUTURE ADDITIONS OR ALTERATIONS TO THIS PROJECT OR FOR OTHER PROJECTS, UNLESS PRIOR WRITTEN AGREEMENT OF THE ARCHITECT AND THE ARCHITECT'S CONSULTANTS IS OBTAINED. ANY UNAUTHORIZED USE OF THE INSTRUMENTS OF SERVICE SHALL BE WITHOUT LIABILITY TO THE ARCHITECT AND THE ARCHITECT'S CONSULTANTS.

BSB NEWPORT LLC

1620 ORANGE AVENUE



EXISTING SITE SURVEY



CONTEXT MAP

32

FERGUSON - ETTINGER ARCHITECTS INC.
 29 PARKER WAY
 SANTA BARBARA, CA 93101
 TEL: 805 899 9171
 FAX: 805 957 4222

1620 ORANGE AVENUE
 COSTA MESA, CA 92627

- OPTION 1
- PROJECT DATA
- SHEET INDEX
- CONTEXT MAP
- VICINITY MAP

SCALE: AS NOTED

DATE: 05.18.15

DRAWN BY: MD

CHECKED BY:

REVISIONS:

NO. DATE TITLE

A1.1



CHANTICLEER
PYRUS CALLERYANA



SAMUEL SOMMER
MAGNOLIA GRANDIFLORA

STREET TREES



STRAWBERRY TREE
ARBUTUS UNEDO



MANZANITA TREE
ARCTOSTAPHYLOS DR. HURD

ACCENT - SCREENING TREES



KANGAROO PAWS
ANIGOZANTHOS RUFUS



MATILJA POPPY
ROMNEYA COULTERI



FRENCH LAVENDER
LAVANDULA DENTATA



BERKELEY SEDGE
CAREX DIVISORA



CALIFORNIA LILAC
CEANOTHUS YANKEE POINT

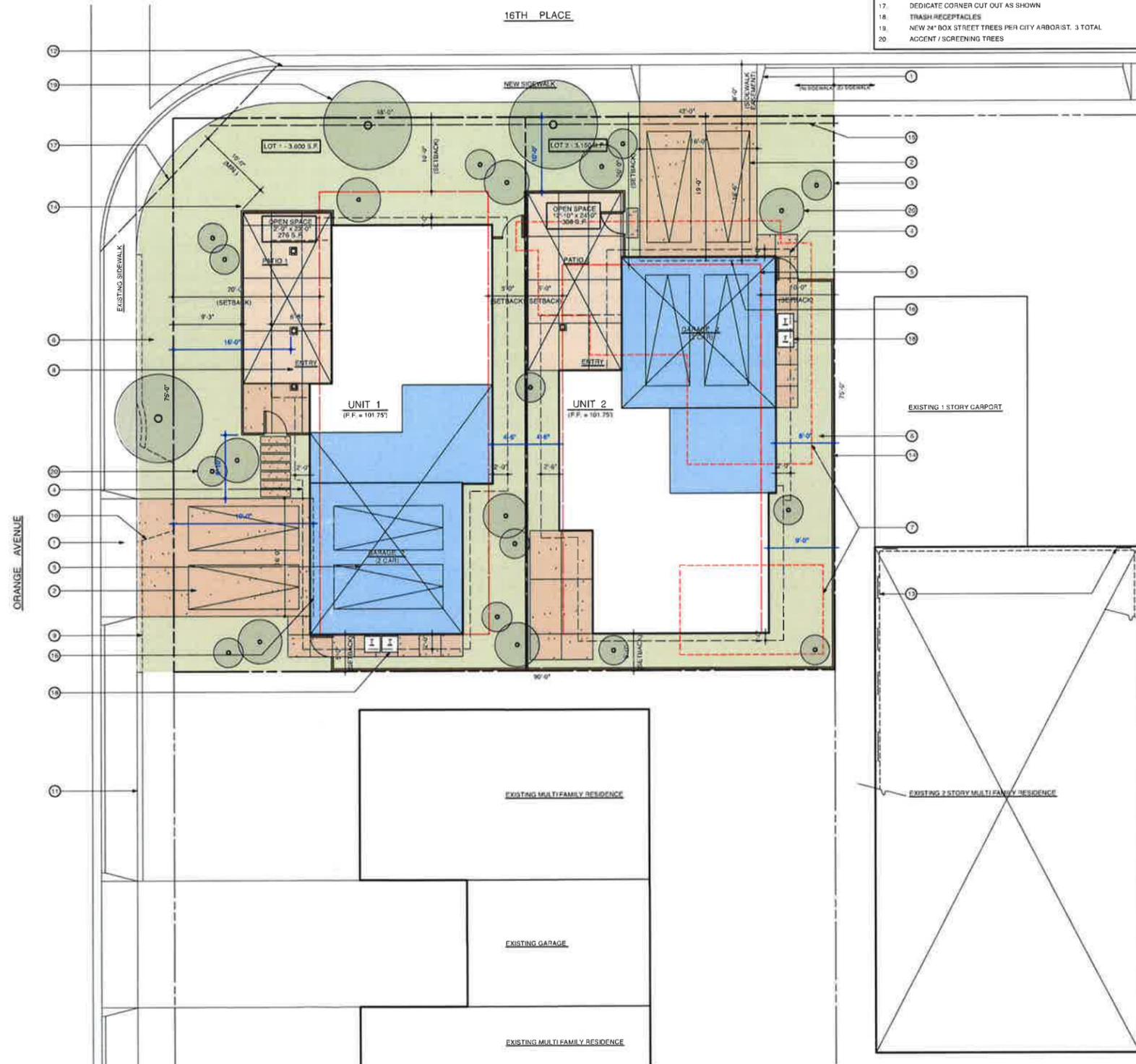


MANZANITA
ARCTOSTAPHYLOS PACIFIC 'VIST'

SHRUBS , GROUNDCOVER , PERENNIALS

NOTE LEGEND

1. NEW CURB CUT
2. OFF STREET PARKING (2 SPACES) - CONCRETE DRIVEWAY
3. PROPERTY LINE, TYP.
4. ROOF OVERHANG ABOVE, TYP.
5. INDICATES 2ND FLOOR ABOVE
6. LANDSCAPED AREA - DROUGHT TOLERANT, NATIVE GROUNDCOVER
7. OUTLINE OF EXISTING 1 STORY RESIDENCE AND GARAGE TO BE REMOVED
8. PERMEABLE, COLORED, TEXTURED CONCRETE WALKWAY AND PATIOS
9. EXISTING LOW WALL / CURB TO BE REMOVED
10. EXISTING DRIVEWAY APRON TO BE REMOVED
11. EXISTING LOW WALL / CURB TO REMAIN
12. EXISTING CONCRETE CURB
13. SECOND FLOOR WINDOWS ABOVE AT ADJACENT MULTI-FAMILY RESIDENCE
14. 5'-0" WOOD FENCE AND GATES
15. SIDEWALK EASEMENT
16. FACE OF GARAGE DOOR BEYOND
17. DEDICATE CORNER CUT OUT AS SHOWN
18. TRASH RECEPTACLES
19. NEW 24" BOX STREET TREES PER CITY ARBORIST, 3 TOTAL
20. ACCENT / SCREENING TREES



SITE PLAN - OPTION 1

33

FERGUSON-ETTINGER
ARCHITECTS INC.
30 PARKER WAY
SANTA BARBARA, CA 93101
TEL: 805.899.9174
FAX: 805.957.4222

1620 ORANGE AVENUE
COSTA MESA, CA 92627

OPTION 1
SITE PLAN
LANDSCAPE PLAN

SCALE: 1/8" = 1'-0"

DATE: 05.16.15

DRAWN BY: MD

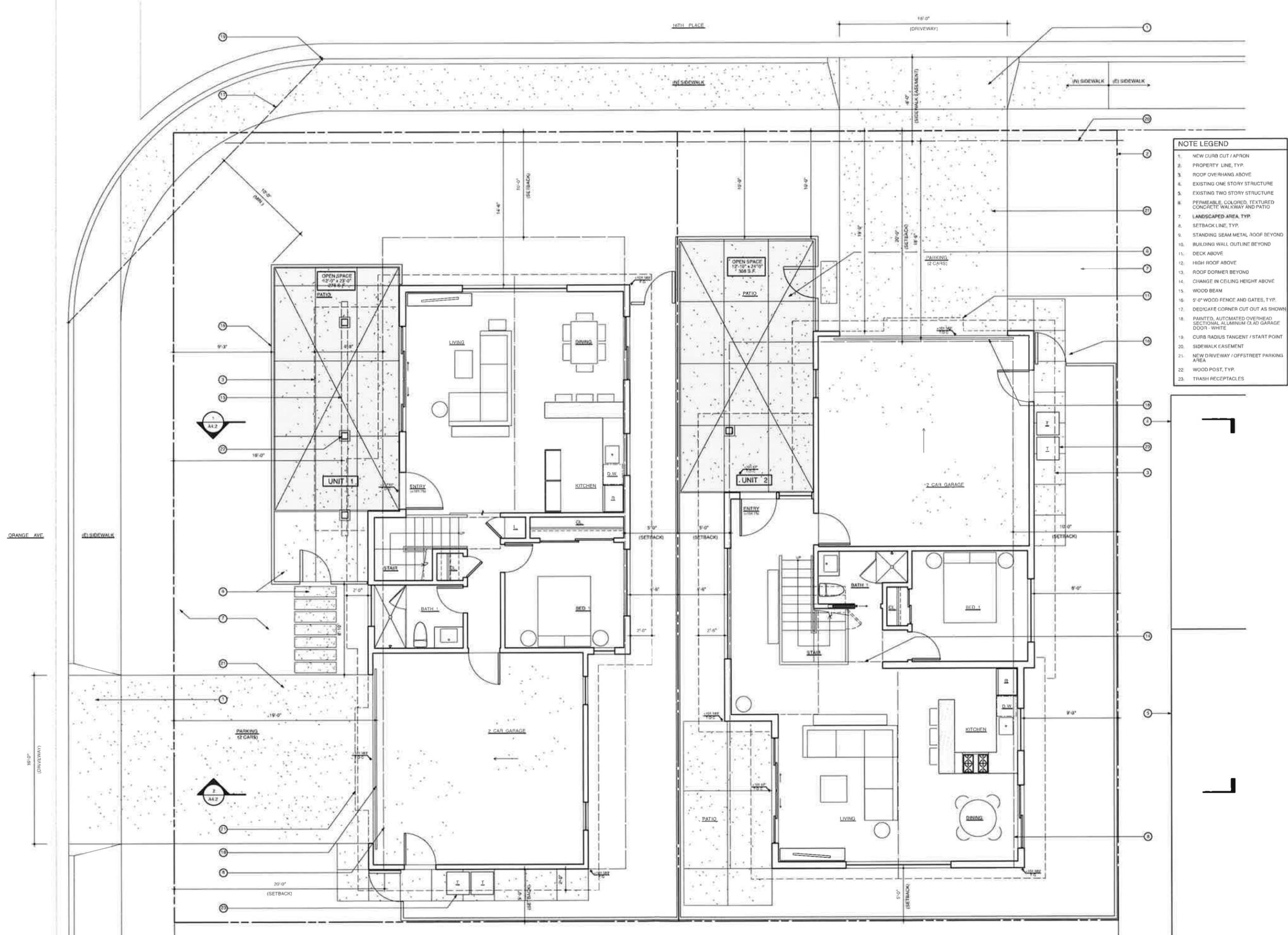
CHECKED BY:

REVISIONS:

NO. DATE: TITLE:

SHEET 2 of 7

A1.2



NOTE LEGEND

1. NEW CURB CUT / APRON
2. PROPERTY LINE, TYP.
3. ROOF OVERHANG ABOVE
4. EXISTING ONE STORY STRUCTURE
5. EXISTING TWO STORY STRUCTURE
6. PERMEABLE, COLORED, TEXTURED CONCRETE WALKWAY AND PATIO
7. LANDSCAPED AREA, TYP.
8. SETBACK LINE, TYP.
9. STANDING SEAM METAL ROOF BEYOND
10. BUILDING WALL OUTLINE BEYOND
11. DECK ABOVE
12. HIGH ROOF ABOVE
13. ROOF DORMER BEYOND
14. CHANGE IN CEILING HEIGHT ABOVE
15. WOOD BEAM
16. 5'-0" WOOD FENCE AND GATES, TYP.
17. DEDICATE CORNER CUT OUT AS SHOWN
18. PAINTED, AUTOMATED OVERHEAD SECTIONAL ALUMINUM CLAD GARAGE DOOR - WHITE
19. CURB RADIUS TANGENT / START POINT
20. SIDEWALK EASEMENT
21. NEW DRIVEWAY / OFFSTREET PARKING AREA
22. WOOD POST, TYP.
23. TRASH RECEPTACLES

FERGUSON ARCHITECTS INC.
 29 PARKER WAY
 SANTA BARBARA, CA 93101
 TEL: 805.899.9171
 FAX: 805.957.4222

1620 ORANGE AVENUE
 COSTA MESA, CA 92627

OPTION 1
 MAIN FLOOR PLANS
 UNITS 1 AND 2

SCALE: 1/4" = 1'-0"

DATE: 05.18.15

DRAWN BY: MD

CHECKED BY:

REVISIONS:

NO. DATE: TITLE:

A2.1

MAIN FLOOR PLANS - UNITS 1 AND 2 - OPTION 1

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NOTE LEGEND

1. NEW CURB CUT / APRON
2. PROPERTY LINE, TYP.
3. ROOF OVERHANG ABOVE
4. EXISTING ONE STORY STRUCTURE
5. EXISTING TWO STORY STRUCTURE
6. PERMEABLE, COLORED, TEXTURED CONCRETE WALKWAY AND PATIO
7. LANDSCAPED AREA, TYP.
8. SETBACK LINE, TYP.
9. STANDING SEAM METAL ROOF BEYOND BUILDING WALL OUTLINE BEYOND
10. DECK ABOVE
11. HIGH ROOF ABOVE
13. ROOF DORMER BEYOND
14. CHANGE IN CEILING HEIGHT ABOVE
15. WOOD BEAM
16. 5'-0" WOOD FENCE AND GATES, TYP.
17. DEDICATE CORNER CUT OUT AS SHOWN
18. PAINTED, AUTOMATED OVERHEAD SECTIONAL ALUMINUM CLAD GARAGE DOOR - WHITE
19. CURB RADIUS TANGENT / START POINT
20. SIDEWALK EASEMENT
21. NEW DRIVEWAY / OFFSTREET PARKING AREA
22. WOOD POST, TYP.
23. TRASH RECEPTACLES

FERGUSON-ETTINGER ARCHITECTS INC.
 29 PARKER WAY
 SANTA BARBARA, CA 93101
 TEL: 805 899 9171
 FAX: 805 957 4222

1620 ORANGE AVENUE
 COSTA MESA, CA 92627

OPTION 1
 UPPER FLOOR PLANS
 UNITS 1 AND 2

SCALE: 1/4" = 1'-0"

DATE: 05.18.15

DRAWN BY: MD

CHECKED BY:

REVISIONS:

NO. DATE TITLE:

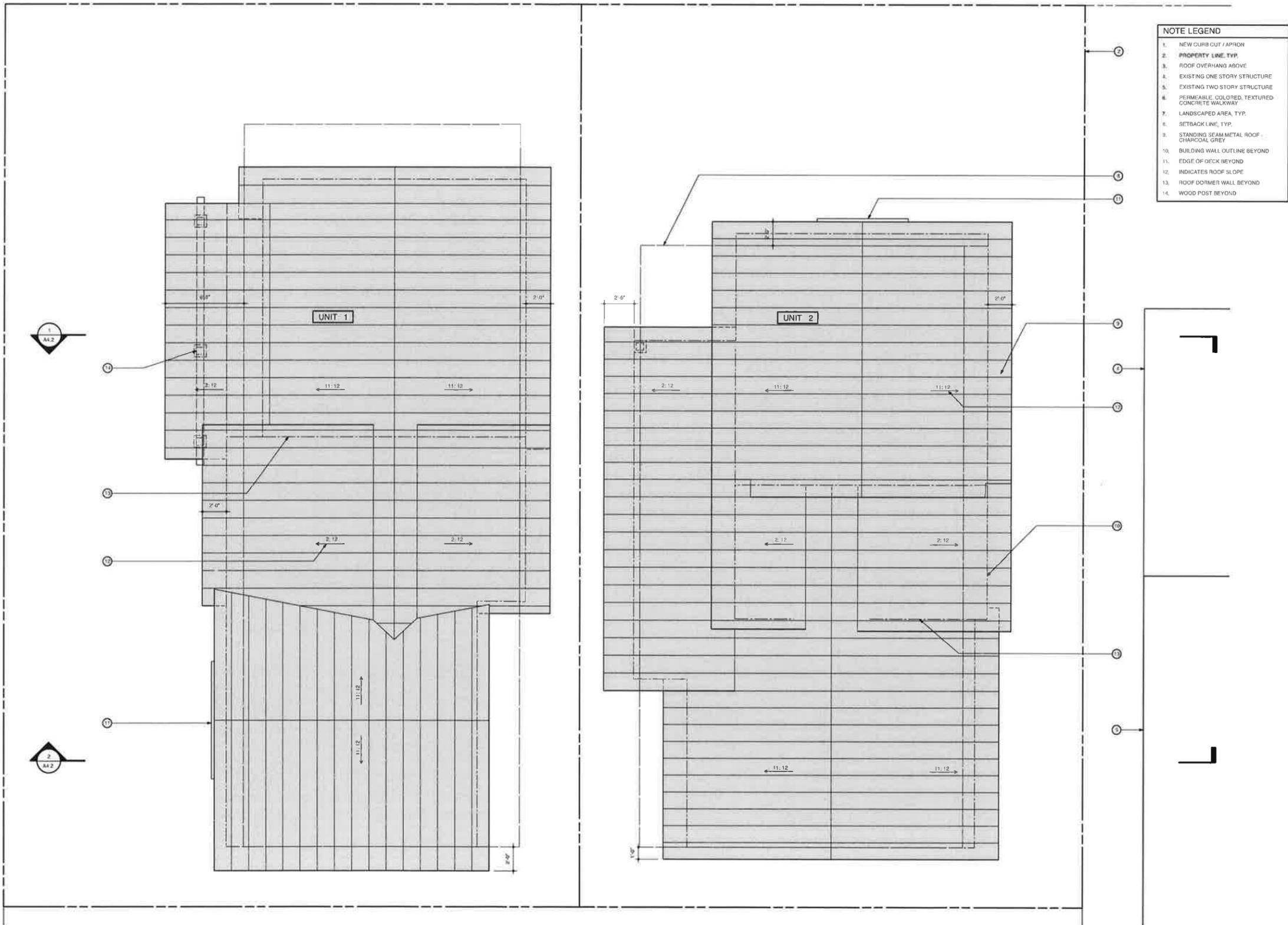
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SHEET 4 of 7

UPPER FLOOR PLANS - UNITS 1 AND 2 - OPTION 1

35



NOTE LEGEND	
1.	NEW CURB CUT / APRON
2.	PROPERTY LINE, TYP.
3.	ROOF OVERHANG ABOVE
4.	EXISTING ONE STORY STRUCTURE
5.	EXISTING TWO STORY STRUCTURE
6.	PERMEABLE, COLORED, TEXTURED CONCRETE WALKWAY
7.	LANDSCAPED AREA, TYP.
8.	SETBACK LINE, TYP.
9.	STANDING SEAM METAL ROOF CHARCOAL GREY
10.	BUILDING WALL OUTLINE BEYOND
11.	EDGE OF DECK BEYOND
12.	INDICATES ROOF SLOPE
13.	ROOF DORMER WALL BEYOND
14.	WOOD POST BEYOND

FERGUSON - ETTINGER
 ARCHITECTS INC.
 29 PARKER WAY
 SANTA BARBARA, CA 93101
 TEL: 805.999.9171
 FAX: 805.997.4222

1620 ORANGE AVENUE
 COSTA MESA, CA 92627

OPTION 1
 ROOF PLANS
 UNITS 1 AND 2

SCALE: 1/4" = 1'-0"
 DATE: 05.18.15
 DRAWN BY: MD
 CHECKED BY:
 REVISIONS:
 NO. DATE TITLE

A2.3
 SHEET 5 of 7

ROOF PLANS - UNITS 1 AND 2 - OPTION 1

36

1/4" = 1'-0"



SOUTH ELEVATION - UNIT 1 / UNIT 2
1/8" = 1'-0"



WEST ELEVATION - UNIT 1
1/8" = 1'-0"



EAST ELEVATION - UNIT 2
1/8" = 1'-0"



NORTH ELEVATION - UNIT 2 / UNIT 1
1/8" = 1'-0"

NOTE LEGEND:

1. STANDING SEAM METAL ROOF - CHARCOAL GREY	10. PAINTED STEEL GUARDRAIL WITH STAINLESS STEEL CABLES
2. PAINTED WOOD LATTICE GABLE VENT	11. NATURAL GRADE
3. DUAL-GLAZED, TEMPERED, NARROW SASH DARK BRONZE ANODIZED ALUMINUM WINDOWS AND SLIDING DOORS	12. STAINED WOOD POST AND BEAM
4. INDICATES FINISH FLOOR	13. PAINTED WOOD RAFTERS
5. PAINTED, AUTOMATED OVERHEAD SECTIONAL ALUMINUM GLAD GARAGE DOOR - WHITE	14. NEW TREES - REFER TO A1 2
6. SMOOTH TROWELED, INTEGRALLY COLORED LIGHT GREY CEMENT PLASTER	15. EXISTING MULTI-FAMILY RESIDENCE
7. STAINED SOLID WOOD ENTRY DOOR WITH TRANSOM ABOVE	16. NEW RESIDENCE BEYOND
8. LINE OF BUILDING WALL OR ROOF BEYOND	17. PAINTED SOLID CORE WOOD DOOR WITH SELF-CLOSING HINGES
9. BEVELED, HORIZONTAL CEMENTITIOUS SIDING - WHITE	18. STRAIGHT EDGE, SHINGLE CEMENTITIOUS SIDING - WHITE

BUILDING ELEVATIONS

SCALE: 1/8" = 1'-0"

DATE: 05.08.15

DRAWN BY: MD

CHECKED BY:

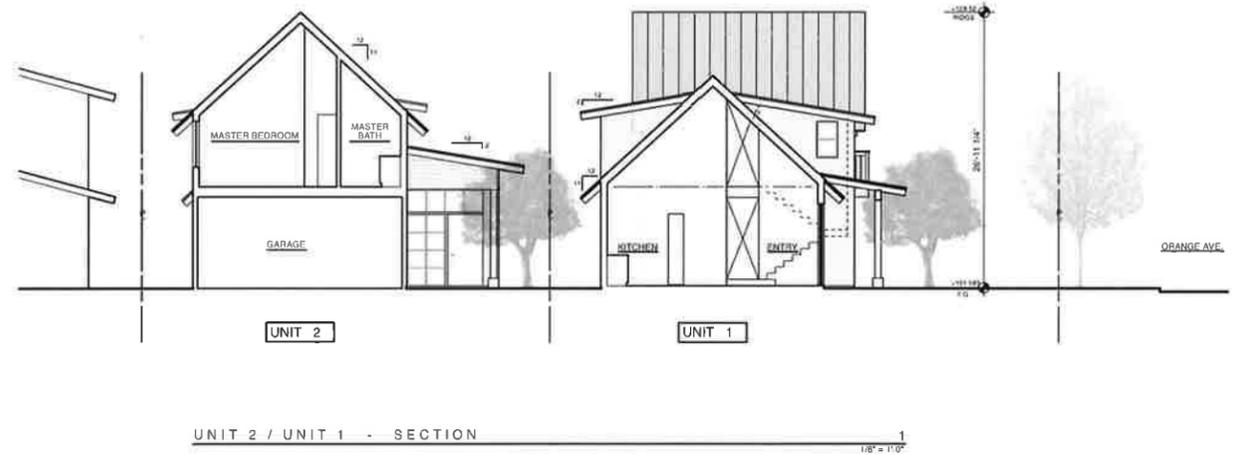
REVISIONS:

NO. DATE TITLE:

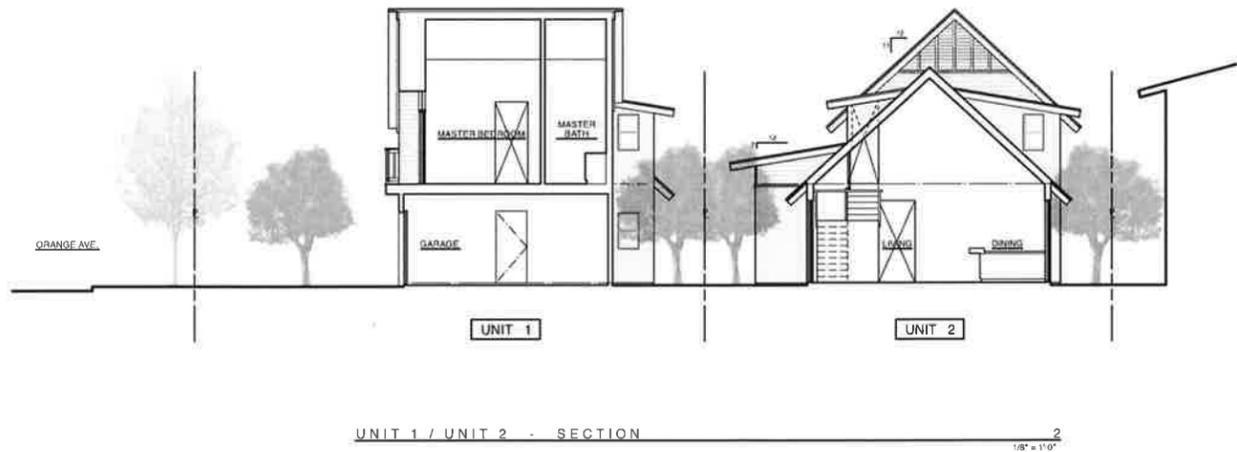
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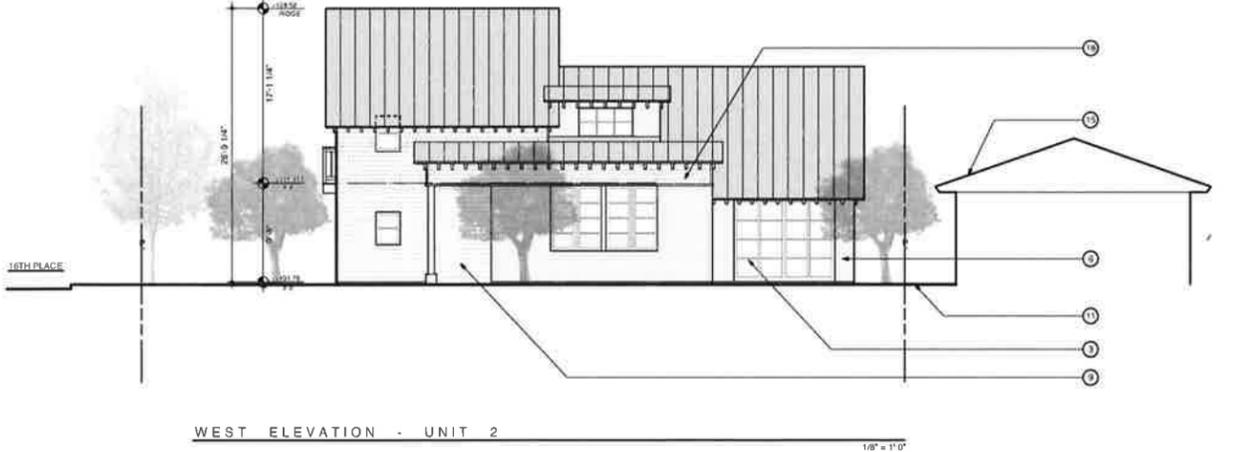
EAST ELEVATION - UNIT 1
1/8" = 1'-0"



UNIT 2 / UNIT 1 - SECTION
1/8" = 1'-0"



UNIT 1 / UNIT 2 - SECTION
1/8" = 1'-0"



WEST ELEVATION - UNIT 2
1/8" = 1'-0"

NOTE LEGEND:	
1. STANDING SEAM METAL ROOF - CHARCOAL GREY	10. PAINTED STEEL GUARDRAIL WITH STAINLESS STEEL CABLES
2. PAINTED WOOD LATTICE GABLE VENT	11. NATURAL GRADE
3. DUAL-GLAZED, TEMPERED, NARROW SASH DARK BRONZE ANODIZED ALUMINUM WINDOWS AND SLIDING DOORS	12. STAINED WOOD POST AND BEAM
4. INDICATES FINISH FLOOR	13. PAINTED WOOD RAFTERS
5. PAINTED, AUTOMATED OVERHEAD SECTIONAL ALUMINUM CLAD GARAGE DOOR - WHITE	14. NEW TREES - REFER TO A1.2
6. SMOOTH TROWELED, INTEGRALLY COLORED LIGHT GREY CEMENT PLASTER	15. EXISTING MULTI-FAMILY RESIDENCE
7. STAINED SOLID WOOD ENTRY DOOR WITH TRANSOM ABOVE	16. NEW RESIDENCE BEYOND
8. LINE OF BUILDING WALL OR ROOF BEYOND	17. PAINTED SOLID CORE WOOD DOOR WITH SELF-CLOSING HINGES
9. BEVELED, HORIZONTAL CEMENTITIOUS SIDING - WHITE	18. STRAIGHT EDGE, SHINGLE CEMENTITIOUS SIDING - WHITE



ORANGE AVENUE ELEVATION - UNIT 1

1/8" = 1'-0"



16TH PLACE ELEVATION - UNIT 2 / UNIT 1

1/8" = 1'-0"

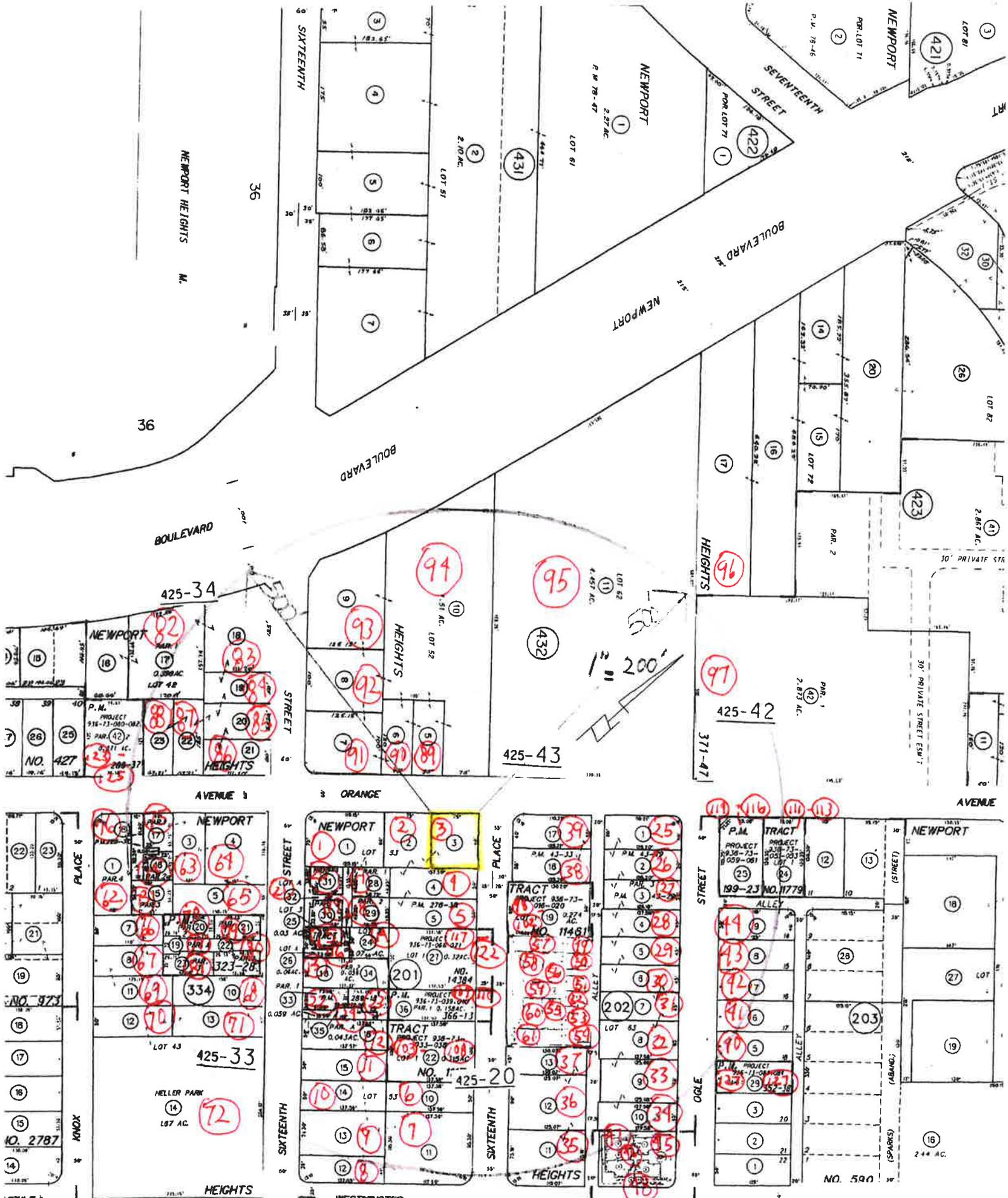
NOTE LEGEND:

- | | |
|---|---|
| 1. STANDING SEAM METAL ROOF - CHARCOAL GREY | 10. PAINTED STEEL GUARDRAIL WITH STAINLESS STEEL CABLES |
| 2. PAINTED WOOD LATTICE GABLE VENT | 11. NATURAL GRADE |
| 3. DUAL GLAZED, TEMPERED, NARROW SASH DARK BRONZE ANODIZED ALUMINUM WINDOWS AND SLIDING DOORS | 12. STAINED WOOD POST AND BEAM |
| 4. INDICATES FINISH FLOOR | 13. PAINTED WOOD RAFTERS |
| 5. PAINTED, AUTOMATED OVERHEAD SECTIONAL ALUMINUM CLAD GARAGE DOOR - WHITE | 14. NEW TREES - REFER TO A1.2 |
| 6. SMOOTH TROWELED, INTEGRALLY COLORED LIGHT GREY CEMENT PLASTER | 15. EXISTING MULTIFAMILY RESIDENCE |
| 7. STAINED SOLID WOOD ENTRY DOOR WITH TRANSOM ABOVE | 16. NEW RESIDENCE BEYOND |
| 8. LINE OF BUILDING WALL OR ROOF BEYOND | 17. PAINTED SOLID CORE WOOD DOOR WITH SELF-CLOSING HINGES |
| 9. BEVELED, HORIZONTAL CEMENTITIOUS SIDING - WHITE | 18. STRAIGHT EDGE, SHINGLE CEMENTITIOUS SIDING - WHITE |

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**ATTACHMENT 4:
Public Notification Radius Map**



NOTE - ASSESSOR'S BLOCK & ASSESSOR'S

- NEWPORT HEIGHTS M.M. 4-83
- TRACT NO. 590 M.M. 31-36
- TRACT NO. 10632 M.M. 456-21, 22
- TRACT NO. 11171 M.M. 482-13, 14
- TRACT NO. 11461 M.M. 492-21, 22
- TRACT NO. 11779 M.M. 531-AC 47

42

22

DONNA'S RADIUS MAPS
 DATE: 1-10-15
 684 S GENTRY LANE
 ANAHEIM CA 92807
 (714) 921-2921

**ATTACHMENT 5:
Telephone Record Form**



P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200 • (714) 754-5245

City of Costa Mesa

TELEPHONE RECORD

Date: 5/15/2015

Name: Carolyn Shannon

Address: 1614 Orange Avenue

Call Received by: Ryan Loomis, Associate Planner

COMMENTS: (Use Back or Attach Additional Sheets as Necessary)

Property owner at 1612, located adjacent and to the south of 1620 Orange Avenue, called on 5/15/15 with concerns regarding PA-15-06. Specific concerns include the following:

- Concerned that uprooting existing large trees and grading on project site may cause settling issues on her property at 1612 Orange Avenue.
- Concerns about trees falling onto 1612 Orange Avenue during grading and demolition.
- Concerns about impact of large grading equipment when site graded.