



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: November 9, 2015

ITEM NUMBER: PH-1

SUBJECT: PLANNING APPLICATION PA-15-41 AND TENTATIVE TRACT MAP TT-17974 FOR FIVE-UNIT, SMALL LOT SUBDIVISION RESIDENTIAL DEVELOPMENT AT 261 MESA DRIVE

DATE: OCTOBER 30, 2015

FROM: PLANNING DIVISION/DEVELOPMENT SERVICES DEPARTMENT

PRESENTATION BY: DANIEL INLOES, ASSOCIATE PLANNER

FOR FURTHER INFORMATION CONTACT: DANIEL INLOES, AICP (714) 754-5088
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DESCRIPTION

The proposed project involves the following:

1. **Planning Application PA-15-41:** Design Review to construct a five-unit, two-story, small lot subdivision on a 22,500 sq. ft. lot in an R2-MD zone. The project satisfies all R2-MD development standards and residential design guidelines.

The property has access from Mesa Drive. The two-story detached homes consist of 3 bedrooms and two-car garage with a minimum interior dimension of 20 feet by 22 feet.

2. **Tentative Tract Map TT-17839:** A residential small lot subdivision consisting of five fee simple lots.

APPLICANT

The applicant is Kerry Smith, authorized agent for Barbara Jensen Trust, the property owner.

RECOMMENDATION

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

BACKGROUND

Project Site/Environs

The project site is located on the south side of Mesa Drive, one block west of Santa Ana Avenue and east of Orange Avenue. The site is 22,500 square feet in size. The property zoned R2-MD (Multiple Family Residential, Medium Density) and has a General Plan Land Use Designation of Medium Density Residential. The site is adjacent to a two-story multi-family residence on the west, single family residences on the east and south, and a golf course in unincorporated area to the north. The existing single-story residence will be demolished to accommodate the proposed project.

ANALYSIS

Project Description

The project involves the construction of a five-unit, two-story residential development based on the Residential Small Lot Subdivisions Ordinance. The unit types and proposed density are summarized in the following tables:

Unit Type Summary

Unit Size (not including garage)	2,178 Sq. Ft.
Garage size	440 Sq. Ft.
Total Unit Size w/garage	2,618 Sq. Ft.
No. of Bedrooms and Baths	3 Beds/2.5 Bath
No. of Stories	2 Stories/25 ft.
No. of Garage Spaces	2 spaces
No. of Open Spaces	2 spaces
No. of Guest Spaces	1 space
Total On-Site Spaces	21 spaces

General Plan Density		
Number	6 units allowed	5 units proposed

Project Design

The variety of building elevations per unit, materials and staggered massing, diminishes a boxy design appearance. Second floor windows are offset or frosted to avoid visual impacts to the second story windows to neighboring properties. The proposed architecture for the five-unit project is considered a two-story traditional style structure with neo-eclectic decorative materials. The residences include gabled roofs; horizontal lap, vertical wood and shingle siding; smooth stucco; stacked rock veneer; decorative metal roll-up garage doors, and a porch with a standing seam metal roof and built up columns or trimmed post and beam columns along the front. The proposed colors are light grays, blues, and earthen tones. Architectural projections are included to maximize floor space on upper floors and provide building articulation, texture and color variation throughout the project's design. While all residences face the common drive they share,

the residence closest to Mesa Drive also addresses the street with additional shingle siding.

Tentative Tract Map

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

General Plan Conformance

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 proposed project is 10 units to the acre (proposed five units), it is consistent with the General Plan land use designation.

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

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

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

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

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

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

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

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

Consistency: Because the project is an infill development, it would not result in the loss of any habitat, or require extensive infrastructure improvements to provide service to the site. In addition, the proposed project will replace an older multi-family housing unit and redevelop the property with new housing stock. Consequently the project is consistent with this objective.

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 City Council revised the Zoning Ordinance (Title 13) in June 1997 which included zoning code requirements for new development in the R2-MD zone. In addition, City Council amended Title 13 by including new standards for Residential Small Lot Subdivisions. Article 2.5, which provides flexible development standards and promote a wider range of homeownership of individual lots in multiple-family residential and overlay zoning districts. The project is consistent with the zoning code.

- *The project exhibits excellence in design and meets the Residential Design Guidelines.*

The existing multi-family rental structure with detached garage is in disrepair and sits on an otherwise undeveloped dirt lot. This project proposes five new residential single family two-story units built with quality materials, exceeding our private open space requirements, and provides horizontal and vertical greenery throughout the development. The proposed project features multiple trees on the development lot in addition to the proposed shrubs and ground cover.

The proposed architecture and site design will enhance the street view and potentially evoke new development in the area. The overall architectural design promotes excellence and compatibility. The project meets the City's Residential Design Guidelines as it provides a variety of building elevations, pop-outs, materials and staggered massing. The two-story traditional style architecture alleviates the compact configuration by including a combination of horizontal lap and vertical wood siding, smooth stucco, block or stacked stone veneer, decorative roll-up garage doors, and columns along front entry porches. The residences have

a balanced proportion of first floor to second floor area. The proposed colors are light gray, blue-gray, and earthen tones. The structural design is only enhanced by the landscaping.

A **condition of approval** specifies that the color and materials for the proposed project may not be modified without planning staff's approval.

- Privacy concerns with regard to window placement and architectural compatibility with the surrounding neighborhood have been considered.

The proposed two-story project is surrounded by two-story development. The transition from the pedestrian sidewalk to the two-story residences is addressed by varied height landscaping in the front yard setback of the development. Abutting properties all have multiple windows facing the proposed project but line of sight depicted on the site plan shows that there are only a few windows which are not offset. Any windows not offset will be frosted.

A **condition of approval** requires that the second floor windows will be offset from neighboring development windows, frosted, or raised to avoid privacy issues to the second story windows of abutting properties as a condition of approval.

- 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. The Small Lot Ordinance requires, at a minimum, that CC&Rs be recorded on the property. Condition of approval requires that the CC&Rs shall contain the ground rules related to: common space (common drive and common guest parking space), 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 project will provide on-site parking spaces that meets current parking standards, including the additional guest parking space.

The number of parking spaces meet parking space requirements based on the number of bedrooms and provide open parking spaces that are distributed throughout the project to provide convenient parking for future guests within the development.

- A perimeter six foot tall decorative block wall is required around the development lot.

The construction of a decorative perimeter block wall at a minimum 6 feet in height along the side property lines has already been agreed upon by the applicant and is also a condition of approval.

- There are not above ground utilities in the public right of way along the street frontage.

Code requires on-site utilities to be undergrounded. There are no above-ground utility poles along the street frontage of the subject property; therefore, an undergrounding requirement for utilities in the public right of way is not proposed.

- Proposed project is consistent with the surrounding neighborhood.

This 820 foot block between Santa Ana and Club Mesa Place is entirely residential on the south side of Mesa Drive. The north side of Mesa Drive contains the Santa Ana Country Club which is located in unincorporated area. The residential along Mesa Drive is predominantly traditional single family homes or small lot subdivided single family homes. The proposed project would relate more with the existing neighborhood than the existing residence.

A **condition of approval** specifies a first story window on the front façade of the residence next to Mesa Drive. This helps the project address the street frontage and provide a human scale accent along Mesa Drive.

- The tentative tract map meets are requirements for the subdivision.

The density for the residential component is 10 units per acre (5 units), which complies with allowable density of 12 units per acre (6 units maximum) per the General Plan.

The proposed buildings include openings in an east-west direction so doors and windows allow for sea breezes. There are portions of the roof which are south facing therefore have the potential to provide for active solar heating and energy generation through the use of solar panels.

The proposed project does not interfere with the public right-of-way nor public utility right of way dedication or easements.

ENVIRONMENTAL DETERMINATION

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15332 for Infill Development.

LEGAL REVIEW

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

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 October 30, 2015, application PA-15-41 has not received a communication from any property owner located within a 500-foot radius of the project site.

ALTERNATIVES

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

CONCLUSION

The project is deemed to be a high-quality residential development with no deviations from Code. Proposed five-unit project does not involve the maximum buildout allowed by the general plan. Therefore it is consistent with the intent of the General Plan and Zoning Code. Staff recommends approval of the project. Resolutions for approval and denial of the project are attached for consideration by the Planning Commission.


 DANIEL INLOES, AICP
 Associate Planner

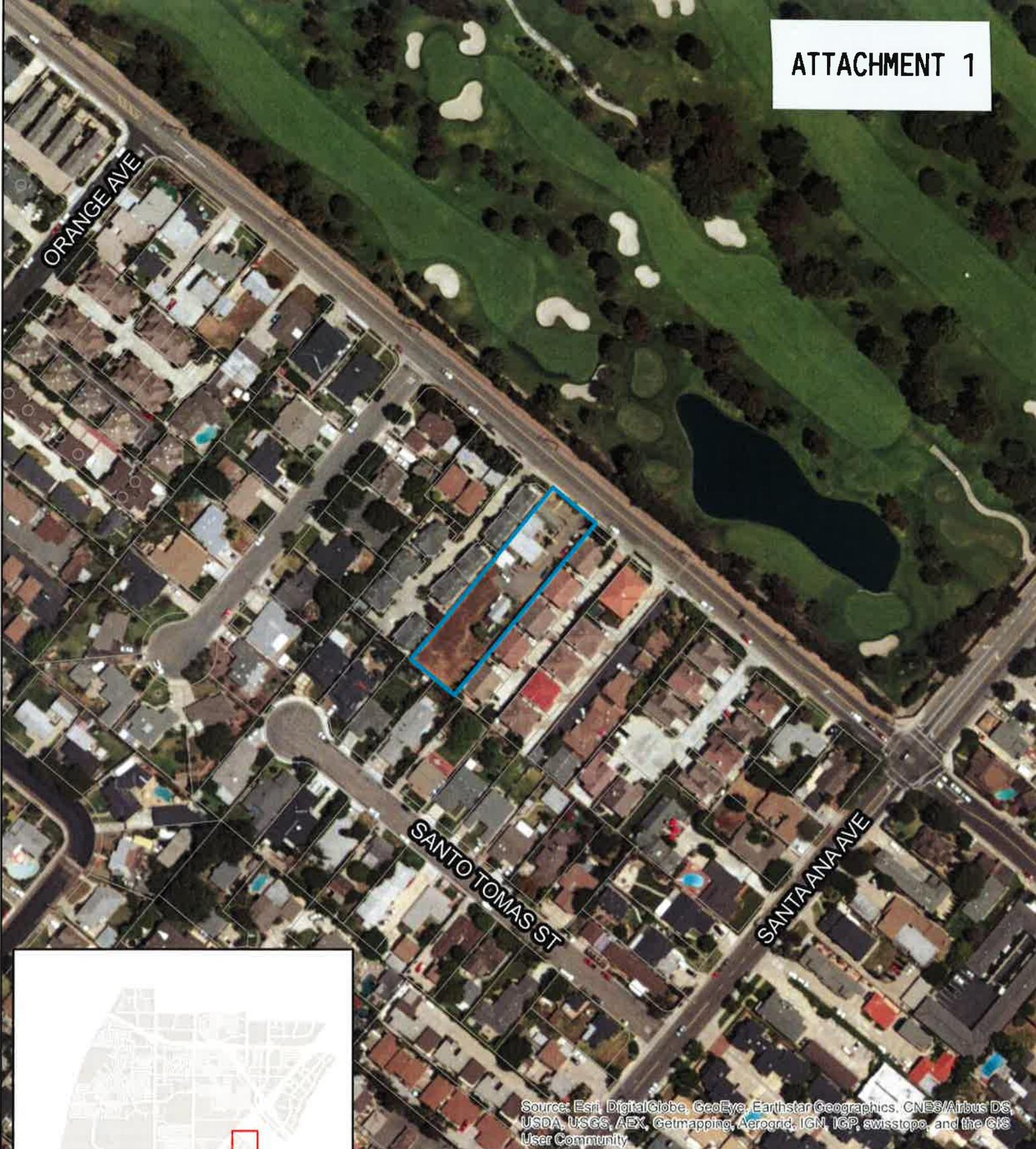

 CLAIRE FLYNN, AICP
 Asst. Development Services Director

- Attachments:
1. Vicinity, Zoning, and 500 ft Radius Maps
 2. Site Photos
 3. Applicants Project Description
 4. Draft Planning Commission Resolutions and Exhibits
 5. Project Plans/Elevations/Perspectives

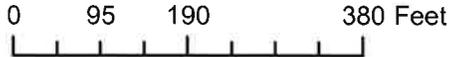
Distribution: Director of Economic & Development Services/Deputy CEO
Senior Deputy City Attorney
Public Services Director
City Engineer
Transportation Services Manager
Fire Protection Analyst
File (2)

Owner: Kerry Smith
137 Monte Vista Avenue
Costa Mesa, CA 92627

Authorized Agent: Kerry Smith
137 Monte Vista Avenue
Costa Mesa, CA 92627



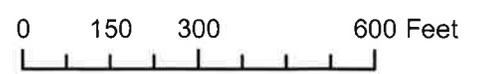
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



Vicinity of Site
261 Mesa Drive
10



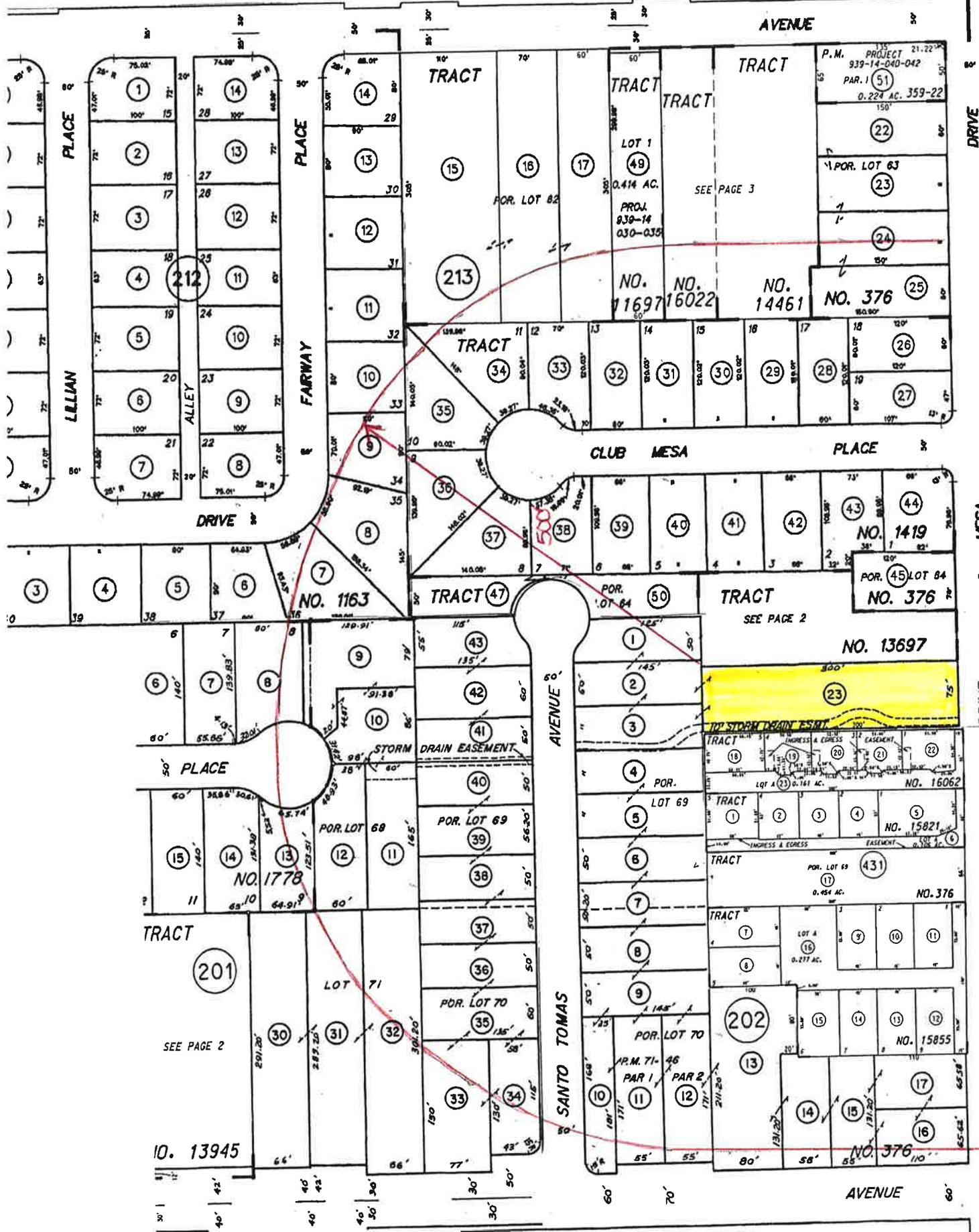
Source Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



Zoning for Site
261 Mesa Drive

1" = 100'

ONLY CHANGE COUNTY TO ITS ACCURACY. FOR OTHER USES, ALL RIGHTS RESERVED. NOT TO BE USED BY CHANGE COUNTY ASSESSOR 2015



THIS SIDE OF MESA DRIVE IS THE SANTA ANA COUNTY CLUB (NO HOME)

119 - 20

ATTACHMENT 2



Front of Property



Back of Main Multi-Family Residence



Side of Main Multi-Family Residence



Back of Property



Across the Streets - Santa Ana Country Club



Several Multiple Detached Single Family Residences within the Block

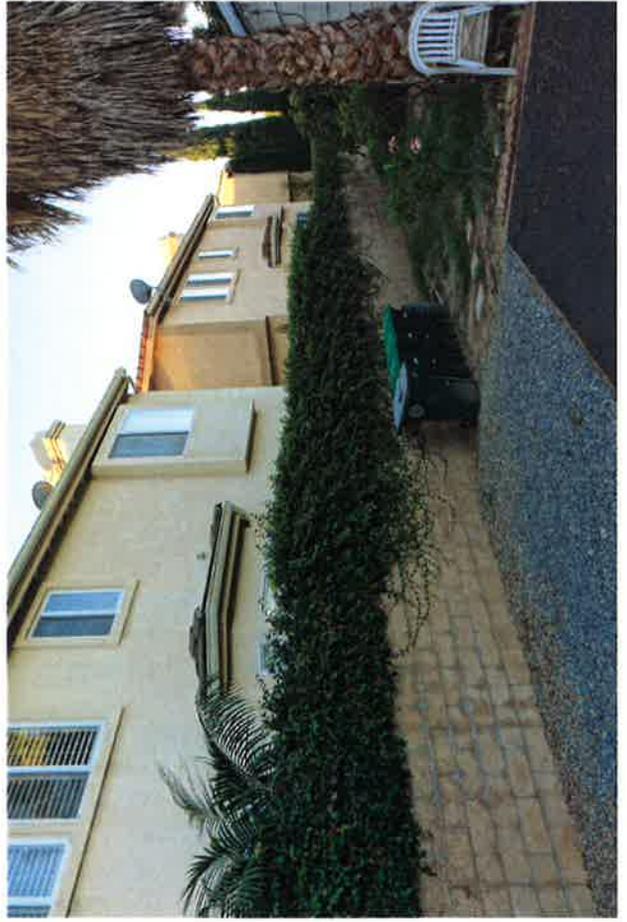


Eastern Adjacent Nieghor

11



Western Adjacent Nieghor



Eastern Second Story Windows



Western Second Story Windows

APPLICATION FOR DEVELOPMENT AT 261 MESA DRIVEPROJECT DESCRIPTION:

The subject property is located at 261 Mesa Drive. Zoning for the site is R2-MD. The site has 75 feet of frontage along Mesa Drive and is 300 feet in depth totaling 22,500 square feet. There are currently five rentals on the property which were built in the 1940's and early 1960's according to County records. All existing structures are slated for removal. On either side of the site are 2 story projects similar to that which we propose to build. Across the street is the Santa Ana Country Club, a private golf course and behind the site are single story/single family homes on Santo Tomas.

We are proposing a vesting tract map (Map Number 17976) which would subdivide the site into 5 individual lots for the construction of 5 detached single family residences. There is an existing storm drain which runs the length of the property and which is located on the east side of the site. There is an easement for that storm drain that does not allow structures to be placed on top of it. We will be building the private driveway on this (east) side of the site with the homes facing this street on the west side of the property. Each new home will be provided with direct garage access from the private street. In addition to the two car garages, there is parking available for 2 cars in front of each garage and additionally there is one more guest parking space on site.

Each of the homes will have 3 bedrooms, 2.5 baths and a living area of 2,022 square feet. All the homes will have an outdoor living space (located to the side of the home) that measures 14 feet by 40 feet. While there is only one floor plan offered, there will be two elevations which will use a mixture of building materials-shingle siding, lap siding, plaster, board and batten and stonework to offer variety and individuality to the homes.

All utilities (water, sewer, gas, electric, etc.) will be brought onto the site and undergrounded. New curb, gutter, sidewalk and a drive approach will be built along the public street.

A "Maintenance Association" will be created for the project. The proposed CC&R's will be submitted to the city for their review and approval. Those CC&R's, when approved, will run with the title to the property and will be enforceable by the City.

The private driveway will be concrete with several sections of pavers to add interest and variety. The same style of pavers will be used for the sidewalk entries for each home. In the front of the project, alongside the private drive will be an area marked and dedicated for trash pick-up. All trash pick-up will be handled on site. Each garage has 22 foot of depth allowing for storage of trash bins except on trash pick-up days.

RESOLUTION NO. PC-15-

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF COSTA MESA APPROVING
PLANNING APPLICATION PA-15-41 AND TENTATIVE
TRACT MAP TT-17974 FOR PROPERTY LOCATED
AT 261 MESA DRIVE**

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

WHEREAS, an application was filed by Kerry Smith, representing Barbara Jensen Trust, the property owner, requesting approval of the following:

1. **Planning Application PA-15-41:** Design Review to construct a five-unit, two-story, detached residential development on a 22,500 square foot lot
2. **Tentative Tract Map TT-17974:** A Residential Small Lot Subdivision consisting of five fee simple 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 15332 for In-Fill Development Projects.

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 November 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-15-41 and Tentative Tract Map TT-17974.

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-15-41 and Tentative Tract Map TT-17974 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 of November, 2015.

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

EXHIBIT A

FINDINGS (APPROVAL)

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

Finding: The project complies with the City of Costa Mesa Zoning Code and meets the purpose and intent of the Residential Design Guidelines, which are intended to promote design excellence in new residential construction, with consideration being given to compatibility with the established residential community. This design review includes site planning, preservation of overall open space, landscaping, appearance, mass and scale of structures, location of windows, varied roof forms and roof plane breaks, and any other applicable design features.

Facts in Support of Findings: The architectural design of the development meets the intent of the City's Residential Development Standards and Design Guidelines and promotes design excellence with consideration given to site planning and building orientation, overall open space, landscaping and architectural design. Second floor windows will be required to be offset or frosted to minimize direct views onto adjacent second floor residential windows, and the elevations will have exterior elevation treatments as recommended in the City's Residential Design Guidelines.

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

Facts in Support of Findings: The proposed two-story structures are in keeping with the rest of the neighborhood which has a variety of two-story buildings. The elevations of the proposed residences include a variety of materials, articulating roof lines, and use of window treatments to highlight the vertical offsets and horizontal floor to floor transitions. The project will be conditioned to provide a first story window on the front façade of the residence next to Mesa Drive. This help the project address the street and provide a human scale accent along Mesa Drive.

Finding: The proposed development plan and subdivision meets the broader goals of the General Plan, and the Zoning Code by exhibiting excellence in design, site planning, integration of uses and structures and protection of the integrity of neighboring development.

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

- B. The proposed tentative tract 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 LU-1A, LU-1A.4, and LU-2 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 development, and encourages increased private market investment that requires no greater demand for infrastructure.

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

Facts in Support of Findings: The density for the residential component is 10 units per acre (5 units), which complies with allowable density of 12 units per acre (6 units maximum) per the General Plan.

Finding: The subject property is physically suitable to accommodate the subdivision in terms of type, design, and density of development, and will not result in substantial environmental damage nor public health problems, based on compliance with the Zoning Code and General Plan, and consideration of appropriate environmental information.

Facts in Support of Findings: The overall design reflects a quality project that is consistent with the intent of the Zoning Code and General Plan. The project site is developed with a multi-family residence, and does not have any sensitive environmental resources. The proposed project will provide for high-quality housing and not impede upon the health, safety, and welfare of the surrounding community.

Finding: The design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision, as required by State Government Code Section 66473.1.

Facts in Support of Findings: The proposed buildings include openings in an east-west direction toward sea breezes but for a parcel this shape providing multiple single family homes require this orientation. There are portions of the roof which are south facing therefore have the potential to provide for active solar heating and energy generation through the use of solar panels.

Finding: The subdivision and development of the property will not unreasonably interfere with the free and complete exercise of the public entity and/or public utility rights-of-way and/or easements within the tract.

Facts in Support of Findings: As conditioned, the proposed project does not interfere with the public right-of-way nor public utility right of way dedication or easements.

Finding: The discharge of sewage from this subdivision into the public sewer system will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000 of the Water Code).

Facts in Support of Findings: The applicant will be required to comply with all regulations set forth by the Costa Mesa Sanitation District as well as the Mesa Water District.

- C. The 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 15332 for In-Fill Development Projects. This exemption allows for the construction of up to six multi-family residential structures in urbanized areas, which have been determined not to have a significant effect on the environment.

- 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

- Ping.
1. The expiration of Planning Application PA-15-05 shall coincide with the expiration of the approval of the Tentative Parcel Map T-17974 which is valid for two years. An extension request is needed to extend the expiration for each additional year after the initial two-year period.
 2. The conditions of approval of PA-15-41 and T-17974 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
 3. The Tentative Tract Map shall be processed as a tentative map consistent with Chapter XI. Subdivisions, Article 1. Tentative Maps, of the Zoning Code.
 4. Prior to issuance of building permits, the applicant shall provide proof of recordation of Tentative Tract Map T-17974.
 5. A decorative 6-foot high perimeter block wall approved by the Development Services Director, shall be constructed along the side, rear, and front boundaries of the development lot prior to issuance of certificates of occupancy unless otherwise approved by the Development Services Director. Where walls on adjacent properties already exist, the applicant shall work with the adjacent property owner(s) to prevent side-by-side walls with gaps in between them and/or provide adequate privacy screening by trees and landscaping.
 6. The interior fences or walls between the individual dwelling units shall be a minimum of six feet in height.
 7. All future walls and fences within front yard setback along Mesa Drive shall conform to the standards per the Walls, Fences, and Landscaping Standards and Specifications.
 8. To avoid an alley-like appearance, the driveway shall not be developed with a center concrete swale. The driveway shall be complemented by stamped concrete in order to reduce damage caused by sanitary trucks entering site for trash pickup.
 9. The open, unassigned parking space located between at the end of the common drive shall be clearly marked as guest parking space only. Signage shall be posted to indicate that this space is available only to guests and visitors and not used for resident parking.
 10. 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. This includes any modification not consistent with the proposed composition shingle and standing metal seam roofs, horizontal lap and vertical wood siding, smooth stucco, 24-inch and 12-inch board and batten siding, stacked block decorative material, decorative metal roll-up garage doors, and columns along front entry

porches. Any modification should be consistent to originally proposed colors, including the various grays and earthen tones. 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.

11. 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.
12. 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.
13. 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.
14. The CC&Rs shall contain a notice that the open parking space (not leading to a garage) shall be unassigned and available for visitors. The CC&Rs shall also contain provisions related to use, preservation and maintenance of the common drive aisle and open space areas in perpetuity by the maintenance or homeowner's association
15. The CC&Rs shall contain provisions requiring that the maintenance or homeowner's association effectively manage parking and contract with a towing service to enforce the parking regulations.

16. The Homeowner's Association or Maintenance Association shall submit a signed affidavit to the City of Costa Mesa on an annual basis to certify the following:
 - a. The two-car garages in the residential community are being used for vehicle parking by the resident(s).
 - b. The vehicle parking areas within the garage are not obstructed by storage items, including but not limited to, toys, clothing, tools, boxes, equipment, etc.
 - c. The resident(s) have consented to voluntary inspections of the garage to verify the parking availability, as needed.

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

17. 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.
18. 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.
19. Applicant is encouraged to increase the depth of landscape planters by two feet to allow curbing to serve as a wheel stop.
20. The landscaping of this project shall comply with the City's landscaping requirements and guidelines.
21. Second floor windows will be offset from neighboring residence windows to avoid privacy issues to the second story windows of abutting properties. Windows which cannot be offset must be frosted or elevated to maintain privacy.
- Trans 22. Prior to issuance of building permit, developer shall remit traffic impact fee pursuant to the prevailing schedule of charges adopted by City Council at

the time the vesting tentative tract map was deemed complete. The Traffic Impact fee is currently estimated at **\$700.00**, as determined by the date the vesting tentative tract map was deemed complete. Developer shall contact the Transportation Services Division for a final estimate prior to issuance of building permits. Developer shall remit the traffic impact fee to the Planning Division.

- Eng 23. Comply with the requirements contained in the letter prepared by the City Engineer (Exhibit B1).
24. Provide a five foot public sidewalk easement behind existing right of way line on Elden Avenue for ADA compliance.
25. Maintain the public right-of-way in a "wet-down" condition to prevent excessive dust and promptly remove any spillage from the public right-of-way by sweeping or sprinkling.
- Pkwys 26. Plant one 24 inch box tree along Mesa Drive parkway. Species may be proposed by applicant but type of tree must be approved by Public Services.

CODE REQUIREMENTS

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

- Plng. 1. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections, final occupancy and utility releases will not be granted until all such licenses have been obtained.
2. Applicant shall provide the City with proof of general liability insurance including endorsements concerning "additional named insured", "advance notice", and "primary coverage" as approved by the City attorney's office.
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. Prior to issuance of building permits, applicant shall contact the US Postal Service with regard to location and design of mail delivery facilities. Such facilities shall be shown on the site plan, landscape plan, and/or floor plan.
5. 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.
6. A minimum 20-foot by 20-foot clear interior dimension shall be provided for all garages.

7. Minimum garage door width shall be 16 feet.
8. All garages shall be provided with automatic garage door openers.
9. Hours of construction shall comply with Section 13-279, Title 13, of the Costa Mesa Municipal Code.
10. Two 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.
11. Two sets of landscape and irrigation plans, approved by the Planning Division, shall be attached to two of the final building plan sets.
12. All on-site utility services shall be installed underground.
13. 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.
14. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.
15. Prior to approval of plans, the project shall fulfill the City of Costa Mesa Drainage Ordinance No. 06-19 requirements.
16. 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.
17. All noise-generating construction activities shall be limited to 7 a.m. to 7 p.m. Monday through Friday and 9 a.m. to 6 p.m. Saturday. Noise-generating construction activities shall be prohibited on Sunday and the following Federal holidays: New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
18. Planning Commission action on PA-15-41 shall not become final until seven days following final action.
19. Landscaping and irrigation shall be installed in accordance with the approved plans prior to final inspection or occupancy clearance.
20. The project shall comply with Title 24 of the California Code of Regulations established by the energy conservation standards. The project Applicant shall incorporate the following in building plans:
 - a. Double paned glass or window treatment for energy conservation

shall be used in all exterior windows.

b. Building shall be oriented north/south where feasible.

21. Trash facilities shall be screened from view, and designed and located appropriately to minimize potential noise and odor impacts to residential areas.

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

a. The CC&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.

23. Prior to final inspection 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.

Bldg. 24. Comply with the requirements of the 2013 California Building Code, 2013 California Residential Code, 2013 California Electrical Code, 2013 California Mechanical Code, 2013 California Plumbing Code, 2013 California Green Building Standards Code and 2013 California Energy Code (or the applicable adopted, California Building Code, California Residential Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards, and California Energy Code at the time of plan submittal or permit issuance) and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa. Areas of alteration and additions shall comply with 2013 California Green Building Standards Code section 5.303.2 and 5.303.2.

25. Submit a precise grading plans, an erosion control plan and a hydrology

study. If it is determined that a grading plan is not required a drainage plan shall be provided . A precise grading plan shall not be required if any of the following are met:

1. An excavation which does not exceed 50 CY on any one site and which is less than 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.
-
26. Submit a soils report for this project. Soil's report recommendations shall be blueprinted on both the architectural and grading plans. For existing slopes or when new slopes are proposed, the soils report shall address how existing or new slopes will be maintained to avoid erosion or future failure.
 27. On graded sites the top of exterior foundation shall extend above the elevation of the street gutter at point of discharge or the inlet of an approved discharge devise a minimum of 12 inches plus 2 percent. 2013 California Building Code CRC 403.1.7.3.
 28. Lots shall be graded to drain surface water away from foundation walls. The grade shall fall a minimum of six inches within the first 10 feet. CRC R401.3.
 29. Projections, including eaves, shall be one-hour fire resistive construction, heavy timber or noncombustible material if they project into the 5-foot setback area from the property line. They may project a maximum of 12 inches beyond the 3-foot setback. CRC Tables R302.1 (1) and R302.1 (2).
 30. Prior to the issuance of Grading Permits, the project Applicant shall provide the City of Costa Mesa Department of Building Safety with a geotechnical investigation of the project site detailing recommendations for remedial grading in order to reduce the potential of onsite soils to cause unstable conditions. Design, grading, and construction shall be performed in accordance with the requirements of the California Building Code applicable at the time of grading, appropriate local grading regulations, and the recommendations of the geotechnical consultant as summarized in a final written report, subject to review by the City of Costa Mesa Department of Building Safety.
 31. During demolition, grading, and excavation, workers shall comply with the requirements of Title 8 of the California Code of Regulations, Section 1532.1, which provides for exposure limits, exposure

monitoring, respiratory protection, and good working practice by workers exposed to lead. Lead-contaminated debris and other wastes shall be managed and disposed of in accordance with the applicable provision of the California Health and Safety Code.

32. During demolition, grading, and excavation, workers shall comply with the requirements of Title 8 of the California Code of Regulations, Section 1529, which provides for exposure limits, exposure monitoring, respiratory protection, and good working practices by workers exposed to asbestos. Asbestos-contaminated debris and other wastes shall be managed and disposed of in accordance with the applicable provision of the California Health and Safety Code.
33. All construction contractors shall comply with South Coast Air Quality Management District (SCAQMD) regulations, including Rule 403, Fugitive Dust. All grading (regardless of acreage) shall apply best available control measures for fugitive dust in accordance with Rule 403. To ensure that the project is in full compliance with applicable SCAQMD dust regulations and that there is no nuisance impact off the site, the contractor would implement each of the following:
 - a. Moisten soil not more than 15 minutes prior to moving soil or conduct whatever watering is necessary to prevent visible dust emissions from exceeding 100 feet in any direction.
 - b. Apply chemical stabilizers to disturbed surface areas (completed grading areas) within five days of completing grading or apply dust suppressants or vegetation sufficient to maintain a stabilized surface.
 - c. Water excavated soil piles hourly or covered with temporary coverings.
 - d. Water exposed surfaces at least twice a day under calm conditions. Water as often as needed on windy days when winds are less than 25 miles per day or during very dry weather in order to maintain a surface crust and prevent the release of visible emissions from the construction site.
 - e. Wash mud-covered tires and under-carriages of trucks leaving construction sites.
 - f. Provide for street sweeping, as needed, on adjacent roadways to remove dirt dropped by construction vehicles or mud, which would otherwise be carried off by trucks departing project sites.
 - g. Securely cover loads with a tight fitting tarp on any truck leaving the construction sites to dispose of debris.
 - h. Cease grading during period when winds exceed 25 miles per hour.

- Trans.
34. Construct all proposed driveway approaches to comply with city standards.
 35. Fulfill mitigation of off-site traffic impacts at the time of issuance of occupancy by submitting to the Planning Division the required traffic impact fee pursuant to the prevailing schedule of charges adopted by the City Council. The traffic impact fee is calculated including credits for

all existing uses. The current estimate is \$700.00. NOTE: The Traffic Impact Fee will be recalculated at the time of issuance of building permit/certificate of occupancy based upon any changes in the prevailing schedule of charges adopted by the City Council and in effect at that time.

36. Close unused drive approaches, or portion of, with full height curb and gutter that comply with City Standards.
- Fire 37. Prior to the issuance of a Building Permit, the City of Costa Mesa Fire Department shall review and approve the project design features to assess compliance with the California Building Code and California Fire Code.
38. The project shall provide an automatic fire sprinkler system according to NFPA 13D.
39. 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.
- Eng 40. 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.
41. 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.
42. 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.
43. 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.
44. 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.
45. 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.
 46. Fulfill Drainage Fee requirements per City of Costa Mesa Ordinance No. 06-19 prior to approval of Final Map/Approval of Plans.
 47. 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, using latest version of template dated August 2011, shall be 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

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

- | | |
|-------|---|
| Sani. | <ol style="list-style-type: none"> 1. Applicant will be required to construct sewers to serve this project, at his own expense, meeting the approval of the Costa Mesa Sanitary District. 2. County Sanitation District fees, fixture fees, inspection fees, and sewer permit are required prior to installation of sewer. 3. Applicant shall submit a plan showing sewer improvements that meets the District Engineer's approval to the Building Division as part of the plans submitted for plan check. 4. The applicant is required to contact the Costa Mesa Sanitary District at (949) 645-8400 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 (949) 645-8400 to pay trash collection program fees and arrange for service for all new residences. Residences using bin or dumpster services are exempt from this requirement. 6. Applicant shall contact Costa Mesa Sanitary District at (949) 654-8400 for any additional district requirements. |
| AQMD | <ol style="list-style-type: none"> 7. Applicant shall contact the Air Quality Management District (AQMD) at (800) 288-7664 for potential additional conditions of development or for additional permits required by AQMD. |
| Water | <ol style="list-style-type: none"> 8. Customer shall contact the Mesa Water District – Engineering Desk and submit an application and plans for project review. Customer must obtain a letter of approval and a letter of project completion from Mesa Water |

District.

- School 9. Pay applicable Newport Mesa Unified School District fees to the Building Division prior is issuance of building permits.
- State 10. Comply with the requirements of the California Department of Food and Agriculture (CDFA) to determine if red imported fire ants (RIFA) exist on the property prior to any soil movement or excavation. Call CDFA at (714) 708-1910 for information.
- Cable 11. The applicant shall contact the current cable company prior to issuance of building permits to arrange for pre-wiring for future cable communication service.

RESOLUTION NO. PC-15-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DENYING PLANNING APPLICATION PA-15-41 AND TENTATIVE TRACT MAP TT-17974 FOR PROPERTY LOCATED AT 261 MESA DRIVE

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

WHEREAS, an application was filed by Kerry Smith, representing Barbara Jensen Trust, the property owner, requesting approval of the following:

1. **Planning Application PA-15-05:** Design Review to construct a 5-unit, two-story, detached residential development on a 22,500 square foot lot.
2. **Tentative Tract Map TT-17974:** A Residential Small Lot Subdivision consisting of six fee simple lots.

WHEREAS, a duly noticed public hearing was held by the Planning Commission on November 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-15-41 and Tentative Tract Map TT-17974.

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

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

EXHIBIT A

FINDINGS (DENIAL)

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

Finding: The project does not comply with the City of Costa Mesa Zoning Code or meets the purpose and intent of the Residential Design Guidelines, which are intended to promote design excellence in new residential construction, with consideration being given to compatibility with the established residential community. This design review includes site planning, preservation of overall open space, landscaping, appearance, mass and scale of structures, location of windows, varied roof forms and roof plane breaks, and any other applicable design features.

Finding: The visual prominence associated with the construction of two-story homes in a predominately one-story neighborhood has not been reduced through appropriate transitions between the first and second floors and the provision of second floor offsets to avoid long unarticulated two-story walls.

Finding: The proposed development plan and subdivision does not meet the broader goals of the General Plan, and the Zoning Code by exhibiting excellence in design, site planning, integration of uses and structures and protection of the integrity of neighboring development.

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

Findings:

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

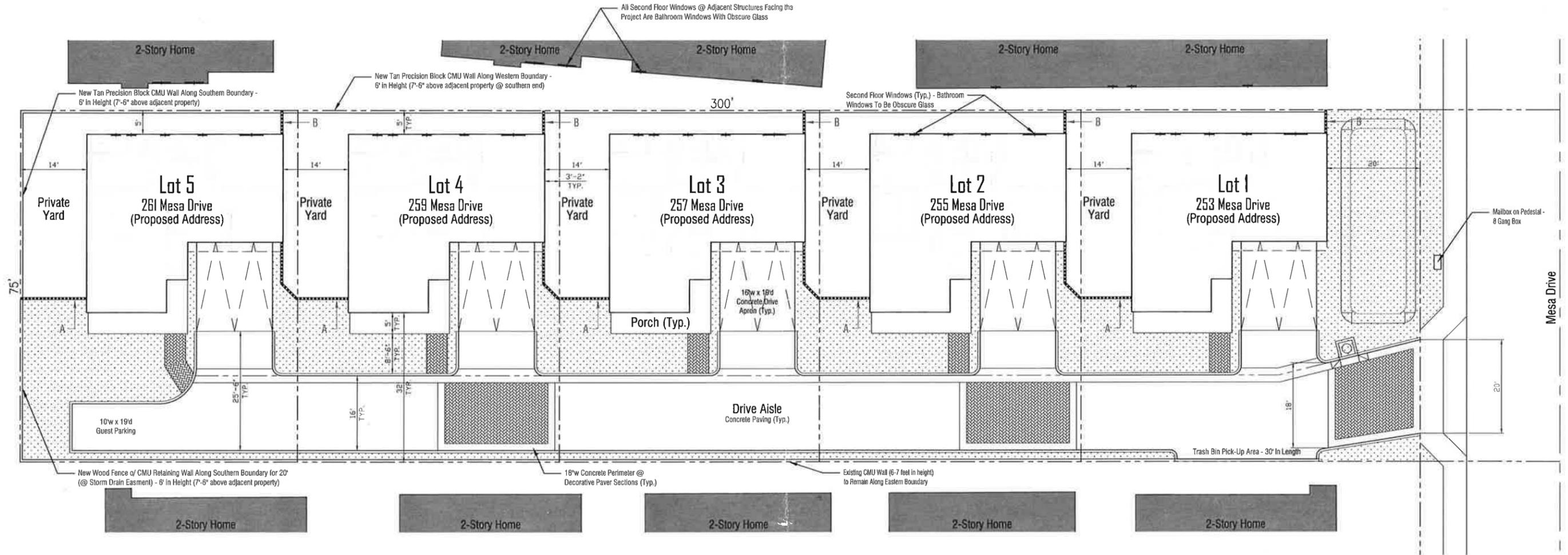
- C. The information presented does not comply with Costa Mesa Municipal Code Section 13-29(g)(6) in that:

Findings:

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

compatible and attractive development.

- D. The subdivision of the property for a residential common interest development is not consistent with the City's General Plan and Zoning Code.
- E. The Costa Mesa Planning Commission has denied Planning Application PA-15-05 and Tentative Tract Map TT-17839. 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.



Project Information

# Dwelling Units	# Bedrooms	Square Foot Living	Parking - Required	Parking - Provided
For The Project	For Each Home	For Each Home		
5	3	2,022	2 Covered Per Home 2 Uncovered Per Home 1 Dedicated Guest Space	2 Covered Per Home 2 Uncovered Per Home ¹ 1 Dedicated Guest Space

1. Available Parking on the Drive Apron of Each Home.

Legend

-  Decorative Pavers
-  Front Yard Landscape Area
-  Structures on Adjacent Properties
- Privacy Fence A - 6' Tan CMU Wall - Precision Block w/ 2 Coourses of Split Face (top coarse & 4th coarse down) And 3'w Access Gate
- Privacy Fence B - 6' Tan CMU Wall - Precision Block

Lot Tabulation

	Lot Area	Building Area ¹	Building Coverage ²	Drive/Parking Area	Open Space Area
Lot 1	5,462.50 s.f.	2,618 s.f. 47.9%	1,385 s.f. 25.4%	1,830 s.f. 33.5%	2,247 s.f. 41.1%
Lot 2	4,200.00 s.f.	2,618 s.f. 62.3%	1,385 s.f. 33.0%	1,415 s.f. 33.7%	1,400 s.f. 33.3%
Lot 3	4,200.00 s.f.	2,618 s.f. 62.3%	1,385 s.f. 33.0%	1,415 s.f. 33.7%	1,400 s.f. 33.3%
Lot 4	4,200.00 s.f.	2,618 s.f. 62.3%	1,385 s.f. 33.0%	1,415 s.f. 33.7%	1,400 s.f. 33.3%
Lot 5	4,437.50 s.f.	2,618 s.f. 59.0%	1,385 s.f. 31.2%	1,142 s.f. 25.7%	1,911 s.f. 43.1%
Totals	22,500.00 s.f.	13,090 s.f. 58.2%	6,925 s.f. 30.8%	7,217 s.f. 32.0%	8,358 s.f. 37.1%

1. Building Area includes First & Second Level Living, Garage and Porch Area.
2. Building Coverage includes First Level Living, Garage and Porch Area.

Sheet Schedule

- Architectural Sheets*
- A1 Architectural Site Plan
 - A2 Conceptual Floor Plans
 - A3 Conceptual Elevations - Style One
 - A4 Conceptual Elevations - Style Two
 - A5 Simulated View of the Project

- Civil Sheets*
- 1 Vesting Tentative Tract Map
 - 2 Preliminary Grading Plan
 - 7 Total Sheets

Project Team

APPLICANT:
HARBINGER HOMES, INC.
137 MONTE VISTA
COSTA MESA, CA 92627
PHONE: (949) 646-1103

CONTACT: KERRY SMITH

ARCHITECT:
EDWARD C. NOVAK, ARCHITECT
153 GILLETTE PLACE #108
LIVERMORE, CA 94550
PHONE: (714) 323-8398

CONTACT: EDWARD NOVAK

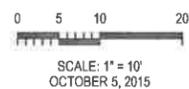
CIVIL ENGINEER:
FUSCOE ENGINEERING
16796 VON KARMAN SUITE 100
IRVINE, CA 92606
PHONE: (949) 474-1960

CONTACT: JACOB CHOI

(261 Mesa Drive)
Architectural Site Plan

37

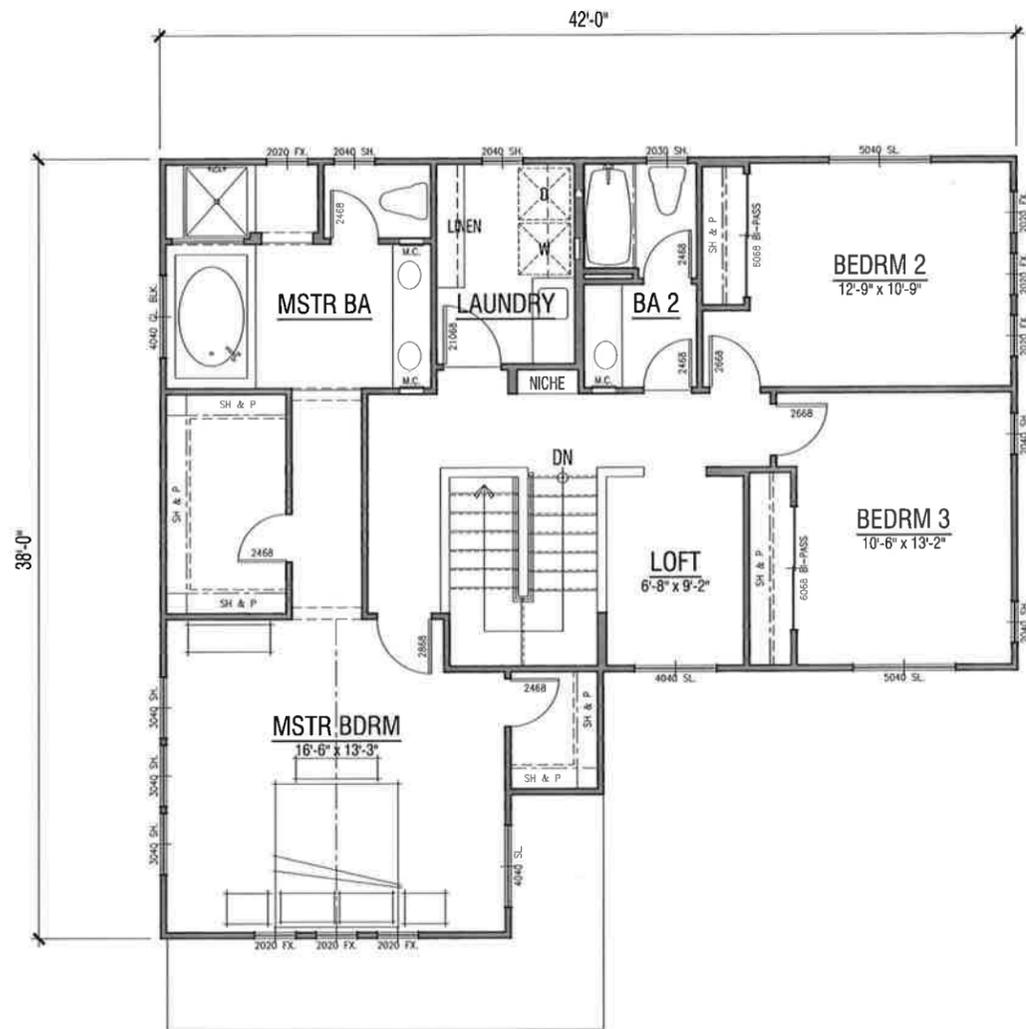
Breakwater Isle
Costa Mesa, California
Harbinger Homes, Inc.



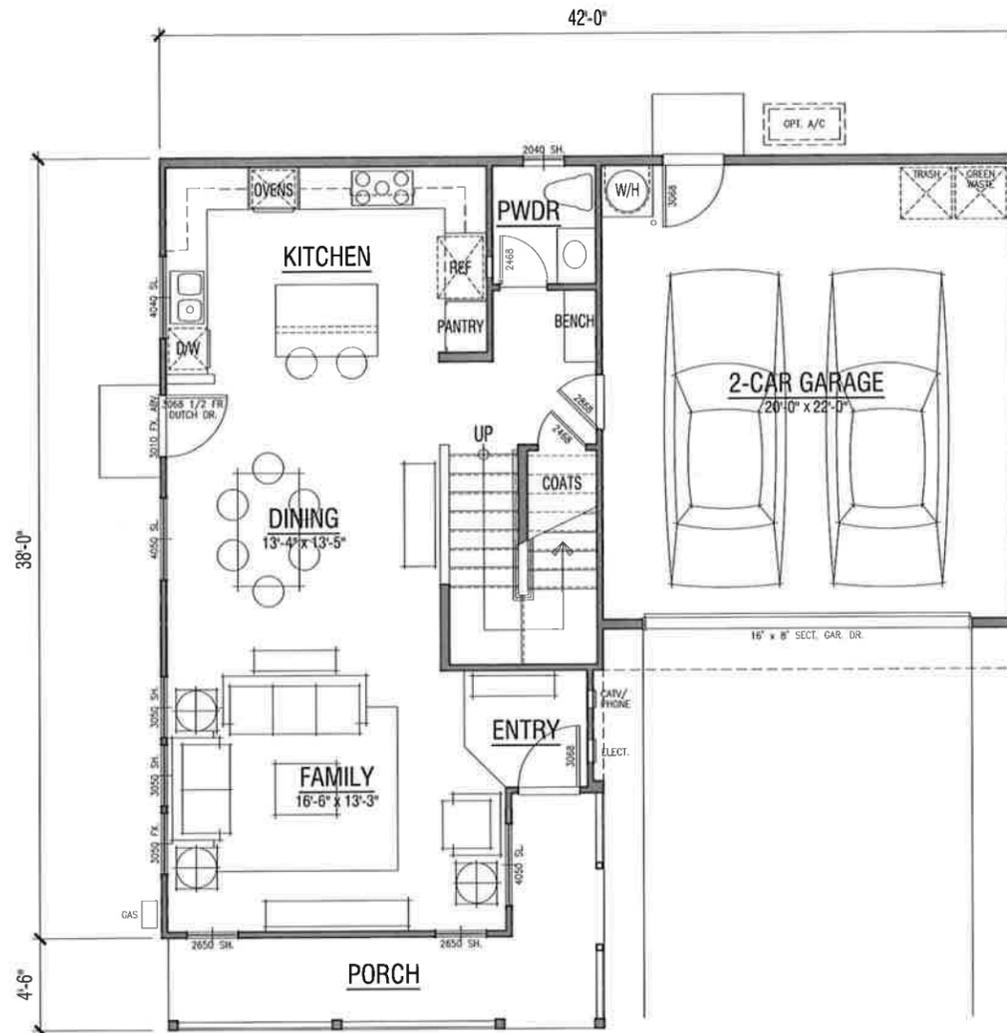
edward c. novak
ARCHITECT LEED AP

153 GILLETTE PLACE #108 LIVERMORE, CA 94550
phone: 714 323-8398 email: ed@sonarchitect.com

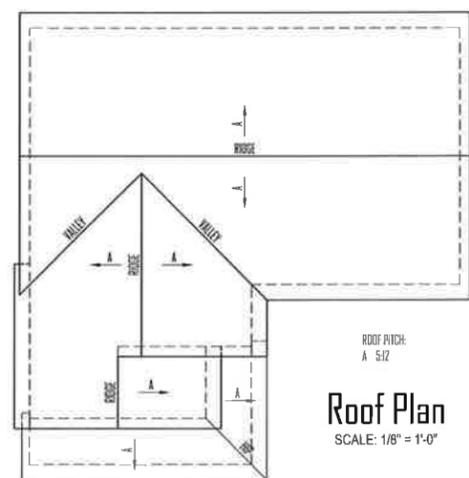
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Second Floor Plan



First Floor Plan

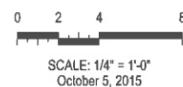


Roof Plan
SCALE: 1/8" = 1'-0"

Conceptual Floor Plans

Square Footage Tabulation

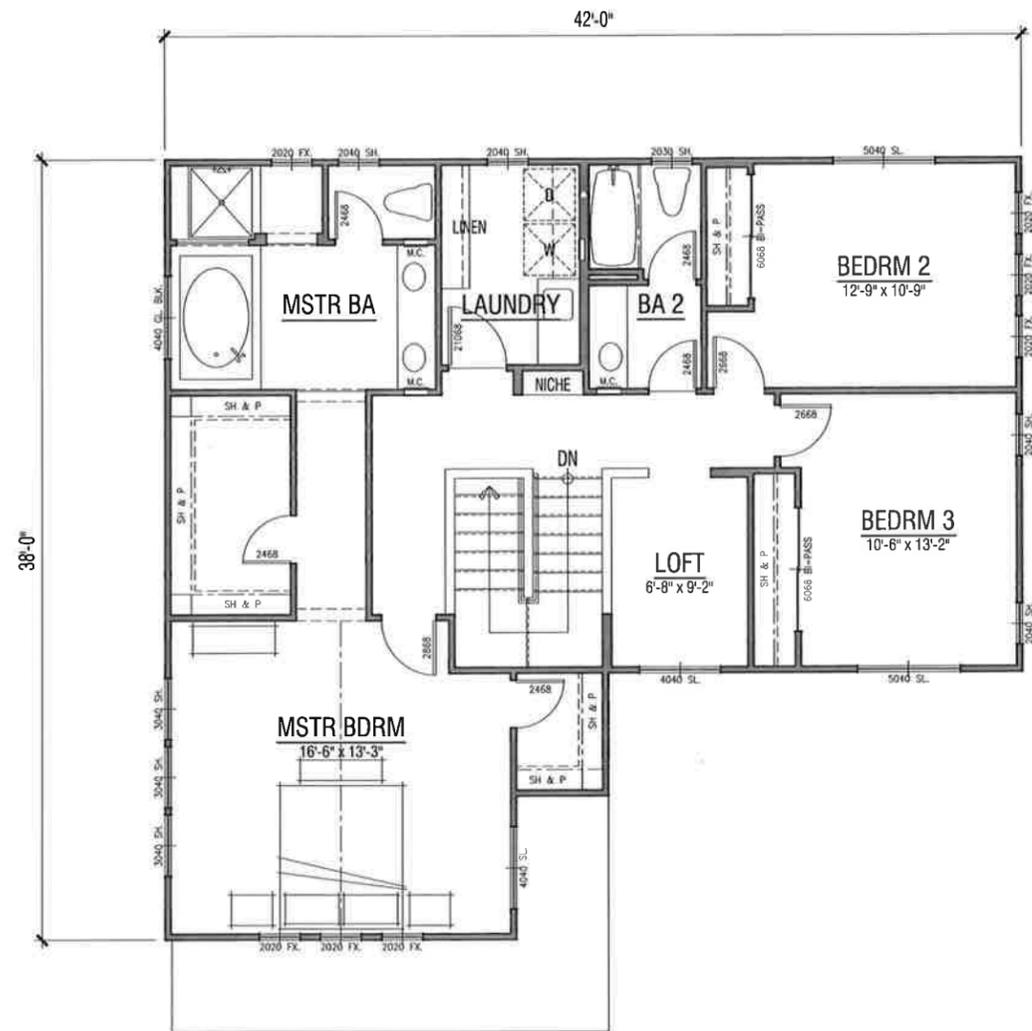
Living Area:	2022 Sq. Ft.
Lower Level:	789 Sq. Ft.
Upper Level:	1233 Sq. Ft.
Garage Area:	467 Sq. Ft.
Front Porch Area:	129 Sq. Ft.



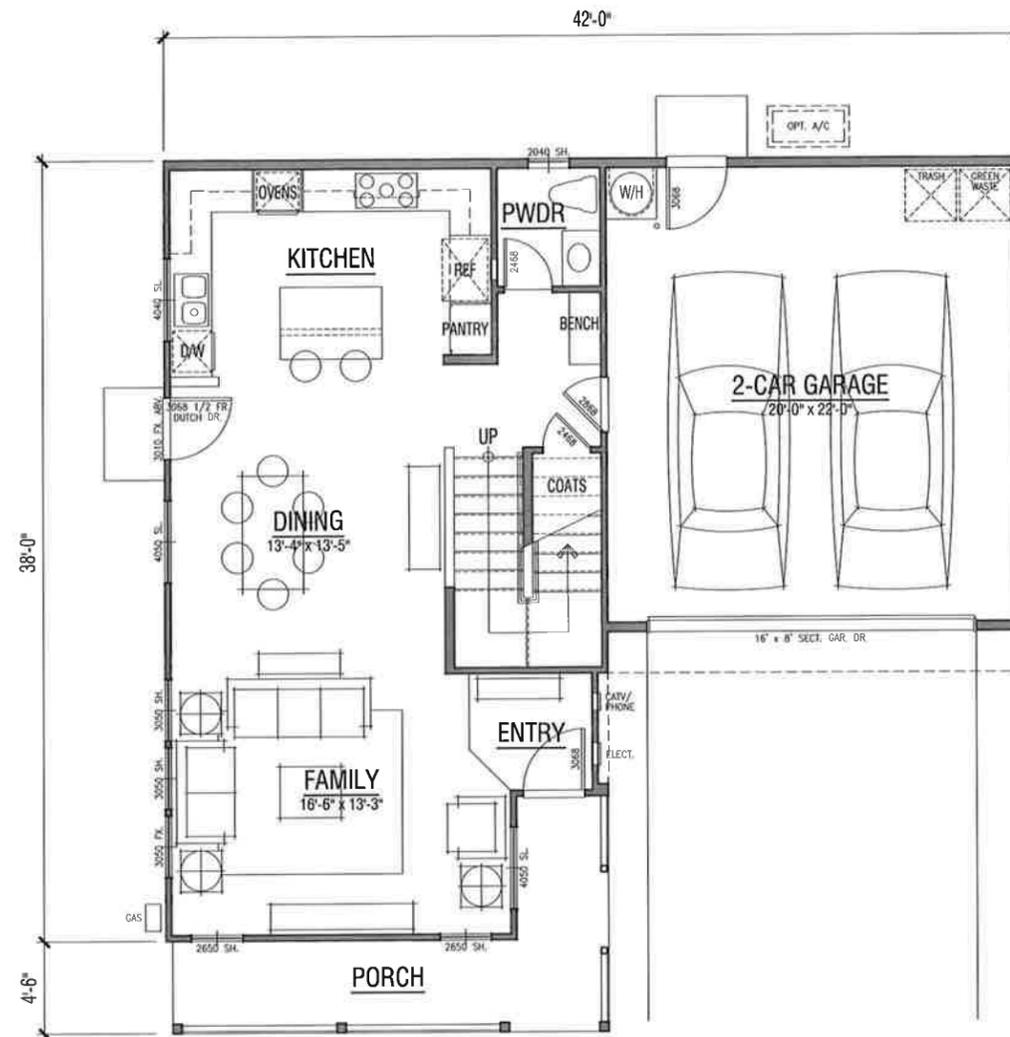
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Breakwater Isle
Costa Mesa, California
Harbinger Homes, Inc.

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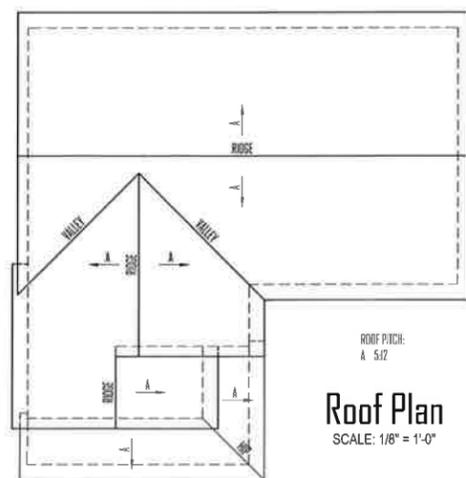
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Second Floor Plan



First Floor Plan

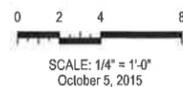


Roof Plan
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Conceptual Floor Plans

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39
Breakwater Isle
 Costa Mesa, California
 Harbinger Homes, Inc.

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 ARCHITECT LEED AP
 153 GILLETTE PLACE #108 LIVERMORE, CA 94550
 phone: 714 324-6396 email: ed@ecnaarchitecture.com

A2



Right Side
Elevation Shown in Color Scheme for Lot# 4

Rear
Elevation Shown in Color Scheme for Lot# 4

Left Side
Elevation Shown in Color Scheme for Lot# 4

Side & Rear Elevations - Lots 2 & 4
SCALE: 1/8" = 1'-0"



Front - Lot 4



Front - Lot 2

These illustrations are based on an Artist's concept, actual building colors and landscape design may differ slightly.

Exterior Materials

Roof:	High Profile Composition Shingle	Garage Door:	Insulated Metal Roll-up
Fascia:	Gutter o/ 2x6 Eave Board	Accents:	Trimmed Post & Beam @ Porch
Barge:	2x6 Rake Board		Standing Seam Metal Roof @ Porch
Walls:	3-Coat Stucco		Stone Veneer
Trim:	2x4 Head		Board & Batt Siding @ Gable End
	2x4 Jamb		Outlooker & Knee Brace @ Gable End
	2x Shaped Sill o/ 2x4 Apron		Simulated Wood Shutters
Windows:	Vinyl Frame w/ Dual Pane Glass	Note:	Trim at stucco walls to be Stucco o/ Foam (size as indicated above).
Doors:	Insulated Fiberglass Panel		

Conceptual Elevations
Elevation Style One

40

Breakwater Isle
Costa Mesa, California
Harbinger Homes, Inc.

0 2 4 8
SCALE: 1/4" = 1'-0"
September 24, 2015

<p>edward c. novak ARCHITECT LEED AP 153 GILLETTE PLACE #108 LIVERMORE, CA 94550 phone: 714 323-8395 email: ed@ecnaarchitecture.com</p>	A3
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Right Side - Lot 1
Elevation Shown in Color Scheme for Lot #1&5



Right Side - Lots 3 & 5
Elevation Shown in Color Scheme for Lot #3



Rear
Elevation Shown in Color Scheme for Lot #3



Left Side
Elevation Shown in Color Scheme for Lot #3

Side & Rear Elevations - Lots 1, 3 & 5
SCALE: 1/8" = 1'-0"



Front - Lot 3



Front - Lots 1 & 5

*These illustrations are based on an Artist's concept, actual building colors and landscape design may differ slightly.

Exterior Materials

Roof:	High Profile Composition Shingle	Garage Door:	Insulated Metal Roll-up
Fascia:	Gutter o/ 2x6 Eave Board	Accents:	Built-Up Columns @ Porch
Barge:	2x6 Rake Board		Standing Seam Metal Roof @ Porch
Walls:	3-Coat Stucco		Stone Veneer (Lots 1 & 5 Only)
Trim:	2x4 Head		Cementitious Lap Siding
	2x4 Jamb		Cementitious Shingle Siding
	2x Shaped Sill o/ 2x4 Apron		Simulated Wood Shutters
Windows:	Vinyl Frame w/ Dual Pane Glass	Note:	Trim at stucco walls to be Stucco o/ Foam (size as indicated above).
Doors:	Insulated Fiberglass Panel		

Conceptual Elevations
Elevation Style Two

41

Breakwater Isle
Costa Mesa, California
Harbinger Homes, Inc.

0 2 4 8
SCALE: 1/4" = 1'-0"
September 24, 2015

edward c. novak
ARCHITECT LEED AP
153 GILLETTE PLACE #108 LIVERMORE, CA 94550
phone: 714 323-8395 email: edj@ecnrarchitecture.com

A4



Note: These illustrations are based on an Artist's concept, actual building colors and landscape design may differ slightly

Simulated Photo

42
Breakwater Isle
Costa Mesa, California
Harbinger Homes, Inc.

SCALE: None
October 5, 2015

edward c. novak
ARCHITECT LEED AP
153 GILLETTE PLACE #108 LIVERMORE, CA 94550
phone: 714 323-8396 email: ed@ecnovak.com

A5

VESTING TENTATIVE TRACT MAP NO. 17974

FOR SINGLE FAMILY RESIDENCE PURPOSES
CITY OF COSTA MESA
COUNTY OF ORANGE, STATE OF CALIFORNIA

TITLE OF SUBDIVISION AND PROPOSED LAND USE

BREAKWATER ISLE
5 SINGLE FAMILY RESIDENCES

LEGAL DESCRIPTION

APN: 439-202-23
THE NORTHWESTERLY RECTANGULAR 1.32 FEET OF THE NORTHEASTERLY RECTANGULAR 300 FEET OF LOT 89 OF TRACT 376, AS PER MAP RECORDED IN BOOK 15, PAGE 29 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, EXCEPTING THE NORTHWESTERLY 57 FEET THEREOF

LAND AREA

22,500 S.F. OR 0.5165 ACRES +/- FOR BUILDING LOTS, PRIVATE STREETS, LANDSCAPING, UTILITIES & EMERGENCY ACCESS

FLOOD ZONE

THE SUBJECT PROPERTY LIES WITHIN "ZONE X" AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAN AS SHOWN ON THE FLOOD INSURANCE RATE MAP PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, MAP NUMBER 08058C02674, DATED DECEMBER 3, 2009

ADJACENT EXISTING LAND USE

NORTH: RECREATIONAL
SANTA ANA COUNTRY CLUB
20352 NEWPORT BLVD
SANTA ANA, CA 92707
(714) 556-3000
SOUTH: RESIDENTIAL
EAST: RESIDENTIAL
WEST: RESIDENTIAL

BASIS OF BEARING

THE BEARINGS SHOWN HEREON ARE BASED UPON THE BEARING BETWEEN O.C.S. HORIZONTAL CONTROL STATION GPS NO. "6170R1" AND STATION GPS NO. "6169R1" BEING NORTH 40°43'31" EAST, PER RECORDS ON FILE IN THE OFFICE OF GUIDA SURVEYING INC.

EXISTING EASEMENT NOTES

- AN EASEMENT FOR DRAINAGE AND INCIDENTAL PURPOSES FOR THE DOCUMENT RECORDED JUNE 21, 1960 IN BOOK 4457, PAGE 478 OF OFFICIAL RECORDS.

PROPOSED EASEMENT NOTES

- PROPOSED JOINT MAINTENANCE EASEMENT
- PROPOSED RECIPROCAL EASEMENT FOR ACCESS, PARKING AND JOINT MAINTENANCE FOR THE BENEFIT OF LOTS 1 THROUGH 5 AND AN EASEMENT TO THE CITY OF COSTA MESA FOR EMERGENCY VEHICLE AND PERSONNEL ACCESS, INGRESS AND EGRESS PURPOSES.
- PROPOSED RECIPROCAL EASEMENT FOR MAINTENANCE ACCESS, LANDSCAPE, AND DRAINAGE FOR THE BENEFIT OF THE ADJACENT LOT OWNER
- PROPOSED RECIPROCAL EASEMENT FOR PRIVATE DOMESTIC WATER SERVICE MAINTENANCE ACCESS

LOT SUMMARY

LOT	LOT AREA	BUILDING AREA	ADDRESS	DESCRIPTION
1	5462.50 SQ. FT.	0.13 AC	253 MESA DRIVE	SINGLE-FAMILY HOME
2	4200.00 SQ. FT.	0.10 AC	255 MESA DRIVE	SINGLE-FAMILY HOME
3	4200.00 SQ. FT.	0.10 AC	257 MESA DRIVE	SINGLE-FAMILY HOME
4	4200.00 SQ. FT.	0.10 AC	259 MESA DRIVE	SINGLE-FAMILY HOME
5	4437.50 SQ. FT.	0.10 AC	261 MESA DRIVE	SINGLE-FAMILY HOME
TOTAL	22,500.00 SQ. FT.	0.52 AC		

NOTES

- PROJECT IS LOCATED WITHIN THE NEWPORT-MESA UNIFIED SCHOOL DISTRICT.
- NO SCHOOL OR TRAFFIC IMPACT ANALYSIS REQUIRED FOR PROJECT. DEVELOPER TO PAY ALL REQUIRED FEES TO CITY/SCHOOL DISTRICT PER FEE SCHEDULE AT TIME OF BUILDING PERMIT ISSUANCE.
- NO SIGNAGE REQUIRED FOR PROJECT.
- DEVELOPER TO PROVIDE MAINTENANCE AGREEMENT FOR MAINTENANCE ASSOCIATION TO TAKE CARE OF COMMON AREA LANDSCAPE. MAINTENANCE AGREEMENT SHALL BE APPROVED BY CITY PRIOR TO ISSUANCE OF BUILDING PERMIT.
- ALL UNITS ARE EQUIPPED WITH FIRE SPRINKLERS.
- FINISHED FLOOR AND PAD ELEVATIONS SHOWN ARE PRELIMINARY.
- NO LAND AND/OR PARKS ARE BEING DEDICATED FOR PUBLIC USE. FEES TO BE PAID IF APPROPRIATE PRIOR TO BUILDING PERMIT ISSUANCE.
- EXISTING ZONING: R2-MB MULTI FAMILY RESIDENTIAL (MEDIUM DENSITY)
- THIS PROJECT HAS GROSS LOT DRAINAGE.
- PROPOSED ZONING: R2-MB MULTI FAMILY RESIDENTIAL (MEDIUM DENSITY)
- NUMBER OF UNITS: 5 DU
5 DU / 0.5165 AC = 9.68 DU/AC

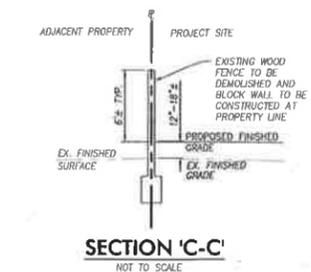
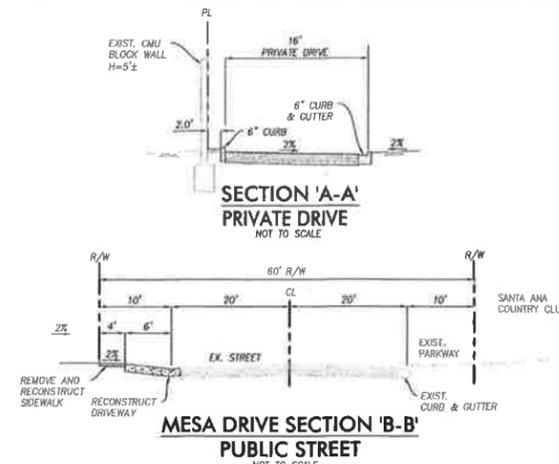
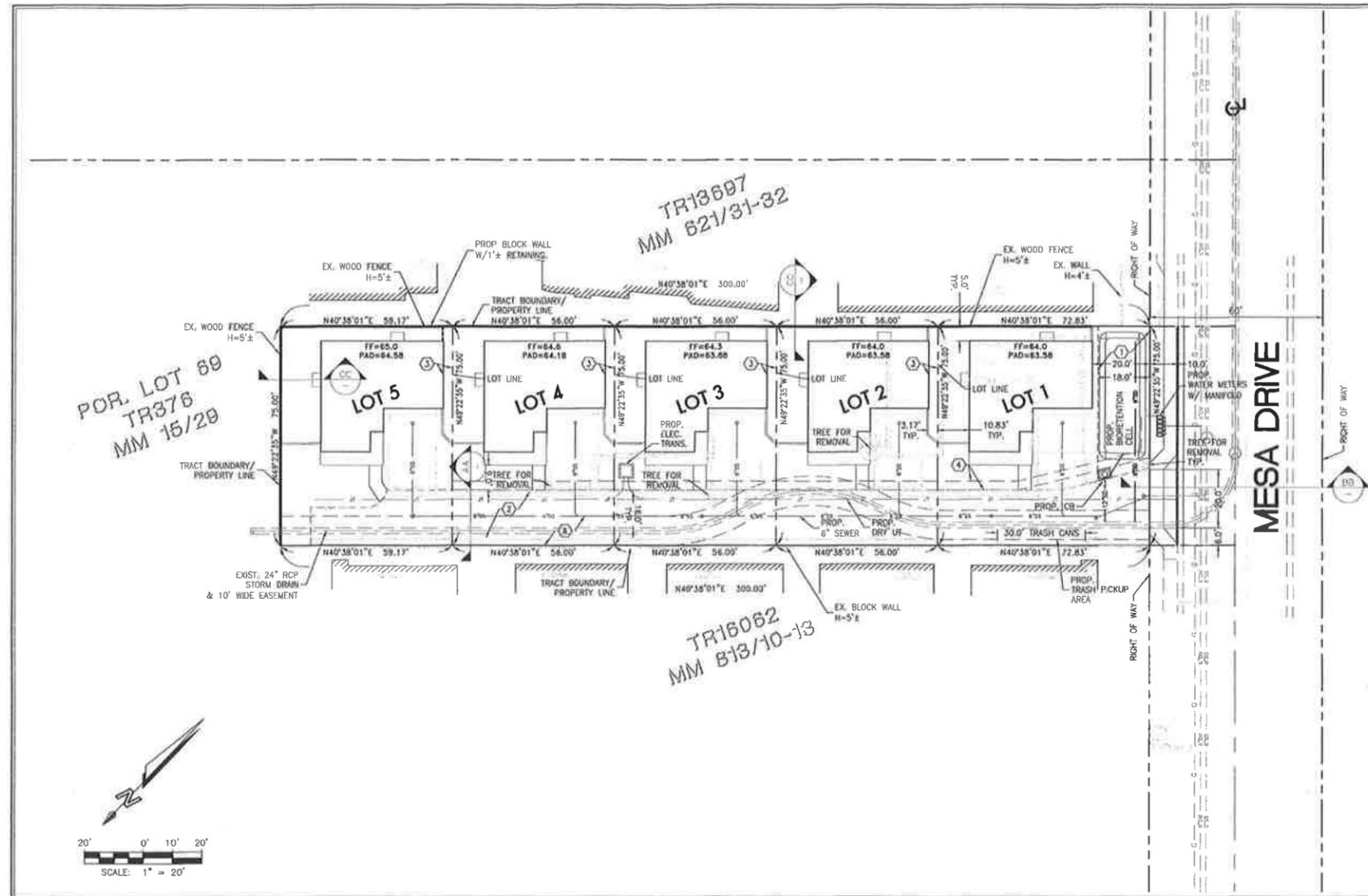


VICINITY MAP
N.T.S.

LEGEND OF ABBREVIATIONS AND SYMBOLS:

---	RIGHT-OF-WAY, PROPERTY LINE	□	PROP. WATER METER
—○—	CENTERLINE	⊕	PROP. WATER VALVE
---	CENTERLINE	⊖	PROP. BACK FLOW PREVENTOR
---	EXISTING CONTOUR	⊕	EXISTING UTILITY VALVE
---	PROPOSED CONTOUR	⊖	EXISTING UTILITY MANHOLE
---	FLOW ARROW & GRADE	⊕	GRATED INLET
---	JOINT TRENCH	⊖	CONCRETE PAVEMENT
---	STORM DRAIN MAIN	⊕	ENHANCED PAVING
---	DOMESTIC WATER LINE		
---	SEWER LINE		
---	EXISTING FIRE HYDRANT		
---	PROPOSED FIRE HYDRANT		

AC	ASPHALT CONCRETE	PR OR PROP	PROPOSED POLYVINYL CHLORIDE RIGID LINE
BW OR BOW	BACK OF WALKWAY	R	RADIUS
CB	CATCH BASIN	R/W	RIGHT OF WAY
CF	CURB FACE	SCE	SO CAL EDSON
CL	CENTER LINE	SD	STORM DRAIN
DM	DOMESTIC WATER	SS	SANITARY SEWER
D/W	GRIDWAY	ST STA	STREET STATION
EO	EXISTING GRADE	ST LT	STREET LIGHT
EX OR EXST	EXISTING FLOOR	STD	STANDARD
FF	FINISHED FLOOR	S/W	SIDEWALK
FL	FINISHED GRADE	TC	TOP OF CURB
FS	FINISHED SURFACE	TF	TOP OF FOOTING
GB	GRADE BREAK	TG	TOP OF GRADE
HP	HIGH POINT	TW	TOP OF WALL
INV	INVERT ELEVATION	TYP	TYPICAL
LA	LANDSCAPE AREA	VCP	VERIFIED CLAY PIPE
MH	MANHOLE		
OC	ON CENTER		
PL	PORTLAND CEMENT CONCRETE PROPERTY LINE		



43

REVISIONS	BENCHMARK & DATUM
	THE ELEVATIONS SHOWN HEREON ARE BASED ON ORANGE COUNTY SURVEY VERTICAL CONTROL NUMBER "04-51-85" ELEVATION 65.967 FEET (NAVD83) 1985 OCS ADJ.
	COORDINATES SHOWN HEREON ARE BASED ON THE CALIFORNIA SYSTEM (CCS 83), ZONE VI, 1983 NAD, 2007.00 EPOCH ADJUSTMENT.
	TOPOGRAPHIC FIELD SURVEY PERFORMED BY GUIDA SURVEYING INC. IN SEPTEMBER 2015

OWNER/SUBDIVIDER
HARBINGER HOMES, INC
137 MONTE VISTA AVENUE
COSTA MESA, CA 92627
CONTACT: KERRY SMITH
949.646.1103

VESTING TENTATIVE TRACT MAP NO. 17974
**BREAKWATER ISLE
COSTA MESA, CA**

ARCHITECT
**EDWARD C. NOVAK
ARCHITECT LEED AP**
153 GILLETTE PLACE #108
LIVERMORE, CA 94560
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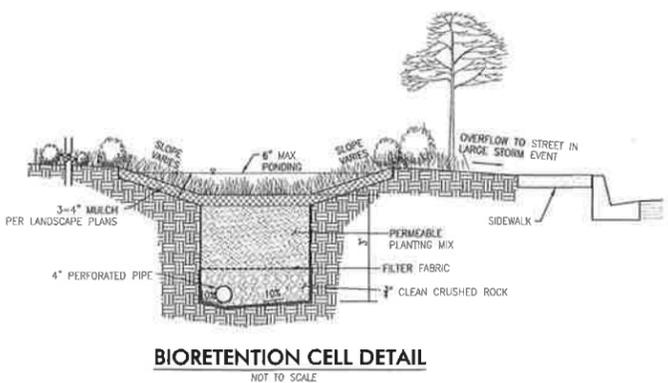
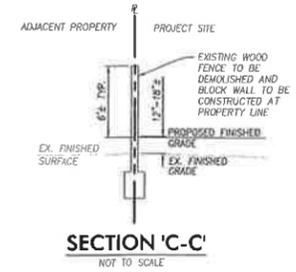
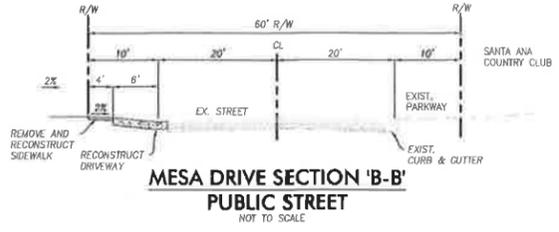
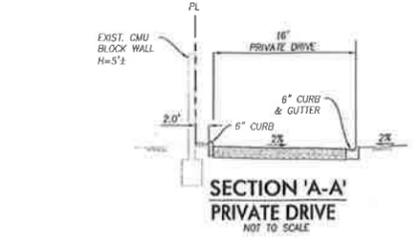
DATE: 10/06/2015
SCALE: AS SHOWN
SHEET #: 1 OF 2

**PRELIMINARY GRADING PLAN FOR
VESTING TENTATIVE TRACT MAP NO. 17974
FOR SINGLE FAMILY RESIDENCE PURPOSES
CITY OF COSTA MESA
COUNTY OF ORANGE, STATE OF CALIFORNIA**



**LEGEND OF ABBREVIATIONS
AND SYMBOLS:**

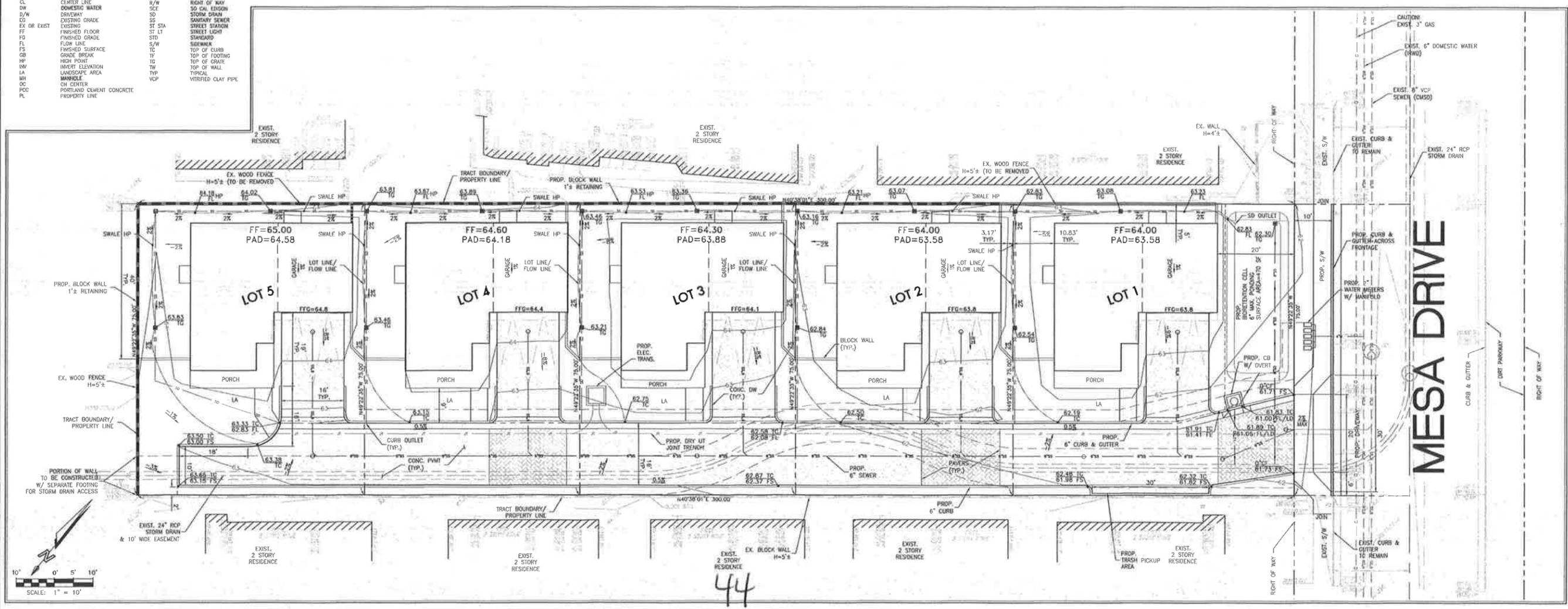
- RIGHT-OF-WAY, PROPERTY LINE
- CENTERLINE
- - - EXISTING CONTOUR
- - - PROPOSED CONTOUR
- - - FLOW ARROW & GRADE
- - - JOINT TRENCH
- - - STORM DRAIN MAIN
- - - DOMESTIC WATER LINE
- - - SEWER LINE
- - - EXISTING FIRE HYDRANT
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- PROP. WATER VALVE
- PROP. BACK FLOW PREVENTOR
- EXISTING UTILITY VALVE
- EXISTING UTILITY MANHOLE
- GRATED INLET
- CONCRETE PAVEMENT
- ENHANCED PAVING
- AC ASPHALT CONCRETE
- BR OR BOW BACK OR BOWWAY
- CB CATCH BASIN
- CL CURB FACE
- CL CENTERLINE
- D/W DOMESTIC WATER
- EG EXISTING GRADE
- EX OR EXIST EXISTING FLOOR
- FF FINISHED FLOOR
- FL FLOW LINE
- FS FINISHED SURFACE
- GB GRADE BREAK
- HP HIGH POINT
- INW INVERT ELEVATION
- LA LANDSCAPE AREA
- MAN MANHOLE
- OC ON CENTER
- PCC PORTLAND CEMENT CONCRETE
- PL PROPERTY LINE
- PR OR PROP POLYMER MODIFIED ASPHALT
- PVC POLYVINYL CHLORIDE
- R RIDGE LINE
- R/W RIGHT OF WAY
- SCE 50 CAL ERIKSON STORM DRAIN
- SD STORM DRAIN
- SS SANITARY SEWER
- ST STA STREET LIGHT
- STD STANDARD
- S/W SIDEWALK
- TC TOP OF CURB
- TF TOP OF FOOTING
- TG TOP OF GRADE
- TW TOP OF WALL
- TYP TYPICAL
- VCP VITRIFIED CLAY PIPE



ESTIMATED EARTHWORK QUANTITY

CUT (CY)	FILL (CY)	BALANCE (CY)
181	70	<115>
<181>	-	-
-	10	-
100	80	(20) CUT

SUBSIDENCE @ 0.1'
SHRINKAGE @ 10%



REVISIONS

NO.	DATE	DESCRIPTION

BENCHMARK & DATUM
THE ELEVATIONS SHOWN HEREON ARE BASED ON ORANGE COUNTY SURVEY VERTICAL CONTROL NUMBER "CM-51-89" ELEVATION 65.967 FEET (NAVD83) 1995 OCS ADJ.
COORDINATES SHOWN HEREON ARE BASED ON THE CALIFORNIA SYSTEM, (CCS 83), ZONE VI, 1983 NAD, 2007.00 EPOCH ADJUSTMENT.
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PRELIMINARY GRADING PLAN
BREAKWATER ISLE
COSTA MESA, CA

ARCHITECT
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Irvine, California 92618
Tel 949.474.1840 • Fax 949.474.5315
www.fuscoe.com



DATE: 10/06/2015
SCALE: AS SHOWN
SHEET #: 2 OF 2



PLANNING COMMISSION SUPPLEMENTAL MEMO

MEETING DATE: November 9, 2015

ITEM NUMBER: PH-1

SUBJECT: PLANNING APPLICATION PA-15-41 AND TENTATIVE TRACT MAP TT-17974 FOR FIVE-UNIT, SMALL LOT SUBDIVISION RESIDENTIAL DEVELOPMENT AT 261 MESA DRIVE

DATE: NOVEMBER 6, 2015

FROM: PLANNING DIVISION/DEVELOPMENT SERVICES DEPARTMENT

PRESENTATION BY: DANIEL INLOES, ASSOCIATE PLANNER

FOR FURTHER INFORMATION CONTACT: DANIEL INLOES, AICP (714) 754-5088
daniel.inloes@costamesaca.gov

This memo is intended to provide: a) additional letter submitted by the Engineering Department and b) a revised resolution in regards to the engineering conditions of approval. Based on additional information within the Engineering Letter for the Vesting Tentative Tract No. 17974 the project will include a proposed condition of approval which requires the applicant to underground utility wires along the street frontage of the subject property.

Attachments: 1. Revised Resolution
2. Engineering Letter

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)

Owner: Kerry Smith
137 Monte Vista Avenue
Costa Mesa, CA 92627

Authorized Agent: Kerry Smith
137 Monte Vista Avenue
Costa Mesa, CA 92627

RESOLUTION NO. PC-15-

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF COSTA MESA APPROVING
PLANNING APPLICATION PA-15-41 AND TENTATIVE
TRACT MAP TT-17974 FOR PROPERTY LOCATED
AT 261 MESA DRIVE**

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

WHEREAS, an application was filed by Kerry Smith, representing Barbara Jensen Trust, the property owner, requesting approval of the following:

1. **Planning Application PA-15-41:** Design Review to construct a five-unit, two-story, detached residential development on a 22,500 square foot lot
2. **Tentative Tract Map TT-17974:** A Residential Small Lot Subdivision consisting of five fee simple 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 15332 for In-Fill Development Projects.

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 November 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-15-41 and Tentative Tract Map TT-17974.

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-15-41 and Tentative Tract Map TT-17974 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 of November, 2015.

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

EXHIBIT A

FINDINGS (APPROVAL)

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

Finding: The project complies with the City of Costa Mesa Zoning Code and meets the purpose and intent of the Residential Design Guidelines, which are intended to promote design excellence in new residential construction, with consideration being given to compatibility with the established residential community. This design review includes site planning, preservation of overall open space, landscaping, appearance, mass and scale of structures, location of windows, varied roof forms and roof plane breaks, and any other applicable design features.

Facts in Support of Findings: The architectural design of the development meets the intent of the City's Residential Development Standards and Design Guidelines and promotes design excellence with consideration given to site planning and building orientation, overall open space, landscaping and architectural design. Second floor windows will be required to be offset or frosted to minimize direct views onto adjacent second floor residential windows, and the elevations will have exterior elevation treatments as recommended in the City's Residential Design Guidelines.

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

Facts in Support of Findings: The proposed two-story structures are in keeping with the rest of the neighborhood which has a variety of two-story buildings. The elevations of the proposed residences include a variety of materials, articulating roof lines, and use of window treatments to highlight the vertical offsets and horizontal floor to floor transitions. The project will be conditioned to provide a first story window on the front façade of the residence next to Mesa Drive. This help the project address the street and provide a human scale accent along Mesa Drive.

Finding: The proposed development plan and subdivision meets the broader goals of the General Plan, and the Zoning Code by exhibiting excellence in design, site planning, integration of uses and structures and protection of the integrity of neighboring development.

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

- B. The proposed tentative tract 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 LU-1A, LU-1A.4, and LU-2 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 development, and encourages increased private market investment that requires no greater demand for infrastructure.

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

Facts in Support of Findings: The density for the residential component is 10 units per acre (5 units), which complies with allowable density of 12 units per acre (6 units maximum) per the General Plan.

Finding: The subject property is physically suitable to accommodate the subdivision in terms of type, design, and density of development, and will not result in substantial environmental damage nor public health problems, based on compliance with the Zoning Code and General Plan, and consideration of appropriate environmental information.

Facts in Support of Findings: The overall design reflects a quality project that is consistent with the intent of the Zoning Code and General Plan. The project site is developed with a multi-family residence, and does not have any sensitive environmental resources. The proposed project will provide for high-quality housing and not impede upon the health, safety, and welfare of the surrounding community.

Finding: The design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision, as required by State Government Code Section 66473.1.

Facts in Support of Findings: The proposed buildings include openings in an east-west direction toward sea breezes but for a parcel this shape providing multiple single family homes require this orientation. There are portions of the roof which are south facing therefore have the potential to provide for active solar heating and energy generation through the use of solar panels.

Finding: The subdivision and development of the property will not unreasonably interfere with the free and complete exercise of the public entity and/or public utility rights-of-way and/or easements within the tract.

Facts in Support of Findings: As conditioned, the proposed project does not interfere with the public right-of-way nor public utility right of way dedication or easements. The project will be required to underground utility wires which extend over the property.

Finding: The discharge of sewage from this subdivision into the public sewer system will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000 of the Water Code).

Facts in Support of Findings: The applicant will be required to comply with all regulations set forth by the Costa Mesa Sanitation District as well as the Mesa Water District.

- C. The 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 15332 for In-Fill Development Projects. This exemption allows for the construction of up to six multi-family residential structures in urbanized areas, which have been determined not to have a significant effect on the environment.

- 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-15-05 shall coincide with the expiration of the approval of the Tentative Parcel Map T-17974 which is valid for two years. An extension request is needed to extend the expiration for each additional year after the initial two-year period.
 2. The conditions of approval of PA-15-41 and T-17974 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
 3. The Tentative Tract Map shall be processed as a tentative map consistent with Chapter XI. Subdivisions, Article 1. Tentative Maps, of the Zoning Code.
 4. Prior to issuance of building permits, the applicant shall provide proof of recordation of Tentative Tract Map T-17974.
 5. A decorative 6-foot high perimeter block wall approved by the Development Services Director, shall be constructed along the side, rear, and front boundaries of the development lot prior to issuance of certificates of occupancy unless otherwise approved by the Development Services Director. Where walls on adjacent properties already exist, the applicant shall work with the adjacent property owner(s) to prevent side-by-side walls with gaps in between them and/or provide adequate privacy screening by trees and landscaping.
 6. The interior fences or walls between the individual dwelling units shall be a minimum of six feet in height.
 7. All future walls and fences within front yard setback along Mesa Drive shall conform to the standards per the Walls, Fences, and Landscaping Standards and Specifications.
 8. To avoid an alley-like appearance, the driveway shall not be developed with a center concrete swale. The driveway shall be complemented by pavers in order to reduce damage caused by sanitary trucks entering site for trash pickup.
 9. The open, unassigned parking space located between at the end of the common drive shall be clearly marked as guest parking space only. Signage shall be posted to indicate that this space is available only to guests and visitors and not used for resident parking.
 10. 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. This includes any modification not consistent with the proposed composition shingle and standing metal seam roofs, horizontal lap and vertical wood siding, sand finish stucco, 24-inch and 12-inch board and batten siding, stacked block decorative material, decorative metal roll-up garage doors, and columns along front entry

porches. Any modification should be consistent to originally proposed colors, including the various grays and earthen tones. 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.

11. 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.
12. 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.
13. 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.
14. The CC&Rs shall contain a notice that the open parking space (not leading to a garage) shall be unassigned and available for visitors. The CC&Rs shall also contain provisions related to use, preservation and maintenance of the common drive aisle and open space areas in perpetuity by the maintenance or homeowner's association
15. The CC&Rs shall contain provisions requiring that the maintenance or homeowner's association effectively manage parking and contract with a towing service to enforce the parking regulations.

16. The Homeowner's Association or Maintenance Association shall submit a signed affidavit to the City of Costa Mesa on an annual basis to certify the following:
 - a. The two-car garages in the residential community are being used for vehicle parking by the resident(s).
 - b. The vehicle parking areas within the garage are not obstructed by storage items, including but not limited to, toys, clothing, tools, boxes, equipment, etc.
 - c. The resident(s) have consented to voluntary inspections of the garage to verify the parking availability, as needed.

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

17. 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.
18. 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.
19. Applicant is encouraged to increase the depth of landscape planters by two feet to allow curbing to serve as a wheel stop.
20. The landscaping of this project shall comply with the City's landscaping requirements and guidelines.
21. Second floor windows will be offset from neighboring residence windows to avoid privacy issues to the second story windows of abutting properties. Windows which cannot be offset must be frosted or elevated to maintain privacy.
- Trans 22. Prior to issuance of building permit, developer shall remit traffic impact fee pursuant to the prevailing schedule of charges adopted by City Council at

the time the vesting tentative tract map was deemed complete. The Traffic Impact fee is currently estimated at **\$700.00**, as determined by the date the vesting tentative tract map was deemed complete. Developer shall contact the Transportation Services Division for a final estimate prior to issuance of building permits. Developer shall remit the traffic impact fee to the Planning Division.

- Eng 23. Comply with the requirements contained in the letter prepared by the City Engineer (Exhibit B1).
24. Maintain the public right-of-way in a "wet-down" condition to prevent excessive dust and promptly remove any spillage from the public right-of-way by sweeping or sprinkling.
- Pkwys 25. Plant one 24 inch box tree along Mesa Drive parkway. Species may be proposed by applicant but type of tree must be approved by Public Services.

CODE REQUIREMENTS

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

- Plng. 1. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections, final occupancy and utility releases will not be granted until all such licenses have been obtained.
2. Applicant shall provide the City with proof of general liability insurance including endorsements concerning "additional named insured", "advance notice", and "primary coverage" as approved by the City attorney's office.
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. Prior to issuance of building permits, applicant shall contact the US Postal Service with regard to location and design of mail delivery facilities. Such facilities shall be shown on the site plan, landscape plan, and/or floor plan.
5. 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.
6. A minimum 20-foot by 20-foot clear interior dimension shall be provided for all garages.
7. Minimum garage door width shall be 16 feet.
8. All garages shall be provided with automatic garage door openers.

9. Hours of construction shall comply with Section 13-279, Title 13, of the Costa Mesa Municipal Code.
10. Two 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.
11. Two sets of landscape and irrigation plans, approved by the Planning Division, shall be attached to two of the final building plan sets.
12. All on-site utility services shall be installed underground.
13. 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.
14. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.
15. Prior to approval of plans, the project shall fulfill the City of Costa Mesa Drainage Ordinance No. 06-19 requirements.
16. 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.
17. All noise-generating construction activities shall be limited to 7 a.m. to 7 p.m. Monday through Friday and 9 a.m. to 6 p.m. Saturday. Noise-generating construction activities shall be prohibited on Sunday and the following Federal holidays: New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
18. Planning Commission action on PA-15-41 shall not become final until seven days following final action.
19. Landscaping and irrigation shall be installed in accordance with the approved plans prior to final inspection or occupancy clearance.
20. The project shall comply with Title 24 of the California Code of Regulations established by the energy conservation standards. The project Applicant shall incorporate the following in building plans:
 - a. Double paned glass or window treatment for energy conservation shall be used in all exterior windows.
 - b. Building shall be oriented north/south where feasible.

21. Trash facilities shall be screened from view, and designed and located appropriately to minimize potential noise and odor impacts to residential areas.
22. Prior to issuance of building permits, the applicant shall provide the Conditions, Covenants, and Restrictions (CC&Rs) to the Development Services Director and City Attorney's office for review. The CC&Rs must be in a form and substance acceptable to, and shall be approved by the Development Services Director and City Attorney's office.
 - a. The CC&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.
23. Prior to final inspection 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.
- Bldg. 24. Comply with the requirements of the 2013 California Building Code, 2013 California Residential Code, 2013 California Electrical Code, 2013 California Mechanical Code, 2013 California Plumbing Code, 2013 California Green Building Standards Code and 2013 California Energy Code (or the applicable adopted, California Building Code, California Residential Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards, and California Energy Code at the time of plan submittal or permit issuance) and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa. Areas of alteration and additions shall comply with 2013 California Green Building Standards Code section 5.303.2 and 5.303.2.
25. Submit a precise grading plans, an erosion control plan and a hydrology study. If it is determined that a grading plan is not required a drainage plan shall be provided . A precise grading plan shall not be required if

any of the following are met:

1. An excavation which does not exceed 50 CY on any one site and which is less than 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.
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26. Submit a soils report for this project. Soil's report recommendations shall be blueprinted on both the architectural and grading plans. For existing slopes or when new slopes are proposed, the soils report shall address how existing or new slopes will be maintained to avoid erosion or future failure.
 27. On graded sites the top of exterior foundation shall extend above the elevation of the street gutter at point of discharge or the inlet of an approved discharge devise a minimum of 12 inches plus 2 percent. 2013 California Building Code CRC 403.1.7.3.
 28. Lots shall be graded to drain surface water away from foundation walls. The grade shall fall a minimum of six inches within the first 10 feet. CRC R401.3.
 29. Projections, including eaves, shall be one-hour fire resistive construction, heavy timber or noncombustible material if they project into the 5-foot setback area from the property line. They may project a maximum of 12 inches beyond the 3-foot setback. CRC Tables R302.1 (1) and R302.1 (2).
 30. Prior to the issuance of Grading Permits, the project Applicant shall provide the City of Costa Mesa Department of Building Safety with a geotechnical investigation of the project site detailing recommendations for remedial grading in order to reduce the potential of onsite soils to cause unstable conditions. Design, grading, and construction shall be performed in accordance with the requirements of the California Building Code applicable at the time of grading, appropriate local grading regulations, and the recommendations of the geotechnical consultant as summarized in a final written report, subject to review by the City of Costa Mesa Department of Building Safety.
 31. During demolition, grading, and excavation, workers shall comply with the requirements of Title 8 of the California Code of Regulations, Section 1532.1, which provides for exposure limits, exposure monitoring, respiratory protection, and good working practice by workers exposed to lead. Lead-contaminated debris and other wastes shall be

managed and disposed of in accordance with the applicable provision of the California Health and Safety Code.

32. During demolition, grading, and excavation, workers shall comply with the requirements of Title 8 of the California Code of Regulations, Section 1529, which provides for exposure limits, exposure monitoring, respiratory protection, and good working practices by workers exposed to asbestos. Asbestos-contaminated debris and other wastes shall be managed and disposed of in accordance with the applicable provision of the California Health and Safety Code.
33. All construction contractors shall comply with South Coast Air Quality Management District (SCAQMD) regulations, including Rule 403, Fugitive Dust. All grading (regardless of acreage) shall apply best available control measures for fugitive dust in accordance with Rule 403. To ensure that the project is in full compliance with applicable SCAQMD dust regulations and that there is no nuisance impact off the site, the contractor would implement each of the following:
 - a. Moisten soil not more than 15 minutes prior to moving soil or conduct whatever watering is necessary to prevent visible dust emissions from exceeding 100 feet in any direction.
 - b. Apply chemical stabilizers to disturbed surface areas (completed grading areas) within five days of completing grading or apply dust suppressants or vegetation sufficient to maintain a stabilized surface.
 - c. Water excavated soil piles hourly or covered with temporary coverings.
 - d. Water exposed surfaces at least twice a day under calm conditions. Water as often as needed on windy days when winds are less than 25 miles per day or during very dry weather in order to maintain a surface crust and prevent the release of visible emissions from the construction site.
 - e. Wash mud-covered tired and under-carriages of trucks leaving construction sites.
 - f. Provide for street sweeping, as needed, on adjacent roadways to remove dirt dropped by construction vehicles or mud, which would otherwise be carried off by trucks departing project sites.
 - g. Securely cover loads with a tight fitting tarp on any truck leaving the construction sites to dispose of debris.
 - h. Cease grading during period when winds exceed 25 miles per hour.

- Trans.
34. Construct all proposed driveway approaches to comply with city standards.
 35. Fulfill mitigation of off-site traffic impacts at the time of issuance of occupancy by submitting to the Planning Division the required traffic impact fee pursuant to the prevailing schedule of charges adopted by the City Council. The traffic impact fee is calculated including credits for all existing uses. The current estimate is \$700.00. NOTE: The Traffic Impact Fee will be recalculated at the time of issuance of building

permit/certificate of occupancy based upon any changes in the prevailing schedule of charges adopted by the City Council and in effect at that time.

36. Close unused drive approaches, or portion of, with full height curb and gutter that comply with City Standards.
- Fire 37. Prior to the issuance of a Building Permit, the City of Costa Mesa Fire Department shall review and approve the project design features to assess compliance with the California Building Code and California Fire Code.
38. The project shall provide an automatic fire sprinkler system according to NFPA 13D.
39. 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.
- Eng 40. 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.
41. 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.
42. 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.
43. 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.
44. 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.
45. 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.

46. Fulfill Drainage Fee requirements per City of Costa Mesa Ordinance No. 06-19 prior to approval of Final Map/Approval of Plans.
47. 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, using latest version of template dated August 2011, shall be 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

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

- | | |
|--------|--|
| Sani. | <ol style="list-style-type: none">1. Applicant will be required to construct sewers to serve this project, at his own expense, meeting the approval of the Costa Mesa Sanitary District.2. County Sanitation District fees, fixture fees, inspection fees, and sewer permit are required prior to installation of sewer.3. Applicant shall submit a plan showing sewer improvements that meets the District Engineer's approval to the Building Division as part of the plans submitted for plan check.4. The applicant is required to contact the Costa Mesa Sanitary District at (949) 645-8400 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 (949) 645-8400 to pay trash collection program fees and arrange for service for all new residences. Residences using bin or dumpster services are exempt from this requirement.6. Applicant shall contact Costa Mesa Sanitary District at (949) 654-8400 for any additional district requirements. |
| AQMD | <ol style="list-style-type: none">7. Applicant shall contact the Air Quality Management District (AQMD) at (800) 288-7664 for potential additional conditions of development or for additional permits required by AQMD. |
| Water | <ol style="list-style-type: none">8. Customer shall contact the Mesa Water District – Engineering Desk and submit an application and plans for project review. Customer must obtain a letter of approval and a letter of project completion from Mesa Water District. |
| School | <ol style="list-style-type: none">9. Pay applicable Newport Mesa Unified School District fees to the Building |

Division prior is issuance of building permits.

- State 10. Comply with the requirements of the California Department of Food and Agriculture (CDFA) to determine if red imported fire ants (RIFA) exist on the property prior to any soil movement or excavation. Call CDFA at (714) 708-1910 for information.
- Cable 11. The applicant shall contact the current cable company prior to issuance of building permits to arrange for pre-wiring for future cable communication service.

RESOLUTION NO. PC-15-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DENYING PLANNING APPLICATION PA-15-41 AND TENTATIVE TRACT MAP TT-17974 FOR PROPERTY LOCATED AT 261 MESA DRIVE

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

WHEREAS, an application was filed by Kerry Smith, representing Barbara Jensen Trust, the property owner, requesting approval of the following:

1. **Planning Application PA-15-41:** Design Review to construct a 5-unit, two-story, detached residential development on a 22,500 square foot lot.
2. **Tentative Tract Map TT-17974:** A Residential Small Lot Subdivision consisting of six fee simple lots.

WHEREAS, a duly noticed public hearing was held by the Planning Commission on November 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-15-41 and Tentative Tract Map TT-17974.

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

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

EXHIBIT A

FINDINGS (DENIAL)

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

Finding: The project does not comply with the City of Costa Mesa Zoning Code or meets the purpose and intent of the Residential Design Guidelines, which are intended to promote design excellence in new residential construction, with consideration being given to compatibility with the established residential community. This design review includes site planning, preservation of overall open space, landscaping, appearance, mass and scale of structures, location of windows, varied roof forms and roof plane breaks, and any other applicable design features.

Finding: The visual prominence associated with the construction of two-story homes in a predominately one-story neighborhood has not been reduced through appropriate transitions between the first and second floors and the provision of second floor offsets to avoid long unarticulated two-story walls.

Finding: The proposed development plan and subdivision does not meet the broader goals of the General Plan, and the Zoning Code by exhibiting excellence in design, site planning, integration of uses and structures and protection of the integrity of neighboring development.

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

Findings:

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

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

Findings:

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

compatible and attractive development.

- D. The subdivision of the property for a residential common interest development is not consistent with the City's General Plan and Zoning Code.
- E. The Costa Mesa Planning Commission has denied Planning Application PA-15-05 and Tentative Tract Map TT-17839. 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.



CITY OF COSTA MESA

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

FROM THE DEPARTMENT OF PUBLIC SERVICES/ENGINEERING DIVISION

November 5, 2015

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

SUBJECT: Vesting Tentative Tract No. 17974
LOCATION: 261 Mesa Drive

Dear Commissioners:

Vesting Tentative Tract Map No. 17974 as furnished by the Planning Division for review by the Public Services Department consists of subdividing one lot into five numbered lots. Vesting Tentative Tract Map No. 17974 meets with the approval of the Public Services Department, subject to the following conditions:

1. The Tract shall be developed in full compliance with the State Map Act and the City of Costa Mesa Municipal Code (C.C.M.M.C.), except as authorized by the Costa Mesa City Council and/or Planning Commission. The attention of the Subdivider and his engineer is directed to Section 13-208 through 13-261 inclusive, of the Municipal Code.
2. The Subdivider shall conduct soil investigations and provide the results to the City of Costa Mesa Engineering and Building Divisions pursuant to Ordinance 97-11.
3. Two copies of the Final Tract Map shall be submitted to the Engineering Division for checking. Map check fee shall be paid per C.C.M.M.C. Section 13-231.
4. A current copy of the title search shall be submitted to the Engineering Division with the first submittal of the Final Tract Map.
5. Dedicate an ingress/egress easement to the City for emergency and public security vehicles purposes only. Maintenance of easement shall be the sole responsibility of a Homeowners Association formed to conform to Section 13-41 (e) of the C.C.M.M.C.
6. Vehicular and pedestrian access rights to Mesa Drive shall be released and relinquished to the City of Costa Mesa except at approved access locations.
7. 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.
8. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then construct P.C.C. driveway approach per City of Costa Mesa Standards as shown on the Offsite Plan. Location and dimensions are subject to the approval of the Transportation Services Manager.

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9. Submit for approval to the City of Costa Mesa, Engineering Division, Street Improvement and Storm Drain Plans, that show Sewer and Water Improvements, prepared by a Civil Engineer.
10. The Subdivider shall submit a cash deposit of \$730 for street sweeping at time of issuance of a Construction Access permit. Full amount of deposit shall be maintained on a monthly basis prior to and during construction until completion of project.
11. Fulfill City of Costa Mesa Drainage Ordinance No. 06-19 requirements prior to approval of Final Tract Map
12. The Subdivider's engineers shall furnish the Engineering Division a storm runoff study to the City of Costa Mesa showing existing and proposed facilities and the method of draining this area and tributary areas without exceeding the capacity of any street or drainage facility on-site or off-site. This study to be furnished with the first submittal of the Final Tract Map. Cross lot drainage shall not occur.
13. In order to comply with the latest 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 City of Costa Mesa and City of Newport Beach Engineering Divisions for review and approval.
 - 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.
 - Location of BMPs shall not be within the public right-of-way.
14. Ownership and maintenance of the private on-site drainage facilities, BMPs, parkway culverts and other common areas shall be transferred by the owner to the Homeowner Association to be formed pursuant to C.C.M.M.C. Section 13-41 (e) and said association shall indemnify and hold harmless the City of Costa Mesa and City of Newport Beach for any liability arising out of or in any way associated with the connection of the private drainage system with the City's drainage system and shall execute and deliver to the City of Costa Mesa and City of Newport Beach the standard (indemnity) Hold Harmless Agreement required for such conditions prior to issuance of permits.
15. Sewer improvements shall meet the approval of the Costa Mesa Sanitary District; call (949) 631-1731 for information.
16. Water system improvements shall meet the approval of Mesa Water District; call (949) 631-1200 for information.
17. Dedicate easements as needed for public utilities.
18. The applicant shall be required to underground utilities in the public right of way along Mesa Drive of the development site. The applicant shall submit an application to Southern California Edison (SCE) for a determination on the design and all other logistical requirements for the undergrounding. Unless the proposed undergrounding is not considered feasible by Southern California Edison (i.e. SCE determines that the pole must remain above ground for specified reasons), the Public Services Director shall require compliance with this condition of approval. If the applicant requests a waiver from this undergrounding requirement, the request shall be

brought to the Planning Commission for consideration (re-submittal of the Planning Application/Tentative Tract Map is not required).

19. Prior to recordation of a Final Tract Map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Subarticle 12, Section 7-9-337 of the Orange County Subdivision Code.
20. Prior to recordation of a Final Tract Map, the surveyor/engineer preparing the map shall submit to the County Surveyor a digital-graphics file of said map in a manner described in Subarticle 12, Section 7-9-337 of the Orange County Subdivision Code.
21. Survey monuments shall be preserved and referenced before construction and replaced after construction, pursuant to Section 8771 of the Business and Profession Code.
22. The elevations shown on all plans shall be on Orange County benchmark datum.
23. Prior to recordation of a Final Tract Map, submit required cash deposit or surety bond to guarantee monumentation. Deposit amount to be determined by the City Engineer.
24. Prior to occupancy on the Tract, the surveyor/engineer shall submit to the City Engineer a Digital Graphic File, reproducible mylar of the recorded Tract Map, and approved off-site plan and nine copies of the recorded Tract Map.

Sincerely,


For Fariba Fazeli, P. E.
City Engineer

(Engr. 2015/Planning Commission Tract 17974)