



PLANNING COMMISSION

AGENDA REPORT

MEETING DATE: DECEMBER 14, 2015

ITEM NUMBER: PH-2

SUBJECT: PLANNING APPLICATION PA-15-39 AND TENTATIVE PARCEL MAP NO. 2015-170 FOR A DESIGN REVIEW AND SUBDIVISION MAP FOR AN ATTACHED TWO-UNIT COMMON INTEREST DEVELOPMENT AT 217 CABRILLO STREET.

DATE: DECEMBER 1, 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

DESCRIPTION

The proposed project involves the following:

- 1. Design Review of PA-15-39** for a common interest development consisting of two, two-story attached single family residences of approximately 2,190 square feet square feet each with attached two-car garages at 217 Cabrillo Street. The proposal features four bedroom/ three bath units and two-story wood frame construction in the traditional form and neo-eclectic style. The proposed project complies with the Code-required residential development standards and the Residential Design Guidelines. The proposal does not involve any requests for variances or administrative adjustments.
- 2. Tentative Parcel Map No. 2015-170** to facilitate the air space subdivision of the property into a common interest condominium development. The subdivision will allow the units to be sold independent of one another.

The project was continued by the Planning Commission on November 23, 2015 to allow time for the applicant to generate additional visuals in color for the project (see attachments for additional exhibits). Additional analysis is also provided in regards to the orientation of the rear unit to the alley based on a concern expressed at the meeting (see Analysis section of the staff report).

APPLICANT

The applicant is Gavin Sermon, authorized agent for the property owner, Joe Kaneko / Windmill Investment LLC.

RECOMMENDATION

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

PLANNING APPLICATION SUMMARY

Location: 217 Cabrillo Street Application Number: PA-15-39/PM 2015-170

Request: Design review of a two-unit residential development and a subdivision map.

SUBJECT PROPERTY:

Zone: R2-MD
 General Plan: MDR
 Lot Dimensions: 50 FT x 135.08 FT
 Lot Area: 6,754 SF
 Existing Development: One parcel with a single family residence (to be demolished).

SURROUNDING PROPERTY:

North: R2-MD (across Cabrillo) Multi-Family Residential, Residential Use
 South: C1 – Local Business, Commercial Use
 East: R2-MD Multi-Family Residential, Residential Use
 West: R2-MD Multi-Family Residential, Residential Use

DEVELOPMENT STANDARD COMPARISON - SMALL LOT ORDINANCE

Development Standard	Required/Allowed	Proposed/Provided
Lot Size:		
Lot Width	NA	50 FT
Lot Area	NA	6,754 SF
Maximum Density (based on gross acreage):		
DU's/ Acre (Residential)	1 du/3,000 SF* Maximum 2 units	1 du/3,377 SF Proposed 2 units
Building Coverage (Development Lot)		
Buildings	NA	3,060 SF (45%)
Paving	NA	848 SF (13%)
Minimum Open Space	2,701.6 SF (40%)	2,846 SF (42%)
TOTAL	NA	6,754 SF (100%)
Building Height		
	2 Stories/Max. 27 FT	2 Stories/Max. 26.33 FT
Setbacks (Development Lot)		
Front	20 FT	20 FT
Side (left/right)	10 FT/10 FT ¹	5 FT/5 FT
Rear	10 FT	33 FT
Parking for 4 bedroom single-family detached		
Garage(s)	4	4
Open	4	4
TOTAL	8 Spaces	8 Spaces
Driveway Length	Min. 19 FT	Min. 20 FT & 33 FT
Interior garage dimension	20 FT	MIN 20 FT
NA = Not Applicable or No Requirement		
CEQA Status	Guidelines Section 15303/Class 3, New Construction of three or fewer single-family homes in urban areas	
Final Action	Planning Commission	

*Two units permitted since lot size is between 6,000 SF and 7,260 SF and existed as of March 16, 1992.

BACKGROUND

Project Site/Environs

The 6,754 square foot project site is located between Orange Avenue and Westminster Avenue on Cabrillo Street. The project site is currently developed with a single-story residence, originally constructed in 1936, that will be demolished to accommodate the proposed project. The property is zoned R2-MD with a maximum development potential of two units (14.5 dwelling units per acre).

The property to the east of the subject property (221 Cabrillo Street) is developed with two, two-story condominiums and the property to the west (215 Cabrillo Street) is developed with one, single-story residence. The property to the north across Cabrillo Street (218 Cabrillo Street) is developed with a single story single family residence in front and a second story, second unit over the garage in the rear. The property to the south of the subject property (222 East 17th Street) is across a public alley and is a commercial property facing East 17th street with its rear access and parking abutting the alley.

South Pointe Companies has constructed other projects in Costa Mesa. The homes are built to development standards and design guidelines and are characterized by varying architectural themes — in this case, a modern home with neo-eclectic design. The proposed floor plan provides an open first floor design with one guest bedroom on the first floor. The second floor consists of the rest of the bedrooms and 2 bathrooms.

APPLICATION DEEMED COMPLETE

The application was deemed complete on November 11, 2015 based on the following submittal items:

- Site plan
- Draft floor plans
- Elevations
- Tentative Parcel Map
- Radius Map and Labels
- Complete Application
- Project Description
- Fee Payment

There was no separate landscape plan since the landscaping on the site was drawn on the site plan and this was a small 2 unit condominium development. There were not colored elevations because the applicant did not provide them and elevations were not required to be colored on the previous application packet checklist.

ANALYSIS

Design Review for PA-15-39

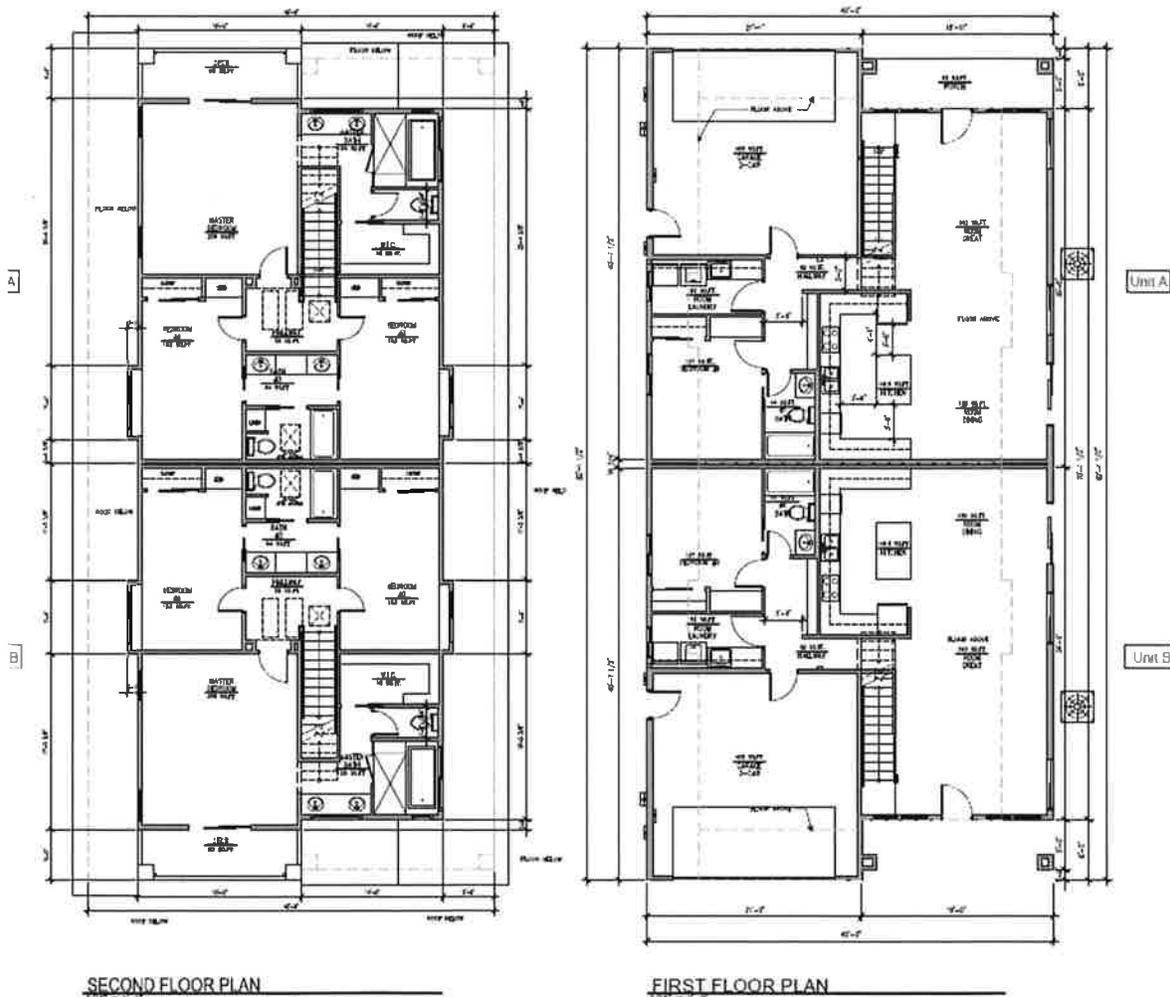
The proposed project consists of two attached, single-family residences with one attached two-car garage for each. One residence will face Cabrillo and the other will face the public alley between the property and the commercial property to the south. The property will be

subdivided into two airspace condominium units, sharing one common wall, which could be sold independently.

The project layout, floor plans, and elevations comply with the common interest development and R2-MD development standards. The residences are two stories in height and the front unit is setback 20 feet from Cabrillo Street; the other unit faces the public alley with a 33 feet setback from the alley. A total of 40 percent of the lot area is provided as open space and landscaping. The attached two-car garages are set back to provide two parking spaces on each driveway. Trash bins can be stored in the side yard areas adjacent to the garages.

Floor Plan

The floor plan exhibit was submitted to the Planning Commission as a late item, and was shown in the staff slideshow at the meeting to the public. The two proposed units each have four bedrooms, three bathrooms, and an attached two-car garage. Both units have gabled roofs, second story decks, the garage attached to the front of the home. Each new home will have a front porch with stacked columns and 95 square feet of outside living area; with exterior materials consisting of horizontal and vertical siding, accent shingles, and stacked stone veneer.



Color Elevations

Color elevations were not originally provided by applicant with the original submittal. This project includes black colored shingle roof. One façade will have artic white horizontal lap siding, stacked columns supporting front porch, white vinyl windows with wood trim, and frosted silhouette garage door. The other façade will have stucco sand finish and staggered siding accents, redwood second story patio cover, stacked columns with El Dorado Stone veneer, white vinyl windows and wood trim. Below are the color elevations for the project.



Colored Landscape Plans

Landscaping information such as location of trees, green space, and paved locations was provided in the original site plan. The color landscaping plan below identifies the type of trees, shrubs, and grass throughout the project. The trees are strategically placed to maximize visual aesthetic. Drought tolerant and hardy shrubs are used along walkways, and climbing ivy is used for vertical landscaping along the sides of the units.

also complies with Land Use Objective LU-1A.4: “Strongly encourage the development of low-density residential uses and owner-occupied housing where feasible to improve the balance between rental and ownership housing opportunities” in that the two units will be sold independent of one another, therefore increasing homeownership opportunity in the City.

Expiration of Projects

Per City Code, planning application approvals are valid for one year unless renewed. Per the State Subdivision Map Act, tentative tract map approvals are valid for 24 months. As a result, staff has incorporated a condition of approval allowing the planning application expiration to coincide with the expiration of the respective map. The planning application and map would expire in 24 months (November 2017). After the initial 24-month period, a time extension for these applications would be required to be processed for another 12-month period.

JUSTIFICATIONS FOR APPROVAL

Pursuant to Title 13, Section 13-29, *Planning Application Review Process*, of the Costa Mesa Municipal Code, the Planning Commission shall find that the evidence presented in the administrative record substantially meets specified findings. Staff recommends approval of Design Review PA-15-39 and Parcel Map PM-145-09, based on the following assessment of facts and findings which are also reflected in the draft resolution.

- *The proposed project complies with the General Plan and with the Zoning Code standards.* The creation of the subdivision is consistent with General Plan Land Use Objective LU-1A.4 in that it creates new homeownership opportunities to improve the balance between renter and owner occupied housing in the City. The project design complies with all development standards of a common interest and R2-MD development. The proposed project does not exceed the maximum density of less 14.5 units per acre, consistent with the General Plan designation of Medium Density Residential for legal lots established before March 16, 1992.
- *The construction drawing required to resemble the color elevations.* The proposed project uses aesthetically pleasing architectural design including an articulation from the first floor to the second, cover porch and open second story patio, trimmed windows with placement that maximizes privacy, a variety of materials and style from one unit to the other that still allows for side elevations that transition between the two, and front facades covered with quality siding materials like staggered cobble stone siding, panel-smooth siding with batten trim, and stacked stone siding. The color composition of the units are greys and whites with complimentary earthen tones.

A **condition of approval** requires that the construction of the units match the design, layout, and materials provided within the attached drawings.

- *The proposed project meets the purpose and intent of the Residential Design Guidelines.* The design of the two-story homes comply with the building mass and form, setbacks, elevation treatments, window placement, and architectural consistency guidelines. The proposed residences include elevations with varied roof forms and elevation treatments to enhance visual interest. The exterior elevations of

the proposed homes incorporate front porches and varied windows to provide visual interest. The use of a variety of horizontal and vertical siding, stacked stone veneer, and shingles on the first and second story allow for a quality project.

A **condition of approval** has been included requiring a screen, six feet tall, along the Westside edge of the rear facing, second story deck to reduce potential privacy concerns.

- All new perimeter walls on the site are conditioned to be block. The proposed project has perimeter walls on the west, east, and south sides of the 2 attached units. All walls are conditioned to be block walls at least 6 feet in height. The westerly wall is abutting a single family residence (215 Cabrillo) and is conditioned to be painted white on the neighbor's side upon construction per mediated conversation at the previous public hearing. The rear perimeter wall is proposed as a wood fence by the applicant. A wood fence would be in contradiction to our standard block wall condition of approval and would be inconsistent with the other walls along the alley.

A **condition of approval** has been included requiring the applicant to construct a minimum six-foot tall decorative masonry wall along the westerly, easterly and rear of the property. This requirement includes the rear wall which currently is described as a wood fence that is setback from the rear property line by ten feet. The westerly wall will also be painted white on the side of the 215 Cabrillo residence.

- The proposed project's orientation of the rear unit facing the alley is not precedent setting. There are developments within the City that orient the front of housing towards an alley which also abuts commercially zoned properties. There are examples of this type of orientation along alleys behind Newport Boulevard and 17th Street. To mitigate the lack of an aesthetically pleasing neighbor across the alley the applicant is proposing to construct a 6 foot tall fence and additional landscaping to not only improve the view shed of the future rear unit resident but also improve the overall aesthetic of the alley as well.

A **condition of approval** has been included requiring sufficient lighting be provided at the rear of the property for safe ingress and egress onto the property from the alley.

- The proposed subdivision is consistent with the General Plan and Zoning Code. The subdivision complies with General Plan Land Use Objective LU-1A.4 in that it allows the units to be sold independent of one another and creates home ownership opportunities. The subdivision is consistent with applicable development standards contained in the Zoning Code. The subdivision also provides for future natural heating and cooling. The required and existing trees will create shade, allowing for natural cooling of the homes. The homes are placed on the site with an east-west orientation to allow for natural heating through sun exposure.
- Colored landscape plan shows the location of trees and drought tolerant plants. The proposed project provide grassy open space for each unit, a small private space on the easterly side for each unit, ivy wells for vertical landscaping along the open walkway which allows onsite access to Cabrillo for the rear unit, hardy drought tolerant shrubs along all pathways and within the landscape beds between the alley

and the rear wall, and mature trees strategically placed for privacy between residential neighbors.

A **condition of approval** has been included requiring adequate privacy screening by mature trees and landscaping between the project and its residential neighbors.

- *The Declaration of the Covenants, Conditions, and Restrictions (CC&Rs) is required to be filed on the property.* The common interest development requires that all air space 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. Because there are common areas for circulation, landscape, shared wall, and roofing, a condition of approval requires that the CC&Rs shall contain the ground rules related to: architectural control over future building modifications or additions, architectural design and guidelines for the property, and engagement in alternative dispute resolution before filing a lawsuit to resolve conflicts.

ENVIRONMENTAL DETERMINATION

The project is exempt from the provisions of the California Environmental Quality Act under Section 15303 (Class 3), New Construction or Conversion of Small Structures and Section 15315 (Class 15), Minor Land Divisions.

In urbanized areas, up to three single-family residences may be constructed or converted under the Class 3 exemption. The Class 15 exemption consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 20 percent. The project is consistent with the General Plan and Zoning Code. No variances are required. All public utilities and services are available. The property has not been subdivided within the previous two years, and the lot is generally flat in topography.

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.

ALTERNATIVES

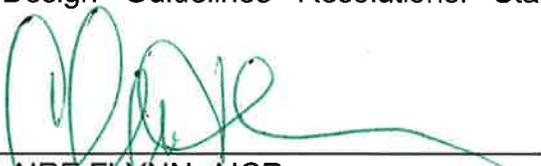
The Planning Commission has the following alternatives:

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

CONCLUSION

Approval of the Design Review and Tentative Parcel Map, as conditioned, will allow the development of a two- unit two unit common interest development which is consistent with the Residential Development Standards and Design Guidelines Resolutions. Staff recommends approval of this project.


DANIEL INLOES, AICP
Associate Planner


CLAIRE FLYNN, AICP
Assistant Director
Development Services

- Attachments:
1. Vicinity, Zoning, and 500 Radius Maps
 2. Site Photos
 3. Applicants Project Description
 4. Draft Planning Commission Resolutions and Exhibits
 5. Public Correspondence / Emails
 6. 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

Windmill Investment LLC

Joe Kaneko / Jesse Cheng
16 Segado Ranch
Santa Margarita, CA 92688

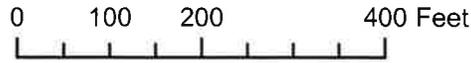
Agent

Gavin Sermon
South Pointe Companies
41146 Elm St. Suite H
Murrieta, CA 92562

ATTACHMENT 1

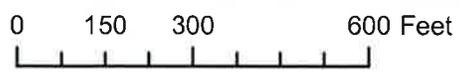
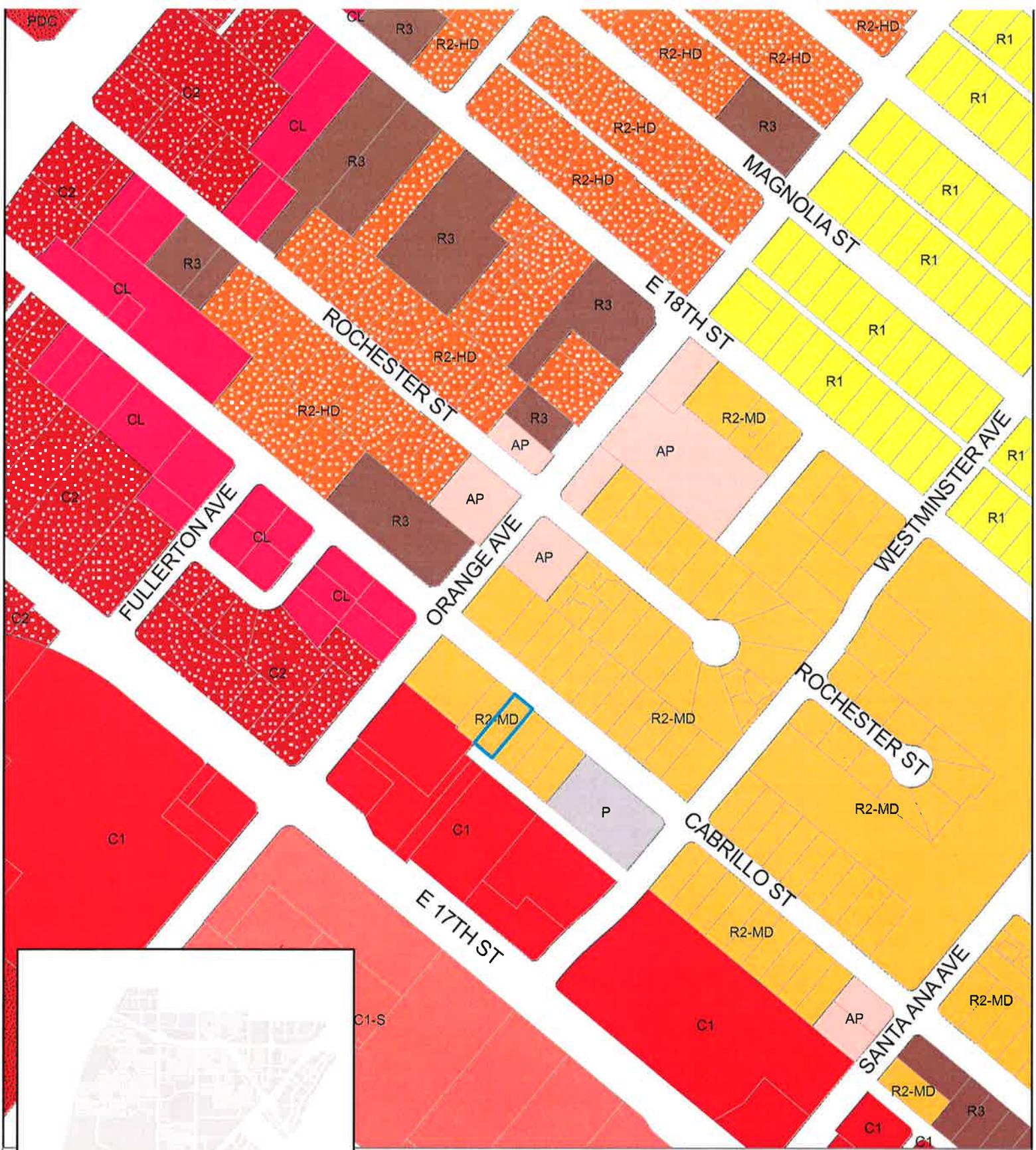


Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



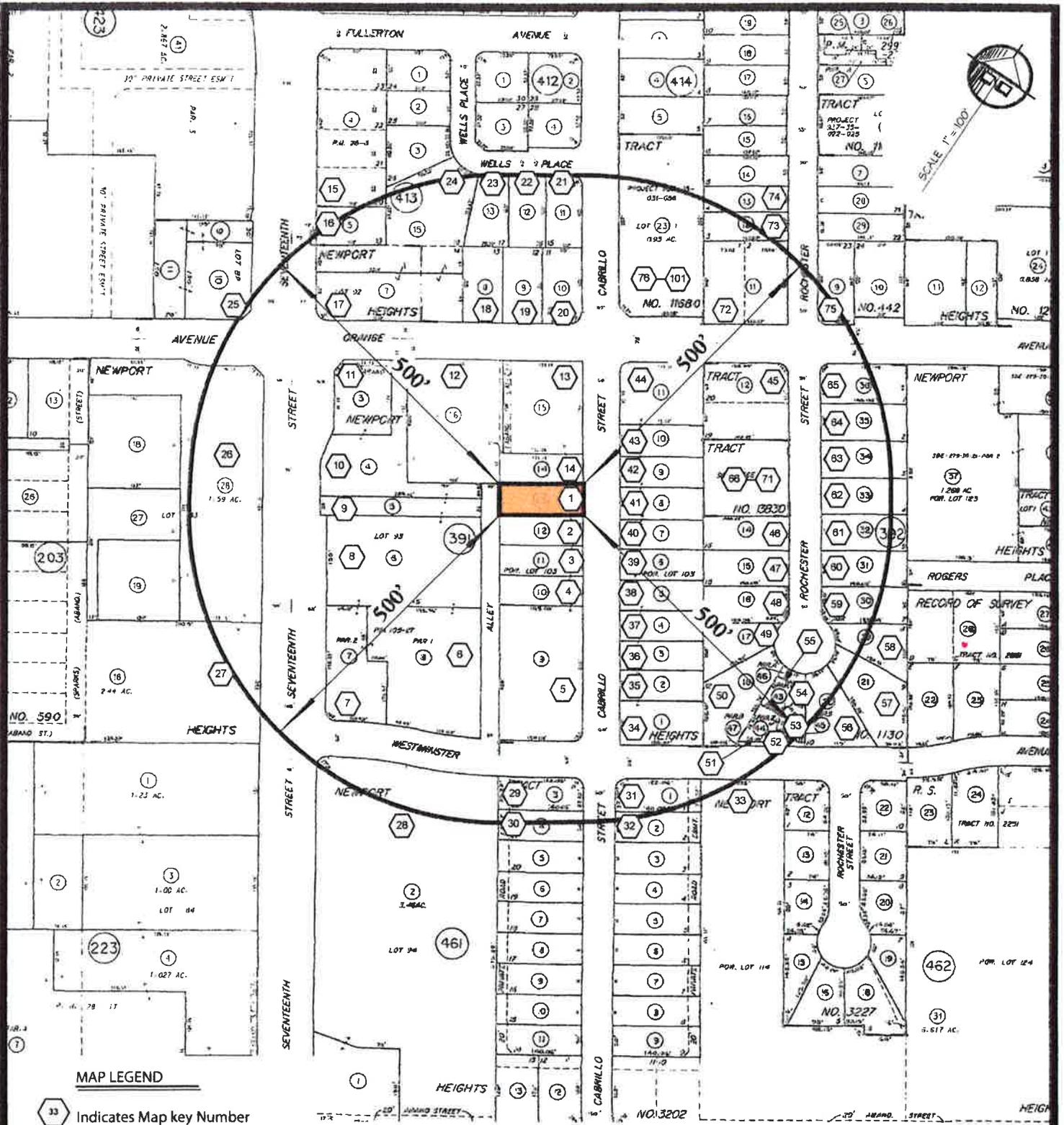
Vicinity of Site
217 Cabrillo Street

12



Zoning for Site
217 Cabrillo Street

13



MAP LEGEND

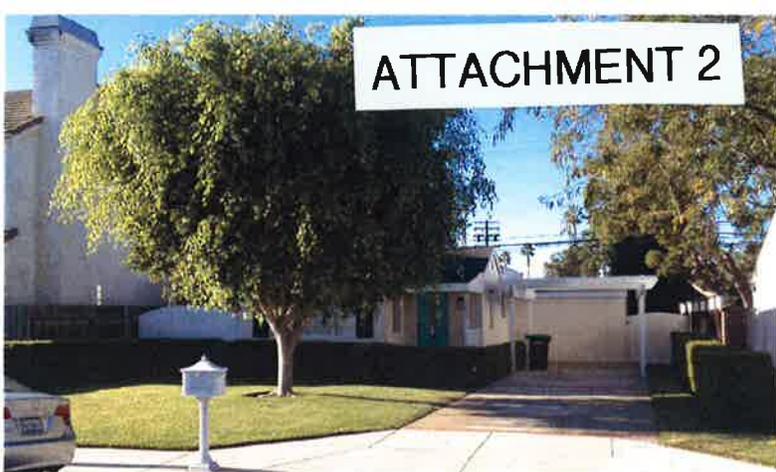
-  Indicates Map key Number
-  Indicates Assessor's Parcel Number



**Public Notification
Boundary**
For
217 Cabrillo St.
Costa Mesa CA 92627
APN 425-391-013
September 21, 2015
JN 15171



Project Property 1



Project Property 2



Eastside Neighbor



Westside Neighbor



Rear of Eastside Neighbor



Rear of Westside Neighbor



Rear of Project Property



Private Property Utility Lines

Windmill Investment LLC

September 21, 2015

Re: 217 Cabrillo St.

Costa Mesa, CA 92627

We are proposing to submit plans for proposed 2 condominium units- attached units shall be 2-story with a 2-car attached garage. Enclosed is a tentative parcel map for condominium purposes showing a proposed condominium map. Also, we're applying for a minor design review without any deviations from the City standards as follows.

2-story structure complies with all city design ordinances. Second floor is 80% of first floor, second story side yard setback is of 10'-0". We also provide architectural relief to both side elevations of structure.

Sincerely,

Joe Kaneko
Windmill Investment
(213) 509-9888
bluepine18@gmail.com

★ similar to project completed in 2014.
160 E. 19th St.

RESOLUTION NO. PC-15-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA APPROVING PLANNING
APPLICATION PA-15-39 AND TENTATIVE PARCEL MAP
2015-170 AT 217 CABRILLO STREET IN THE R2-MD ZONE**

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

WHEREAS, an application was filed by Gavin Sermon, South Pointe Construction, as the authorized agent on behalf of the property owner, Joe Kaneko and Jesse Cheng of Windmill Investment LLC., requesting approval of the following:

- 1) **Design Review PA-15-39** to construct a common interest development consisting of two, two-story attached single family residences each 2,190 square feet in area with attached two-car garages;
- 2) **Tentative Parcel Map No. 2015-170** to facilitate the subdivision of the property into a common interest development. The subdivision will allow the units to be sold independently;

WHEREAS, a duly noticed public hearing held by the Planning Commission on November 23rd, 2015 with all persons having the opportunity to speak for and against the proposal;

WHEREAS, the two-unit project is exempt from the provisions of the California Environmental Quality Act under Section 15303 (Class 3), Construction and Conversion of Small Structures and Section 15315 (Class 15), Minor Land Divisions.

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-15-39 and Tentative Parcel Map 2015-170.

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-15-39 and Tentative Parcel Map 2015-170 and upon applicant's compliance with each and all of the conditions in Exhibit B, and compliance of all applicable federal, state, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

BE IT FURTHER RESOLVED that if any section, division, sentence, clause, phrase or portion of this resolution, or the documents in the record in support of this resolution, are for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.

PASSED AND ADOPTED this 14th day of December, 2015.

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

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, Claire Flynn, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on December 14, 2015 by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Claire L. Flynn, Secretary,
Costa Mesa Planning Commission

EXHIBIT A

FINDINGS

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

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

Facts in Support of Findings: The design of the two-story homes complies with the building mass and form, window placement, setbacks, elevation treatments, and architectural consistency guidelines. The proposed residences include elevations with varied roof forms and elevation treatments to enhance visual interest. The buildings are placed on the property with sufficient setbacks to provide useable open space and minimizes the potential privacy impacts to surrounding properties. The exterior elevations of the proposed homes incorporate front porches and siding to provide visual interest. As a **condition of approval** an opaque screen, six feet tall, will run along the western edge of the rear facing second story deck to reduce privacy impact as well as elevate or a bedroom window on the eastside which aligns with a second story window on the neighboring property.

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

Facts in Support of Finding: The subject site is in a neighborhood with both single-story and two-story residences. The various siding, varied elevations, and second story setback for both units provides a vertical break between the first and second story. The second floors of both units increase the overall aesthetic. The majority of the second floor has a ten foot setback as opposed to the 5 foot setback the first floor has additional setback avoids the flat two story walls on the side and decreases privacy impacts to the neighbors.

- B. The proposed project 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 Finding: The creation of the subdivision is consistent with General Plan Land Use Objective LU-1A.4 in that it creates ownership opportunities to improve the balance between renter and owner occupied housing in the City. The project design complies with the Residential Development Standards and the Residential Design Guidelines. This project will add an additional ownership property within the City.

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

Facts in Support of Finding: The proposed project has a density of 12.5 units per acre, consistent with the General Plan designation of Medium Density Residential for legal lots within R2-MD zone that have a total square footage between 6,000 and 7,260.

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 Finding: The project is exempt from the provisions of the California Environmental Quality Act under Section 15303 (Class 3), New Construction or Conversion of Small Structures and Section 15315 (Class 15), Minor Land Divisions. The project complies with the maximum allowed density for the site and provides adequate open space, parking, and setbacks from adjacent properties.

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 Finding: The site plan places the yard areas along the north and south side property line in an east-west orientation to ensure natural and passive heating from the sun exposure. Trees will be required to help provide passive cooling opportunities.

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 Finding: The proposed project does not interfere with the public right of way. As a **condition of approval** all utilities on the private property will be undergrounded.

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 Finding: 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. **Finding:** The project is exempt from the provisions of the California Environmental Quality Act under Section 15303 (Class 3) for New Construction or Conversion of Small Structures and Section 15315 (Class 15) for Minor Land Divisions.

Facts in Support of Finding: In urbanized areas, up to three single-family residences may be constructed under the Class 3 exemption. The project proposes to construct two residential units and, therefore, qualifies for a Class 3 exemption. The Class 15 exemption consists of the division of property in urbanized areas zoned for residential use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 20 percent. The proposed map complies with all of these requirements.

- 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-15-39 shall coincide with the expiration of the approval of the Tentative Parcel Map 2015-170 which is valid for two years. An extension request will be required to extend the expiration for each additional year after the initial two-year period.
 2. The conditions of approval, or Exhibit B, for PA-15-39 and Tentative Parcel Map 2015-170 shall be blueprinted on the face of the site plan as part of the plan check submittal package. Address assignment shall be requested from the Planning Division prior to submittal of working drawings for plan check. The approved address of individual units, suites, buildings, etc., shall be blueprinted on the site plan and on all floor plans in the working drawings.
 3. Prior to issuance of a certificate of occupancy, the applicant shall file and record a declaration of covenants, conditions, and restrictions (CC&Rs) on the property. The establishment of a homeowner's association shall be optional. Prior to issuance of a building permit, a draft of the CC&Rs shall be remitted to the Development Services Director and City Attorney's office for review and approval. Because there are no common areas for circulation, parking, or landscape purposes, the CC&Rs shall be limited to the ground rules related to: architectural control over future building modifications or additions, architectural design and guidelines for the property, and engagement in alternative dispute resolution before filing a lawsuit to resolve conflicts. The Development Services Director has the discretion to request any other provisions in the CC&Rs to promote self-governance between the two property owners.
 - 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.
 4. Prior to building permit issuance, the applicant shall provide plans showing additional lighting at the rear of the property along the alley for clear visibility of vehicular and pedestrian circulation through the alley as well as ingress and egress onto the site, under the direction of planning staff.
 5. Prior to final inspection, the applicant shall construct a minimum six-foot tall decorative masonry wall around the perimeter of the project site, including the section identified as wood fence along the southern portion of the property which is setback ten feet from the rear property line, unless otherwise approved by the Development Services Director.
 6. The block wall along the westerly property line shall be painted white on the side of the wall which faces 215 Cabrillo.
 7. The applicant shall work with City staff to provide adequate privacy screening by trees and landscaping between the project and its

residential neighbors.

8. 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.
9. 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.
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. 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. 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.
12. 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.
13. Existing overhead wires which run over the lot towards the southern

- portion of the lot shall be undergrounded.
- Trans. 14. A screening wall, minimum 6 feet in height shall be provided on the western side of the southern unit's second floor deck.
15. Construct residential drive approach on Cabrillo Street as shown on site plan. Comply with minimum clearance requirements from property lines and any vertical obstructions.
16. Show right of way line on Cabrillo Street as 12 feet from curb face.
17. 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.
- Parks/
Prkwys. 18. Plant 1-24' box tree in the public right-of-way on Cabrillo Street as part of the redevelopment of the property. Species may be proposed by applicant, with Public Services Department approval, or selected from below without further approval: Queen Palm, Samuel Summer Magnolia, Crape Myrtle, Purple Orchid Tree, Western Redbud 'Forest Pansy', and Fern Pine.

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.

- PIng. 1. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections, final occupancy and utility releases will not be granted until all such licenses have been obtained.
2. All noise-generating construction activities shall be limited to 7 a.m. to 7 p.m. Monday through Friday and 9 a.m. to 6 p.m. Saturday. Noise-generating construction activities shall be prohibited on Sunday and the following Federal holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
3. Development shall comply with all requirements of Section 13-32, Title 13, of the Costa Mesa Municipal Code relating to development standards for residential projects.
4. All on-site utility services shall be installed underground.
5. Installation of all new utility meters shall be performed in a manner so as to obscure the installation from view from any place on or off the property. The installation shall be in a manner acceptable to the public utility and shall be in the form of a vault, wall cabinet, or wall box under

the direction of the Planning Division.

6. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.
7. Two (2) sets of detailed landscape and irrigation plans, which meet the requirements set forth in Costa Mesa Municipal Code Sections 13-101 through 13-108 and the City's Water Efficient Landscape Guidelines, shall be required as part of the project plan check review and approval process. Plans shall be forwarded to the Planning Division for final approval prior to issuance of building permits.
8. Landscaping and irrigation shall be installed in accordance with the approved plans prior to final inspection or occupancy clearance.
9. Installation of all utility meters shall be performed in a manner so as to obscure the installation from view from any place on or off the property. The installation shall be in a manner acceptable to the public utility and shall be in the form of a vault, wall cabinet, or wall box under the direction of the Planning Division.
10. If present and/or projected exterior noise exceeds 60 CNEL, California Noise Insulation Standards, Title 25, California Code of Regulations require a maximum interior noise level of 45 CNEL for residential structures. If required interior noise levels are achieved by requiring that windows be inoperable or closed, the design for the structure must also specify the means that will be employed to provide ventilation, and cooling if necessary, to provide a habitable interior environment.
11. Prior to issuance of any permit for buildings, the Developer shall pay a park impact fee or dedicate parkland to meet the demands of the proposed development.
12. A minimum 20-foot by 20-foot clear inside dimension shall be provided for the two-car garages. The proposed garages shall be used for parking as required by code as it is not habitable space; further excess storage which prevents parking the required number of vehicles is prohibited.
- Bldg. 13. Comply with the requirements of the adopted 2013 California Residential Code, 2013 California Building Code, 2013 California Electrical code, 2013 California Mechanical code , 2013 California Plumbing code , 2013 California Green Building Standards Code and 2013 California Energy Code (or the applicable adopted, California Residential Code, California Building code California Electrical code, California Mechanical code California Plumbing Code, California Green Building Standards and California Energy Code at the time of plan submittal or permit issuance) and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa.
14. Submit a precise grading plan and an erosion control plan. 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.

15. Submit a soil's report for the project. Soil's Report recommendations shall be blueprinted on both the architectural and the precise grading plans.
16. On graded sites the top of exterior foundation shall extend above the elevation of the street gutter at point of discharge or the inlet of an approved discharge devise a minimum of 12 inches plus two percent (2%). 2013 California Residential Code CRC 403.1.7.3
17. The ground adjacent immediately to the foundation shall be sloped away from the building at a slope of not less than 5% for a minimum distance of 10 feet measured perpendicular to the face of the wall CBC sec. 1804.3. See also exception.
- Fire 18. 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. 19. Two copies of the Final Map and one copy of the Property Boundary closure calculations shall be submitted to the City of Costa Mesa Engineering Division for checking.
20. Submit updated Title Report of the subject property.
21. The Parcel Map shall be developed in full compliance of CMMC Sec 13-208 through 13-261 inclusive.
22. Release and relinquish all vehicular and pedestrian access rights to 16th Street to the City of Costa Mesa except at approved locations.
23. Submit seven copies, one duplicate mylar and an electronic copy of recorded map or signed plan to Engineering Division, City of Costa Mesa, prior to occupancy.
24. Prior to recordation of a final map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor and shall submit to the City Engineer and the County Surveyor a digital-graphic file of said map in a manner described in Subarticle 11/12, Sections 7-9-330/7-9-337 of the Orange County Subdivision Code.
25. Survey Monuments shall be preserved and referenced or set pursuant to Section 8771 of the Professional Land Surveyors Act and Business and Professional code.
26. Submit cash deposit or surety bond to guarantee monumentation prior to approval of the map. Amount to be determined by City Engineer.
27. 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.
28. 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.
 29. 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.
 30. 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.
 31. 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.
 32. 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.
 33. Fulfill Drainage Fee requirements per City of Costa Mesa Ordinance No. 06-19 prior to approval of Final Map/Approval of Plans.
 34. In order to comply with the 2003 Drainage Area Management Plan (DAMP), the proposed Project shall prepare a Water Quality Management Plan conforming to the Current National Pollution Discharge Elimination System (NPDES) and the Model WQMP, prepared by a Licensed Civil Engineer or Environmental Engineer, which shall be submitted to the Department of Public Works for review and approval.
 - a) A WQMP (Priority or Non-Priority) shall be maintained and updated as needed to satisfy the requirements of the adopted NPDES program. The plan shall ensure that the existing water quality measures for all improved phases of the project are adhered to.
 - b) Location of BMPs shall not be within the public right-of-way.

SPECIAL DISTRICT REQUIREMENTS

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

- Sani.
1. Applicant will be required to construct sewers to serve this project, at his own expense, meeting the approval of the Costa Mesa Sanitary District.
 2. County Sanitation District fees, fixture fees, inspection fees, and sewer permit are required prior to installation of sewer. To receive credit for buildings to be demolished, call (714) 754-5307.
 3. Applicant shall submit a plan showing sewer improvements that meets the District Engineer's approval to the Building Division as part of the plans

- submitted for plan check.
4. The applicant is required to contact the Costa Mesa Sanitary District at (714) 754-5307 to arrange final sign-off prior to certificate of occupancy being released.
 5. Unless an off-site trash hauler is being used, applicant shall contact the Costa Mesa Sanitary District at (714) 754-5043 to pay trash collection program fees and arrange for service for all new residences. Residences using bin or dumpster services are exempt from this requirement.
 6. Applicant shall contact Costa Mesa Sanitary District at (949) 654-8400 for any additional district requirements.
 - AQMD 7. Applicant shall contact the Air Quality Management District (AQMD) at (800) 288-7664 for potential additional conditions of development or for additional permits required by AQMD.
 - School 8. Pay applicable Newport Mesa Unified School District fees to the Building Division prior is issuance of building permits.
 - State 9. Comply with the requirements of the California Department of Food and Agriculture (CDFA) to determine if red imported fire ants (RIFA) exist on the property prior to any soil movement or excavation. Call CDFA at (714) 708-1910 for information.
 - Water 10. Customer shall contact the Mesa Water District – Engineering Desk and submit an application and plans for project review. Customer must obtain a letter of approval and a letter of project completion from Mesa Water District
 11. Prior to the issuance of a connection permit, the applicant shall pay the applicable water connection fees

RESOLUTION NO. PC-15-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DENYING PLANNING APPLICATION PA-15-39 AND TENTATIVE PARCEL MAP NO. 2015-170 FOR PROPERTY AT 217 CABRILLO STREET IN THE R2-MD ZONE

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

WHEREAS, an application was filed by Gavin Sermon, as the authorized agent on behalf of the property owner, Windmill Investments, LLC. requesting approval of the following:

- 1) **Design Review PA-15-39** to construct a two-unit, two-story attached single-family residential development;
- 2) **Tentative Parcel Map No. 2015-170** to facilitate the subdivision of the property into a common interest development. The subdivision will allow the units to be sold independent of one another.

WHEREAS, a duly noticed public hearing held by the Planning Commission on December 14, 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-15-39 and Tentative Parcel Map No. 2015-170.

DENIED this 14th day of December, 2015.

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

EXHIBIT A

FINDINGS (DENIAL)

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

- C. The information presented does not comply with Costa Mesa Municipal Code Section 13-29(14) in that the project does not meet the purpose and intent of the Residential Design Guidelines, which are intended to promote design excellence in new residential construction, with consideration being given to compatibility with the established residential community. 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.

- D. The subdivision of the property is not consistent with the City's General Plan and Zoning Code.

- E. The Costa Mesa Planning Commission has denied Planning Application PA-14-45 and Tentative Parcel Map No. PM-14-144. 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.

COLGAN, JULIE

From: Dale Black <Dale.Black@software.dell.com>
Sent: Monday, November 23, 2015 2:51 PM
To: PLANNING COMMISSION
Subject: Application PA-15-39 and PM-2015-170
Attachments: PA-15-39_And_PM-2015-170_Comment.docx

To: Planning Commission, City of Costa Mesa

RE: Application PA-15-39 and PM-2015-170

This letter is in response to the application **PA-15-39 and PM-15-09** by Joe Kaneko / Windmill Investment LLC.

I ask you not to approve this development project. A 4380-square-foot building with 8 bedrooms, 6 bathrooms, and two 2-car garages is just too much for this lot size. And it does not fit in with the spirit of our neighborhoods on the Eastside, and certainly does **not** comply with Land Use Objective LU-1A.4: "Strongly encourage the development of **low-density residential** uses and owner-occupied housing where feasible to improve the balance between rental and ownership housing opportunities ". This condo development is most certainly a high-density project and will diminish our property values.

I am against subdividing the property so the two units can be sold separately, also. I do not think it will encourage owner-occupied housing.

- The condos will most-likely **not** be purchased by a family to live in. Any family that can afford one of these condos can buy a single-family home instead. **The condos will probably be used as rental property.** In order to make the rent, which will have to be high because the developer will sell each at a ridiculously-high price, the renters will have to put as many adults into each unit as possible. That could be 8 adults.
- Let's be clear— the purpose of subdividing is to get the highest possible price for each condo! It is about the developer/owner squeezing as much money as he can from this property.
- If you let this happen, it will happen up and down the street wherever there are R2 lots. Subdividing is more attractive to the developers (than two units sold together) because they can double their money, since they are now selling **two** homes instead of **one!** This type of development will only reduce the quality of our community, not improve it.

This project will set a precedent. If you allow this to be subdivided, it will encourage this type of high density development. Now developers can buy one home, subdivide it, turn it into two homes and double their money. You don't have to be rocket scientist to figure this one out. This will diminish the value of all our homes on the street.

I ask you, at the very least, not to approve the subdivision. There is only one reason why this developer/owner wants to subdivide this lot—**to make more money.** There is no advantage to the neighborhood or improvement to be had from subdividing this lot. It is only a tricky way for the developer/owner to make more money when he resells the property.

The city and the Planning Commission are supposed to protect us from this kind of development. Don't just rubberstamp everything that the developers send you, please. Don't enable developers to use our communities to get rich at the expense of our quality of life.

People move to the Eastside because quaint and unique and LOW density. You can still get a house with a yard on the Eastside. This condominium project goes against the entire idea of low-density, owner-occupied family living. It's going to set a precedent and soon we will look like Anaheim.

Please give serious consideration to the arguments I have presented. You are making a decision about the future of this community. Do you want to keep our quaint, unique Eastside neighborhoods, or do you want us to look like Anaheim. Do you want to keep the low-density character of the Eastside, or do you want to let developers, who don't live here and don't care about our community, to use us to make their millions at the expense of our quality of life.

Thank you for your time.

Sincerely,

Dale Black

238 Cabrillo Street, Costa Mesa

November 13, 2015

Daniel Inloes, Associate Planner for the City of Costa Mesa

Thank you for meeting with me on Thursday, November 12, 2015. After meeting with you I went up to the fourth floor and spoke with engineering who was able to share more information with me. After meeting with them, I left with some of the same concerns I had before you and I met.

We are the next door neighbors to the property of concern, 217 Cabrillo Street, Costa Mesa.

We have been residents of Costa Mesa for many years and as you pointed out, since being long term residents of Costa Mesa, change is to be expected. There has been much change going on all around us which we have had little to no control over: from the build-up of the commercial project that includes 7-11 to the rear of our home to the four units, two story SLH across the street to the excessive cut through traffic and cars parking on Cabrillo Street due to the lack of parking for the patrons of Plaza Sereno.

When we bought our home, Cabrillo Street was a "sleepy little" street with not much activity and unfortunately, this is no longer the case. We bought our home knowing of the R2 zoning many years ago. This was going to be our starter home and as you can see, we have chosen to stay. Hind sight is 20/20 and explaining how thinking twice about purchasing in a R2 zoning doesn't help us today. We would expect the City to show some understanding towards long term homeowners and what we have had to endure with the changes in the neighborhood.

I have not seen the renderings however the plans appear to show the homes will be a compliment to the neighborhood. With that said, there are a few areas of concern to be addressed.

Subdivision of the Property:

On November 12, 2015, you stated the subdivision into two separate lots was not taking place. However, the Notice of Public Hearing indicated the subdivision of the property was still on the agenda. Please confirm the subdivision of the property into two lots will not take place.

Location of the A/C units:

The plans show the location for the A/C unit for Proposed Unit A will be located outside our bedrooms' windows and the location for the A/C unit for Proposed Unit B will be located outside where we entertain. Please note at the time we purchased our home up until now, there have not been A/C units at these proposed locations. The proposed locations will impede our rights to a quiet and peaceful enjoyment of our home, residential sleeping areas, and outside living area. We request the location of the A/C units be moved to the other side of the lot (east side).

Location of 2nd story, bedroom windows:

The bedroom windows for each unit will look down on our back yard and living area. We request additional plantings of privacy trees or retain the current trees to minimize the loss of our privacy.

Block wall:

Currently there is a wood fence between the two properties.

If we choose to remove the panels temporarily for construction only, we request the builder to finish both sides of the proposed block wall.

We are learning we may not have a say on what will become of the fence. You stated the city requires new construction to have block walls. I have yet to find this requirement in the city's building or zoning requirements and Exhibit B to the Conditions of Approval refer both to walls and fences. Please clarify.

We may be agreeable to remove the fence permanently if our concerns are considered and incorporated into the final design of the block wall, with little to no expense to us.

Due to the increase in the grade for the development, the proposed block wall will be 7 feet high on our side. Please confirm the appropriate measures are being taken to ensure the stability of the block wall and ensure our property will not be subject to any water run off or water seepage.

In speaking with the contractor, he has indicated both the proposed block wall and its footings will be located on 217 Cabrillo Street; we will need confirmation of this.

Our home has cottagey feel, in white, as you can see in the photos attached to the Planning Commission Agenda Report. We have worked very hard and long for our home and we do not feel we have to change the look of our home due to the acquisition of the neighboring property.

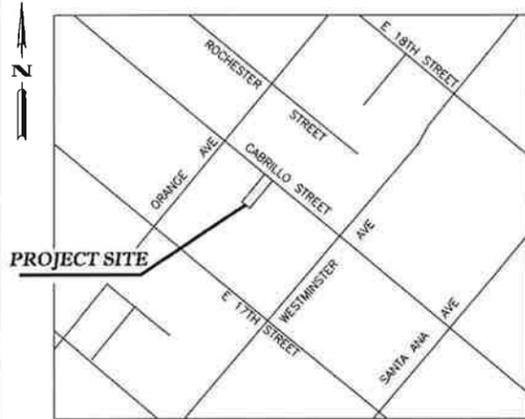
In closing, it is noted in the Residential Design Guidelines of the Planning Commission Agenda Report, the City takes note that the proposed construction will have an impact on our property. As the homeowners of the single family residence to the "west", both the City and the developer should consider our concerns when determining what is appropriate in mitigating these effects.

Anthony & Alison Aguon

215 Cabrillo Street

Costa Mesa, CA 92627

VICINITY MAP
N.T.S.



TENTATIVE PARCEL MAP FOR CONDOMINIUM PURPOSES

PARCEL MAP NO. 2015-170

IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA

DATE OF SURVEY: AUGUST 2015

NOTES:

1. EXISTING/PROPOSED LAND USE: SINGLE-FAMILY RESIDENCES. 217 CABRILLO STREET, COSTA MESA, CALIFORNIA
2. EXISTING PROPERTY USE IMMEDIATELY SURROUNDING SUBDIVISION: SINGLE-FAMILY RESIDENCES

AREA SUMMARY:

EXISTING AREA OF SITE: 8250 S.F.
PROPOSED AREA OF SITE: 8250 S.F.

FLOOD ZONE:

ZONE X, OUTSIDE OF 500 YEAR FLOOD BOUNDARIES.

PROPOSED USE:

2 CONDOMINIUMS

BASIS OF BEARINGS:

THE BASIS OF BEARINGS SHOWN HEREON ARE BASED ON THE BEARING BETWEEN OCS HORIZONTAL CONTROL STATION GPS NO. 6255R2 AND STATION GPS NO. 6235R2 BEING NORTH 40°38'38" EAST PER RECORDS ON FILE IN THE OFFICE OF THE ORANGE COUNTY SURVEYOR.

ATTACHMENT 6

OWNER / DEVELOPER:

Windmill Investment LLC
16 Segada
Rancho Santa Margarita, CA 92688

SITE ADDRESS:

217 CABRILLO STREET
COSTA MESA, CA 92627

DATE OF PREPARATION:

SEPTEMBER 2015

LEGAL DESCRIPTION:

THAT PORTION OF LOT 103 OF NEWPORT HEIGHTS, IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA AS SHOWN ON A MAP RECORDED IN BOOK 4, PAGE 83 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHWESTERLY OF SAID LOT 200 FEET SOUTHEASTERLY FROM THE MOST WESTERLY CORNER THEREOF; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT 50 FEET; THENCE NORTHEASTERLY PARALLEL TO THE NORTHWESTERLY LINE OF SAID LOT; 168.08 FEET TO A POINT WHICH IS 165.07 FEET SOUTHWESTERLY LINE OF SAID LOT; THENCE NORTHWESTERLY PARALLEL TO THE SOUTHWESTERLY LINE OF SAID LOT; 50 FEET; THENCE SOUTHWESTERLY 165.08 FEET TO THE POINT OF BEGINNING.

ASSESSOR'S PARCEL NUMBER:

APN: 425-391-13

SETBACK REQUIREMENTS:

FRONT SETBACK: 20'-0"
SIDEYARD SETBACK: 5'-0"
REARYARD SETBACK: 20'-0"

BENCHMARK:

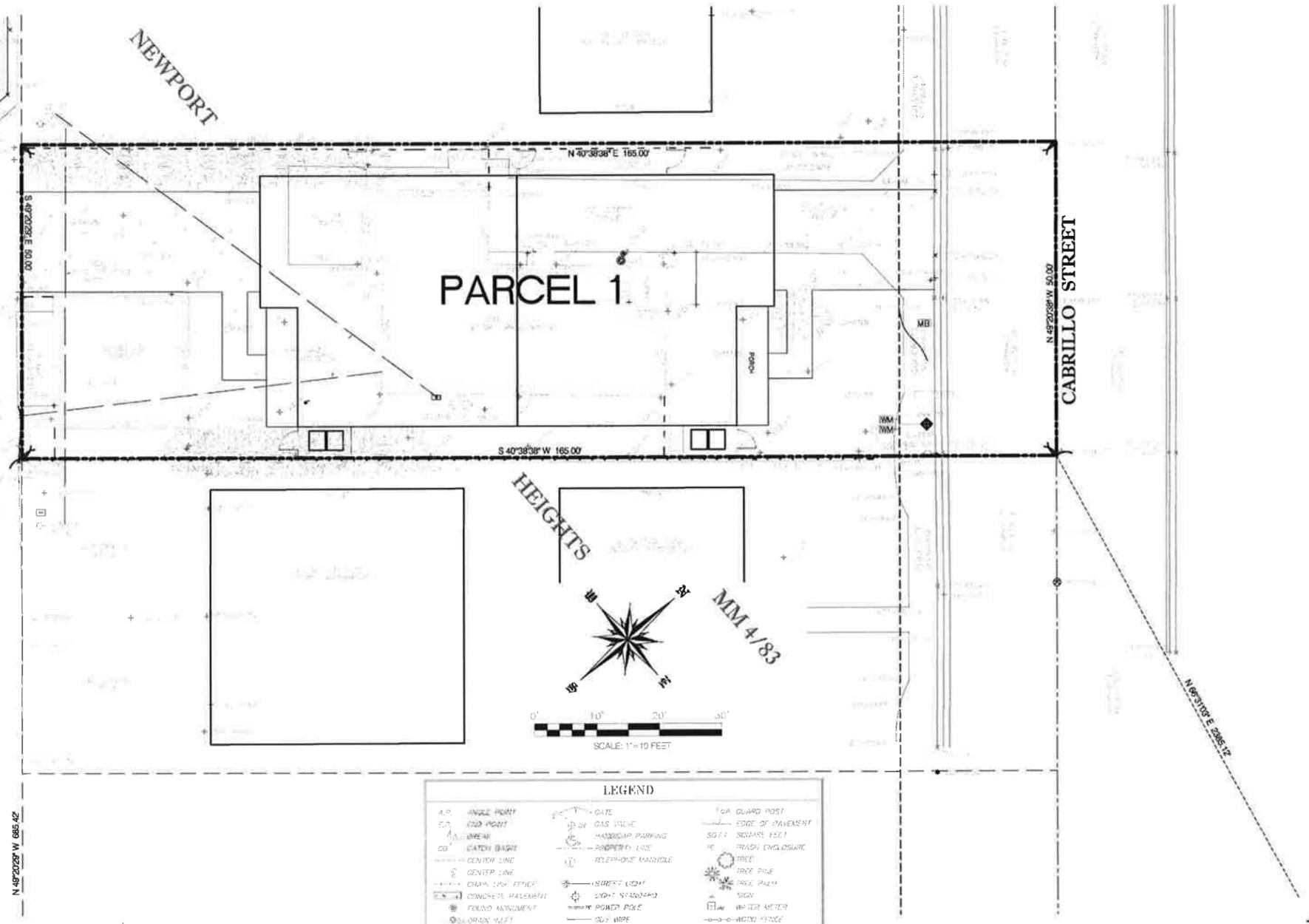
ELEVATIONS FOR THIS SURVEY ARE BASED ON ORANGE COUNTY BENCHMARK CM-48-89. BENCHMARK ELEVATION=95.838' (NAVD88)

SURVEYOR'S CERTIFICATE

I, RAY ZEQUILLARI, CERTIFY THAT I AM LICENSED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF CALIFORNIA (REF. NO. 9013) I FURTHER CERTIFY THAT THIS PLAT REPRESENTS THE RESULTS OF A TOPOGRAPHIC SURVEY CONDUCTED UNDER MY SUPERVISION AT THE REQUEST OF

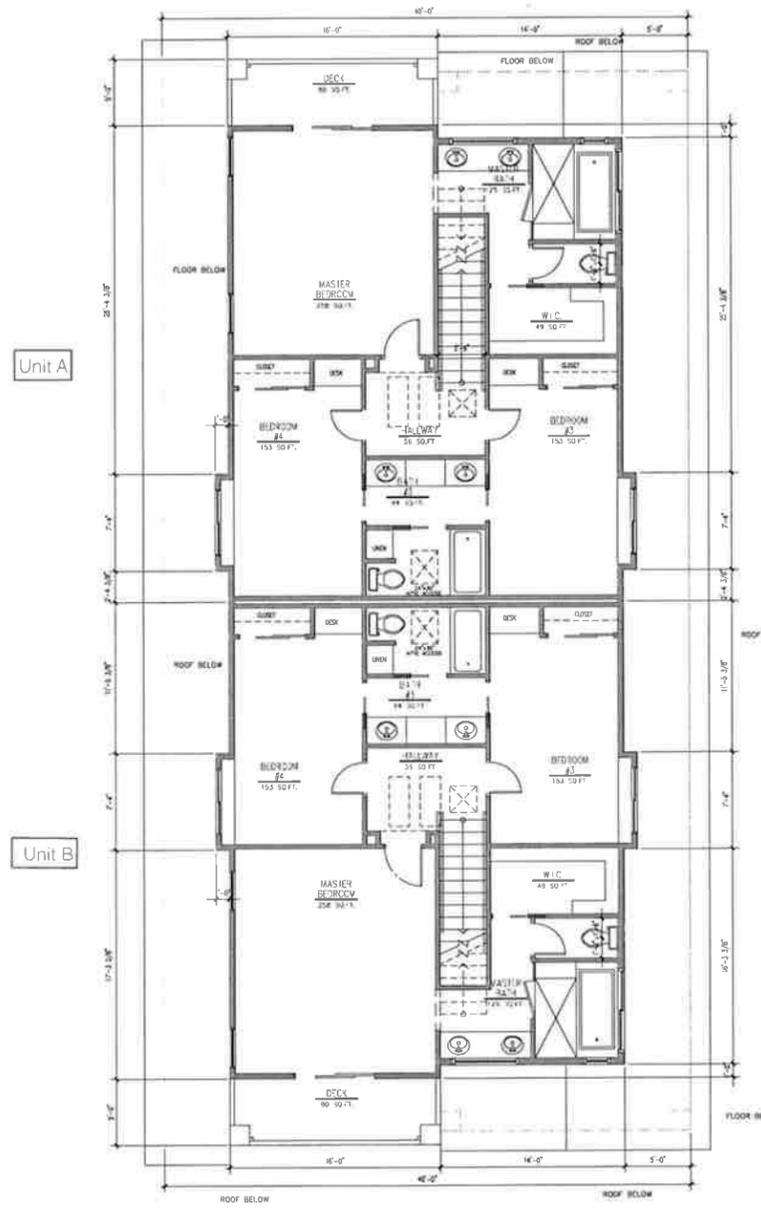


RAY R. ZEQUILLARI

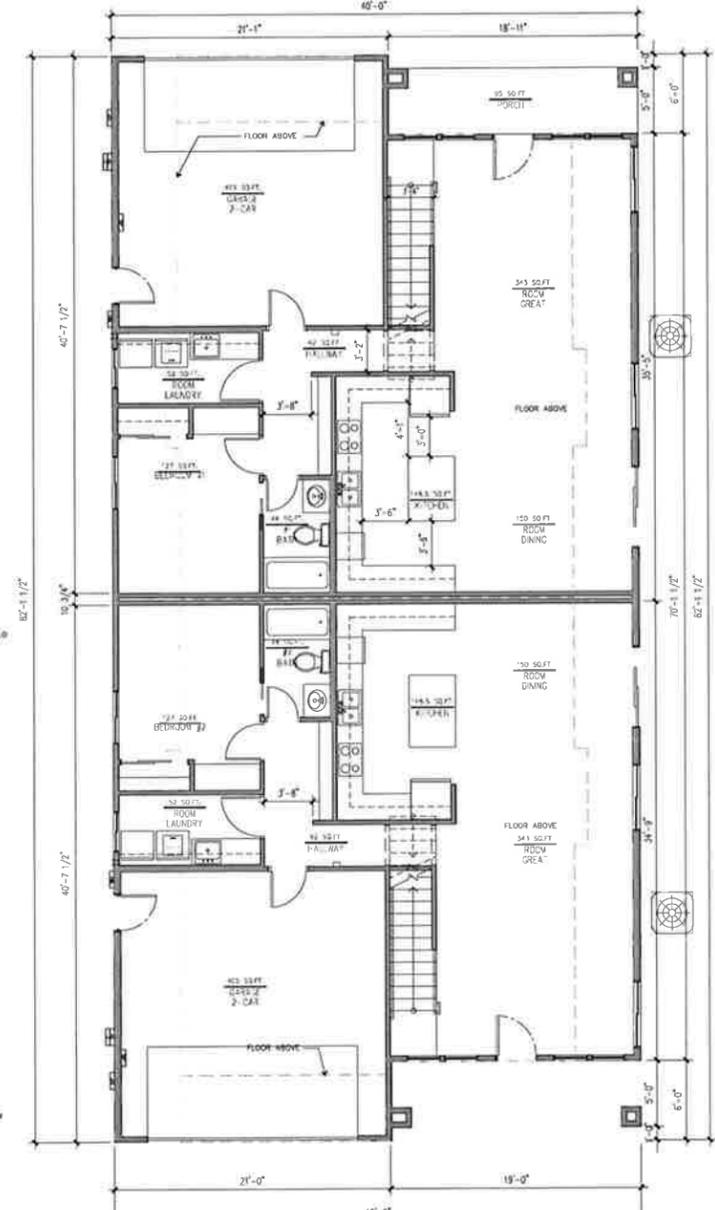


LEGEND

AP	ANGLE POINT	GA	GATE	GP	GUARD POST
CP	CORNER POINT	GV	GAS VALVE	EP	EDGE OF PAVEMENT
DR	DRAIN	MP	MANHOLE	SQ FT	SQUARE FEET
DB	CATCH BASIN	PL	PROPERTY LINE	WE	WEDGE ENCLOSURE
CL	CENTER LINE	RM	RECREATION MANHOLE	TR	TREE
CD	CENTER LINE	SL	STREET LIGHT	TRP	TREE PILE
CH	CHAIN LINK FENCE	ST	SIGN STANDARD	TRP	TREE PALM
CM	CONCRETE PAVEMENT	PR	POWER POLE	SI	SIGN
CO	CORNER MONUMENT	RF	RAIL FENCE	WM	WATER METER
CR	CORNER MARKER	WB	WIRE FENCE	WM	WATER METER
CS	CORNER MARKER	WB	WIRE FENCE	WM	WATER METER
CU	CORNER MARKER	WB	WIRE FENCE	WM	WATER METER
CV	CORNER MARKER	WB	WIRE FENCE	WM	WATER METER
CE	CORNER MARKER	WB	WIRE FENCE	WM	WATER METER
CG	CORNER MARKER	WB	WIRE FENCE	WM	WATER METER
CH	CORNER MARKER	WB	WIRE FENCE	WM	WATER METER
CI	CORNER MARKER	WB	WIRE FENCE	WM	WATER METER
CM	CORNER MARKER	WB	WIRE FENCE	WM	WATER METER
CO	CORNER MARKER	WB	WIRE FENCE	WM	WATER METER
CP	CORNER MARKER	WB	WIRE FENCE	WM	WATER METER
CQ	CORNER MARKER	WB	WIRE FENCE	WM	WATER METER
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SECOND FLOOR PLAN
3/7/16 - 1'-0"



FIRST FLOOR PLAN
3/7/16 - 1'-0"

MOISES VILLEGAS
DESIGNER

REVISIONS

NO.	DATE	REMARKS

PROJECT TITLE

NEW HOMES

JOB ADDRESS

217 CABRILLO AVE,
COSTA MESA, CA 92627

LEGAL DESCRIPTION

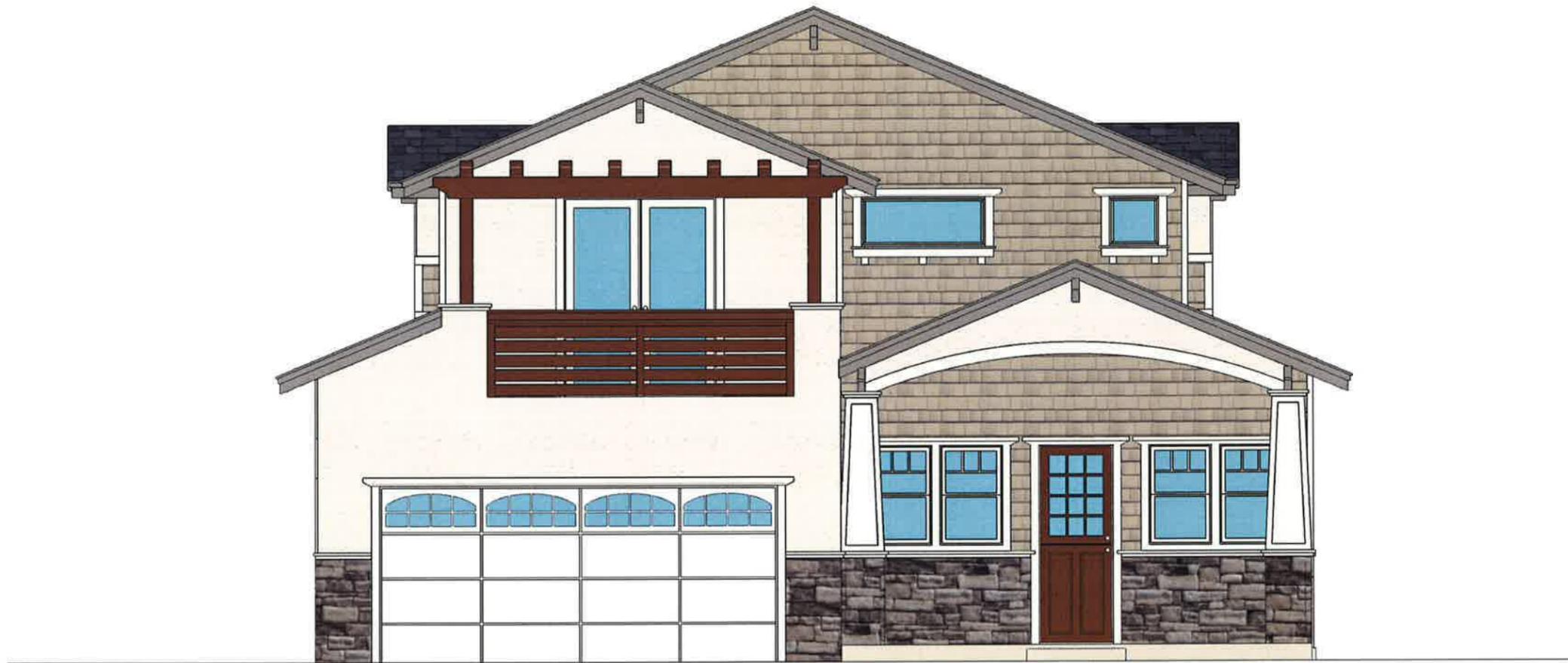
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LOT - 103
P.M. - NEW PORT HEIGHTS
BLOCK -
OWNER
WINDMILL INVESTMENT LLC
JOE KANEKO / JESSE CHENG
16 SEGADO RANCH
SANTA MARGARITA, CA 92688

Tel:
JOB NO.: 2015-090
DATE: 09-10-15
DRAWN BY: RM
CHECKED BY: RM
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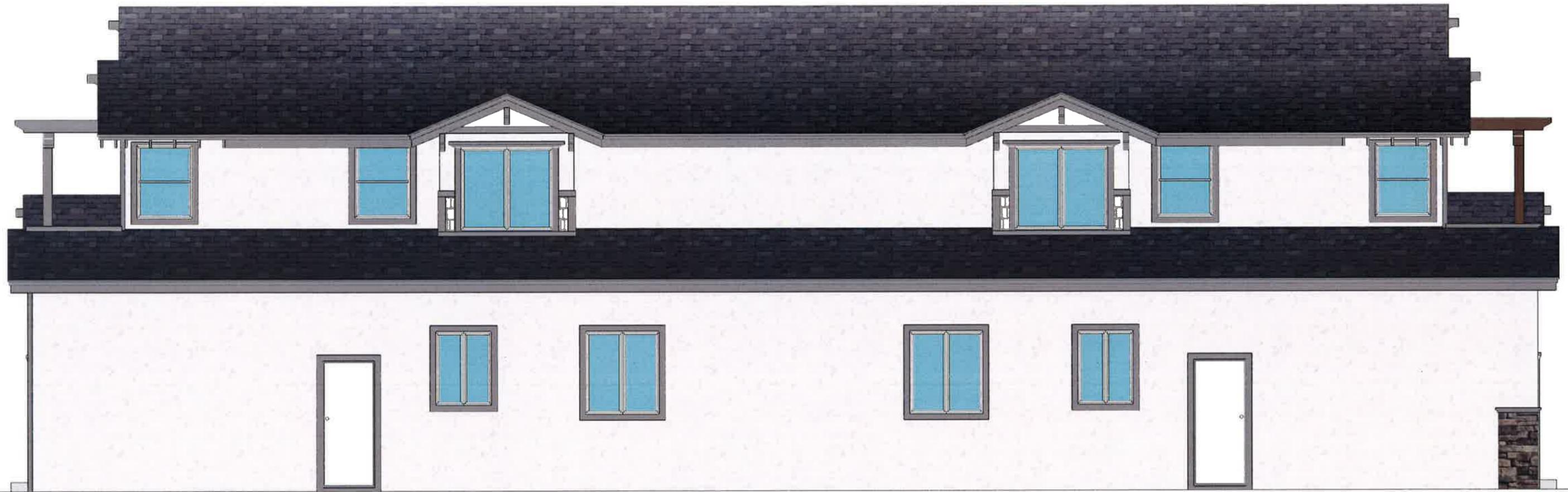
A201



217 Cabrillo Unit A



41



217 Cabrillo Right Elevation



217 Cabrillo Left Elevation



44



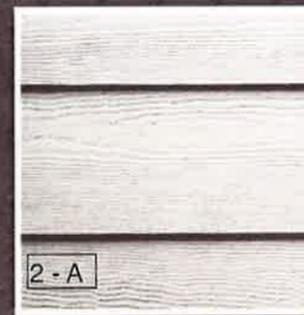
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UNIT A- FRONT ELEVATION

UNIT A- LEGEND

1. Black colored Architectural Shingle Roof
2. HardiePlank Horizontal Lap Siding - Arctic White
3. Treated Redwood Patio Cover- Painted Dark Grey
4. Treated Wood Corbels- Painted Dark Grey
5. Gable End- Smooth HardiePanel - White
6. Wood Trim, Columns, Window Seats: Dark Grey
7. Hardi Panel-Smooth with Batten Trim - White on White
8. Dark Metal Railing
9. White vinyl windows
10. Dutch Front Door- Black
11. Frosted Silhouette garage door



2 - A



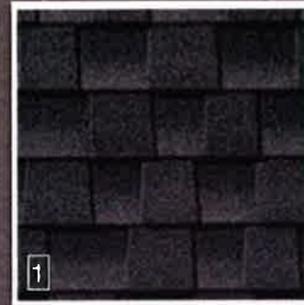
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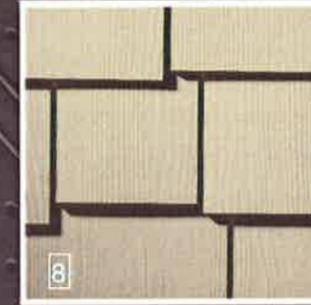
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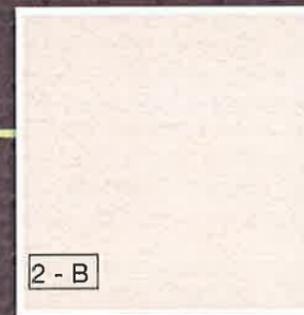
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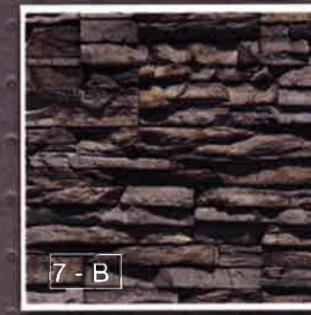
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NEW CONDOMINIUMS

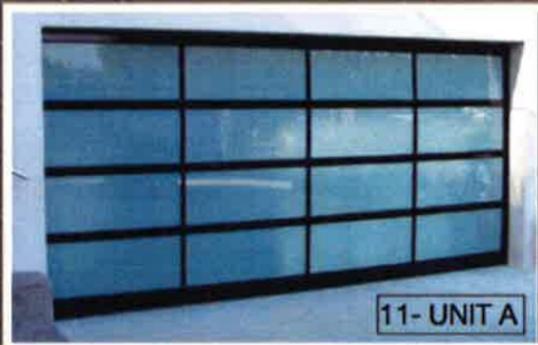
217 Cabrillo, COSTA MESA, CA 92627
 Windmill Investment LLC
 (213) 402 7277



2 - B



7 - B



11- UNIT A



3



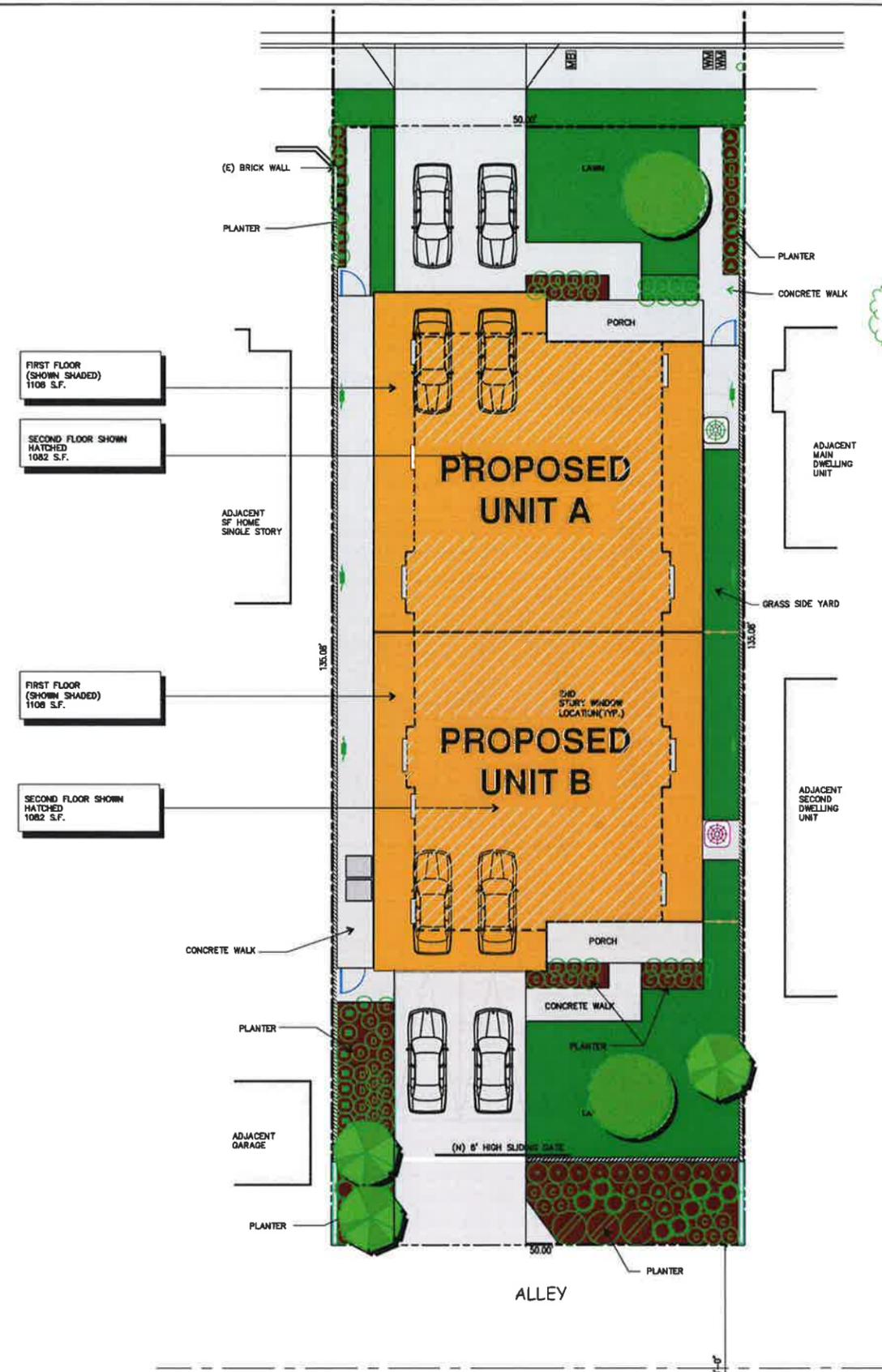
11- UNIT B

UNIT B- LEGEND

1. Black colored Architectural Shingle Roof
2. Omega Stucco Sand Finish. Color: #35 Cloud Grey
3. Treated Redwood Patio Cover- Stained
4. Treated Wood Corbels- Painted Dark Grey
5. Gable End- Stucco Sand Finish. Color: #35 Cloud Grey
6. Wood Trim, Columns, Window Seats: Painted White
7. El Dorado Stone- Black River
8. Hardie Staggered Siding- Cobble Stone.
9. White vinyl windows
10. Wood belly band above rock painted day grey
11. Carriage Style garage door



UNIT B- FRONT ELEVATION



FIRST FLOOR (SHOWN SHADED) 1108 S.F.
 SECOND FLOOR SHOWN HATCHED 1082 S.F.

FIRST FLOOR (SHOWN SHADED) 1108 S.F.
 SECOND FLOOR SHOWN HATCHED 1082 S.F.

Planting Legend

	<i>Syagrus romanzoffiana</i> Queen Palm 24" Box Min. 8' 8" H Qty: 3	- Full Sun -
	<i>Lagerstroemia indica</i> 'Watermelon Red' Crape Myrtle 'Watermelon Red' 24" Box Qty: 3	- Multi Stem Full Sun -
	<i>Buxus microphylla</i> 'Green Beauty' Japanese Boxwood 5 gallon Qty: 38	Evergreen small leafed shrub 3' x 3' Full Sun Monrovia Nursery
	<i>Agapanthus africanus</i> 'Peter Pan' Dwarf Lily of the Nile 1 gallon Qty: 62	1' x 1' Full Sun Monrovia Nursery
	<i>Dianella caerulea</i> 'Little Becca' Flax Lily 'Little Becca' 1 gallon Qty: 51	18" x 18" Full Sun Part Shade -
	<i>Cuphea hyssopifolia</i> 'Manga' White Mexican Heather 1 gallon Qty: 88	8" x 18" Full Sun* Monrovia Nursery
	<i>Gardenia jasminoides</i> 'Veitchi' Everblooming Gardenia 5 gallon Qty: 24	3' x 3' Full Sun -
	<i>Hypericum patulum</i> 'Sun Gold' St. Johns Wort Rooted Cuttings Per Plan 12" On Center	Spreading Full Sun -
	<i>Hemerocallis</i> x 'Swirling Water' Swirling Water Daisy 1 gallon Qty: 8	2' x 2' Full Sun -
	<i>Stachys byzantina</i> Lamb's Ears 1 gallon Qty: 6	12" x 3" Full Sun -
	<i>Ficus pumila</i> Creeping Fig 5 gallon Qty: 15	Climbing Sun or Shade -
	1/2" to 3/4" Round Rock Cover Mulch Utilize local sources 3" Depth over weed barrier / filter fabric / redwood header	
	EXISTING TREE TO REMAIN	

- PLANTING NOTES:**
- *CONTRACTOR MUST CONTACT DIG ALERT PRIOR TO THE INSTALLATION OF ANY TREES ON SITE. ALL UNMARKED UTILITIES OR CONNECTIONS MUST BE LOCATED BY THE CONTRACTOR PRIOR TO TREE PLACEMENT.
- **FOLLOWING THE DEMOLITION AND REMOVAL OF ANY EXISTING PAVED AREAS, THE CONTRACTOR IS TO SUBMIT (1) SOIL SAMPLE PER 500 SQ. FT. OF ALL EXPOSED SOIL. CONTRACTOR SHALL REQUEST AND FOLLOW RECOMMENDATIONS FROM THE SOIL LABORATORY'S INSTRUCTIONS FOR 'DEAD' SOIL RESTORATION. REPORTS WILL BE PROVIDED TO THE PROPERTY OWNER AND LANDSCAPE ARCHITECT.
- CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT OF SITE CONDITIONS WHICH PREVENT INSTALLATION PER PLANS AND SPECIFICATIONS.
 - CONTRACTOR SHALL BE LIABLE FOR REMOVING AND REINSTALLING IRRIGATION EQUIPMENT, AND REPLANTING AREAS WHICH ARE NOT INSTALLED PER PLAN AND SPECIFICATIONS.
 - IRRIGATION SYSTEM SHALL BE INSTALLED AND OPERATING PRIOR TO PLANT MATERIALS.
 - TREES AND SHRUBS SHALL BE PLANTED AFTER CONCRETE PLACEMENT, BUT NOT BEFORE IRRIGATION COVERAGE TEST NO. 1 HAS BEEN APPROVED. (SEE SPECIFICATIONS).
 - PLACE TREES BETWEEN IRRIGATION HEADS WHEREVER POSSIBLE.
 - SHREDDED MULCH INSTALLATION: INSTALL 3" THICK LAYER OF SHREDDED MULCH IN ALL SHRUB AND GROUND COVER AREAS PER SPECIFICATIONS, UNLESS OTHERWISE INDICATED ON PLANS. SAMPLE OF MULCH SHALL BE GIVEN TO LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO DELIVERY OF MATERIAL TO SITE.
 - CONTRACTOR IS RESPONSIBLE FOR ALL REPAIRS AND/OR REPLACEMENT OF ANY DAMAGED LANDSCAPE AREAS BEYOND THE LIMIT OF WORK, THAT IS A DIRECT RESULT OF THE LANDSCAPE CONSTRUCTION AND/OR HIS SUB-CONTRACTOR. REPLACEMENT ITEMS SHALL BE EXACT DUPLICATE OF ORIGINAL WORK OR PLANS, UNLESS OTHERWISE APPROVED BY THE LANDSCAPE ARCHITECT.
 - WHEREVER GROUND COVER AREAS ARE ADJACENT TO TURF INSTALL CONCRETE MOWSTRIP OR HEADERBOARD AS INDICATED ON DRAWINGS.
 - CLEAN-UP SHALL TAKE PLACE ON A DAILY BASIS UNLESS OTHERWISE APPROVED BY THE OWNER'S REPRESENTATIVE.
 - TREES PLACED WITHIN 4' OF HARDSCAPE, ASPHALT, OR CURBS SHALL BE PROVIDED WITH DEEP ROOT BARRIERS OR APPROVED EQUAL, MIN. DEPTH 24" AND 10 LINEAR FEET (CENTERED ON TREE TRUNK). ROOT BARRIERS SHALL BE PLACED ON THE INSIDE EDGE OF HARDSCAPE (DO NOT WRAP AROUND ROOT BALL).

MOISES VILLEGAS
DESIGNER

REVISIONS

NO.	DATE	REMARKS

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NEW HOMES

JOB ADDRESS
217 CABRILLO AVE.
COSTA MESA, CA 92627

LEGAL DESCRIPTION
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 LOT - 103
 P.M. - NEW PORT HEIGHTS
 BLOCK -
OWNER
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 16 SEGADO RANCH
 SANTA MARGARITA, CA 92686
 Tel: _____

JOB NO.: 2015-090
 DATE: 09-10-15
 DRAWN BY: RM
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 DRAWING SHEET

