



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: FEBRUARY 22, 2016

ITEM NUMBER:

PH-3

SUBJECT: PLANNING APPLICATION PA-15-57 AND TENTATIVE TRACT MAP NO. TT-17998 FOR A DESIGN REVIEW AND SUBDIVISION MAP FOR A DETACHED 8-UNIT SMALL LOT DEVELOPMENT AT 133-139 EAST 21ST STREET

DATE: FEBRUARY 11, 2016

FROM: PLANNING DIVISION/DEVELOPMENT SERVICES DEPARTMENT

PRESENTATION BY: MEL LEE, SENIOR PLANNER

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

DESCRIPTION

The proposed project involves the following:

1. **Planning Application PA-15-57:** Design Review to construct an 8-unit, two-story, small lot subdivision on a 31,526 sq. ft. lot in an R2-MD zone. The project satisfies all R2-MD development standards and residential design guidelines.
2. **Tentative Tract Map TT-17998:** A residential small lot subdivision consisting of 8 fee simple lots.

AUTHORIZED AGENT

The authorized agent is Zabeth Shuman, representing the property owners, Richard L. Abramson and William R. Abramson.

RECOMMENDATION

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

PLANNING APPLICATION SUMMARY

Location: 133-139 E. 21st Street Application Number: PA-15-57/TT-17998

Request: Design review of an 8-unit small lot residential development and a subdivision map.

SUBJECT PROPERTY:

Zone: R2-MD
 General Plan: Medium Density Residential
 Lot Dimensions: 105 FT x 300 FT
 Lot Area: 31,526 SF
 Existing Development: 5 residential units (to be demolished).

SURROUNDING PROPERTY:

North: Acr. E. 21st St.) R2-MD, Multi-Family Residential, Residential Use
 South: R2-HD, Multi-Family Residential, Residential 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 | 105 FT |
| Lot Area | NA | 31,526 SF |
| Maximum Density: | | |
| DU's/ Acre (Residential) | 1 du/3,630 SF (12 DU's/Acre) Maximum 8 units | 1 du/3,940 SF (11 DU's/Acre) Proposed 8 units |
| Building Coverage (Development Lot) | | |
| Buildings | NA | 10,832 SF (34%) |
| Paving | NA | 10,034 SF (32%) |
| Minimum Open Space | 9,458 SF (30%) | 10,660 SF (34%) |
| TOTAL | NA | 31,526 SF (100%) |
| Building Height | | |
| Building Height | 2 Stories/Max. 27 FT | 2 Stories/ 25 FT |
| Chimney Height | 2 FT Above Max. Bldg. Ht. | NA |
| Private Open Space | 200 SF/Min. 10 FT Min. Dim. | 432 SF/12 FT |
| Distance Between Main Buildings | NA | 24 FT |
| Setbacks (Development Lot) | | |
| Front | 20 FT | 29.5 FT |
| Side (left/right) | 5 FT/5 FT | 6 FT/5 FT |
| Rear | 10 FT | 13 FT |
| Parking | | |
| Garage(s) | 16 | 16 |
| Open | 16 | 16 |
| Guest | 1 | 1 |
| TOTAL | 33 Spaces | 33 Spaces |
| Interior garage dimension | 20 FT Min. | 20 FT |
| NA = Not Applicable or No Requirement | | |
| CEQA Status | Guidelines Section 15332/Class 32, Infill Development. | |
| Final Action | Planning Commission | |

BACKGROUND

Project Site/Environs

The 31,526 square foot project site is comprised of two parcels (133 and 139 E. 21st Street) containing 5 residential units (2 on 133 E. 21st Street and 3 on 139 E. 21st Street), located on the south side of East 21st Street, east of Newport Boulevard. The units, originally constructed in the early 1960's, will be demolished to accommodate the proposed project. The property is zoned R2-MD with a maximum development potential of 8 units (12 dwelling units per acre).

ANALYSIS

Design Review for PA-15-57

The project involves the construction of an 8-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) | 1,900 SF |
| Total No. of Units | 8 |
| No. of Bedrooms/Bathrooms | 3 Beds/2.5 Bath |
| No. of Stories | 2 |
| No. of Garage Spaces (Total) | 16 |
| No. of Open Spaces (Total) | 17 |
| Total Parking | 33 (Meets Code) |

General Plan Density

| | | |
|--------|---|--|
| Number | 1 du/3,630 SF (12 DU's/Acre) Maximum 8 units Allowed | 1 du/3,940 SF (11 DU's/Acre) 8 units Proposed |
|--------|---|--|

The project layout, floor plans, and elevations comply with the R2-MD development standards. A total of 34 percent of the lot area is provided as open space and landscaping. Attached two-car garages are provided for each unit, with open parking spaces located either between the units or parallel to the driveway leading to the garage (this layout has been reviewed and approved by the Transportation Services Division). A non-assigned guest parking space is also provided at the end of the drive aisle. The garages have been specifically designed to accommodate the trash bins.

Building exteriors have been designed with materials and finishes consistent with the "contemporary cottage" design and utilize a combination of wood siding, stucco, metal seam roofs and architectural detailing where applicable.

Tentative Tract Map TT-17998

The applicant proposes a tract map to allow the units to be sold separately. The map is consistent with City codes and the State Subdivision Map Act. Approval of the map will facilitate small lot development so each lot may be sold separately. 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 residents to park vehicles in the garage spaces provided for each unit.

Residential Design Guidelines

The proposed residences include elevations with varied roof forms. Both homes incorporate varying exterior finishes to create an aesthetically pleasing façade. The window placement will to minimize privacy impacts from this project. Conditions of approval have been included which should mitigate these effects.

General Plan Conformance

The proposed development is a small lot development of 8 detached residences. The project is consistent with the allowable density of 1 dwelling unit per 3,630 square feet. The proposal is 11 dwelling units per acre, which is below the 12 dwelling units per acre allowed in the Medium Density Residential land use designation. The project also complies with Land Use Objective LU-1A.4, in that the proposed project will provide owner-occupied housing to improve the balance between rental and ownership housing opportunities, therefore increasing homeownership opportunities 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 (February 2018). 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 the project 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. No zoning code deviations are requested.* The creation of the subdivision is consistent with General Plan Land Use Objective LU-1A.4 in that it creates new homeownership opportunities to improve the balance between renter and owner occupied housing in the City. The project design complies with all development

standards of the small lot ordinance and R2-MD development. The proposed project does not exceed the maximum density of less than 12 units per acre, consistent with the General Plan designation of Medium Density Residential.

- 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.

As a condition of approval, the proposed project must not have 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 finished material(s) including but not limited to: modifications to the “contemporary cottage” design, wood siding, stucco, metal seam roofs and architectural detailing. No changes shall be made during construction without prior Planning Division written approval.

- The open space of this project exceeds code requirements. The residential development standards require a minimum of 30% of open space for a small lot subdivision development, however the project is proposing 34% of open space. The preliminary landscape plans propose a mixture of shrub and turf coverage. The shrubs are mostly drought tolerant. There are trees strategically placed throughout the property; staff will insure that the tree count and sizes complies with the City’s landscape ordinance.
- 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.
- The project provides a quality residential ownership development in proximity to older residential rental units and commercial uses adjacent to Newport Boulevard. Although the subject property is surrounded by residential uses, it is also close to an existing motel (Days Inn) and commercial uses along Newport Boulevard. Additionally, the residential uses surrounding the property are older mid-century rental units. The proposed project creates homeownership that would create opportunities to revitalize this neighborhood.

Requirement to Underground Overhead Utilities

Zoning Code requires existing on-site overhead utilities to be undergrounded for the project, which has been agreed to by the applicant. Additionally, the Public Services Department has incorporated a condition of approval (Condition No. 25) requiring the existing overhead utility pole in the public right-of-way of this property to be removed based on the number of units proposed for this project (8 units proposed – 5 is the

minimum for the requirement for removal of poles within the right-of-way). The applicant is requesting that this requirement be waived, a copy of which is attached to this report (Attachment 4). The Planning Commission has the discretion to waive the requirement to remove the pole if they believe the applicant's request is justified.

If the Commission upholds the applicant's request to waive the removal of the pole, the driveway entry into the proposed project has been designed to accommodate the retention of the pole as indicated on the submitted plans (Attachment 6). The applicant has worked with the Transportation Services Division on the proposed design with the existing pole in place; it complies with their design criteria for visibility and circulation of vehicles if the request to remove the pole is waived.

ENVIRONMENTAL DETERMINATION

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 multi-family residential structures in urbanized areas, which have been determined not to have a significant effect on the environment.

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 the 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 Tract Map, as conditioned, will allow the development of the project which is consistent with the Residential Development Standards and Design Guidelines Resolutions. Staff recommends approval of this project.



MEL LEE, AICP
Senior Planner



CLAIRE FLYNN, AICP
Asst. Development Services Director

- Attachments:
1. Vicinity, Zoning, and 500 Ft. Radius Maps
 2. Site Photos
 3. Applicant's Project Description
 4. Applicant's Request to Waive Condition Requiring Removal of Utility Pole in Public ROW (Condition No.25)
 5. Draft Planning Commission Resolutions and Exhibits
 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)

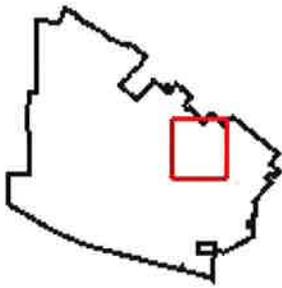
Zabeth Shuman
c/o Matt White Custom Homes
3090 Pullman Street
Costa Mesa, CA 92626

Richard L. Abramson and
William R. Abramson
1804 Alguna Lane
Huntington Beach, CA 92648

City of Costa Mesa

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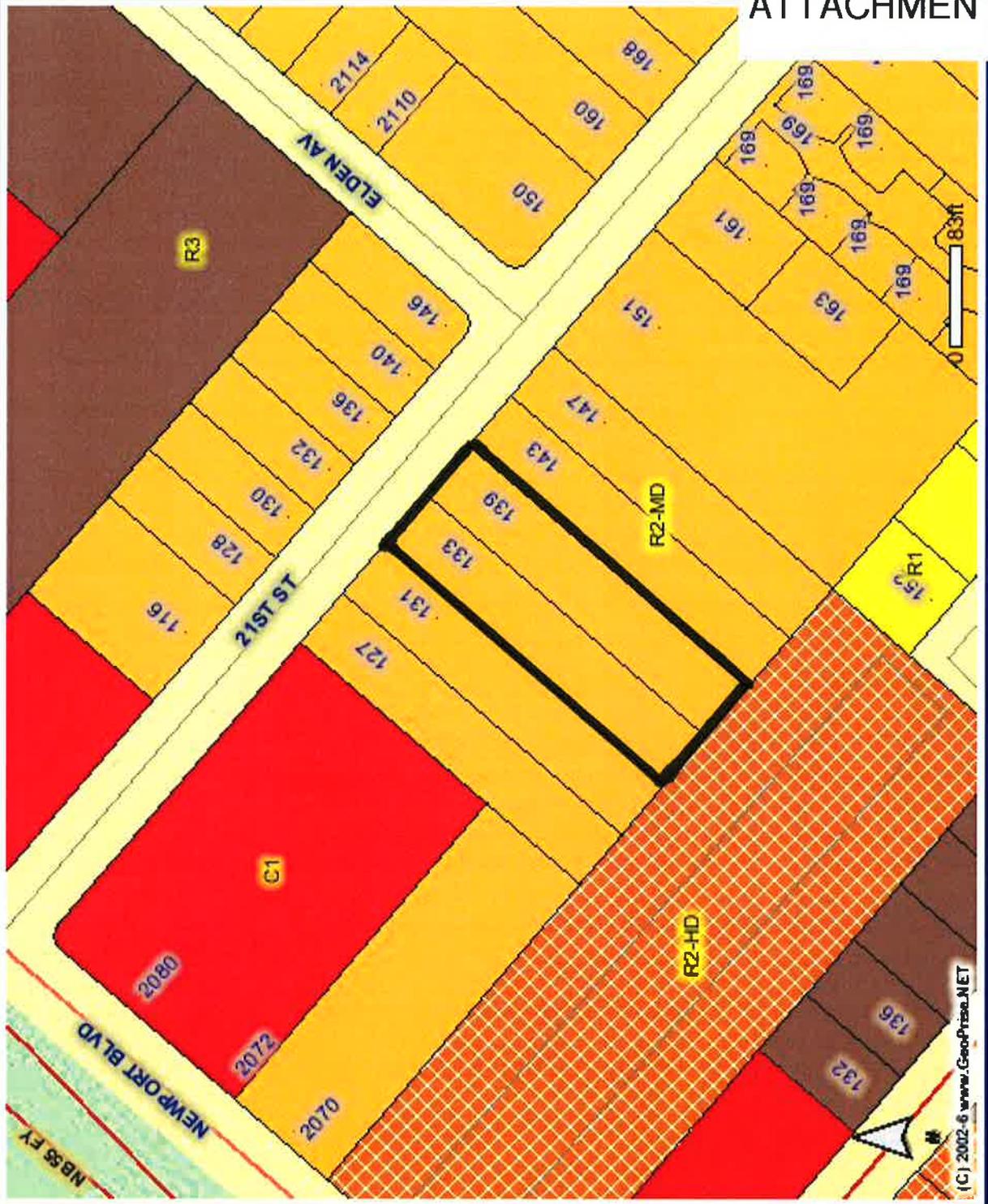
Overview Map



Legend

- Address Medium
- Address Points
- Freeway
- Roads
- Collector
- Freeway
- Major
- Newport BLVD
- (cont)
- Primary SECONDARY
- Hydrology
- Channels
- Street Names
- Street Centerlines

Map Display



(C) 2002-6 www.GeoPrise.NET

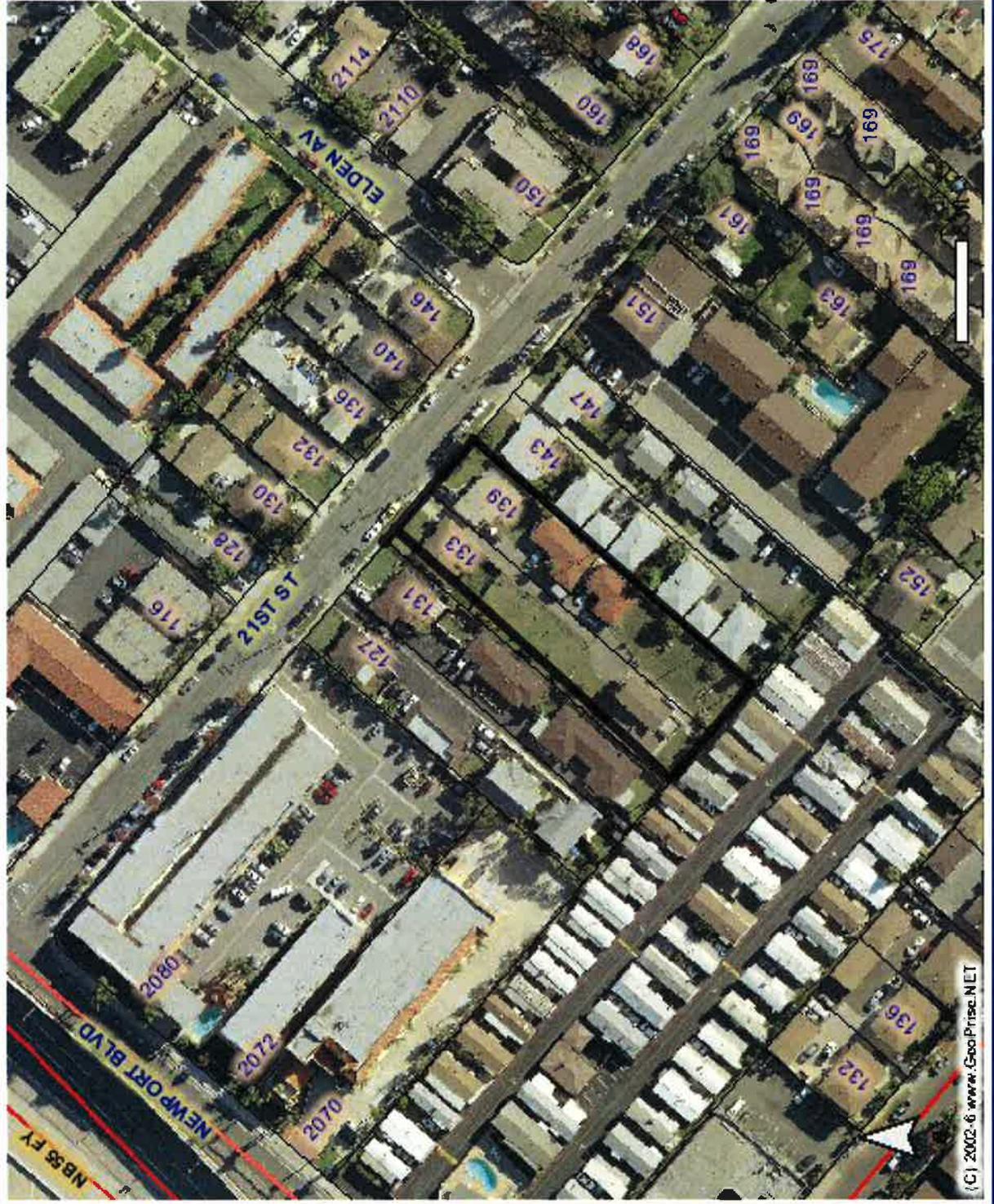
City of Costa Mesa

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Overview Map



Map Display



Legend

- Address Medium
- Address Points
- Freeway
- Roads
- Collector
- Freeway
- Major
- Newport Blvd (cont)
- Primary SECONDARY
- Hydrology
- Channels
- Street Names
- Street Centerlines

NEWPORT FREEWAY

419-22

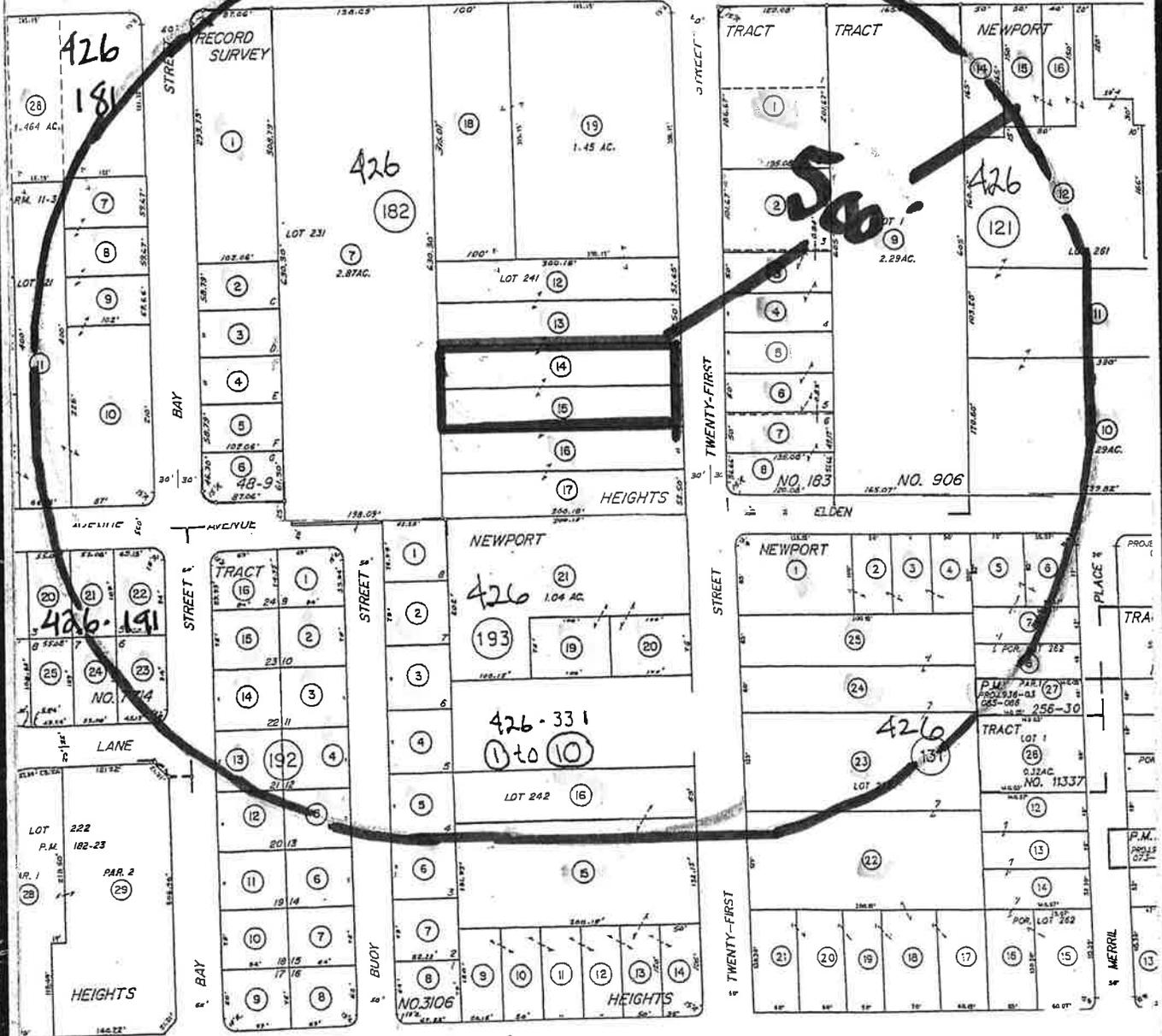
REPRODUCED.
ASSESSOR 2004

NEWPORT

1" = 100'

(NORTH BOUND)

BOULEVARD NEWPORT

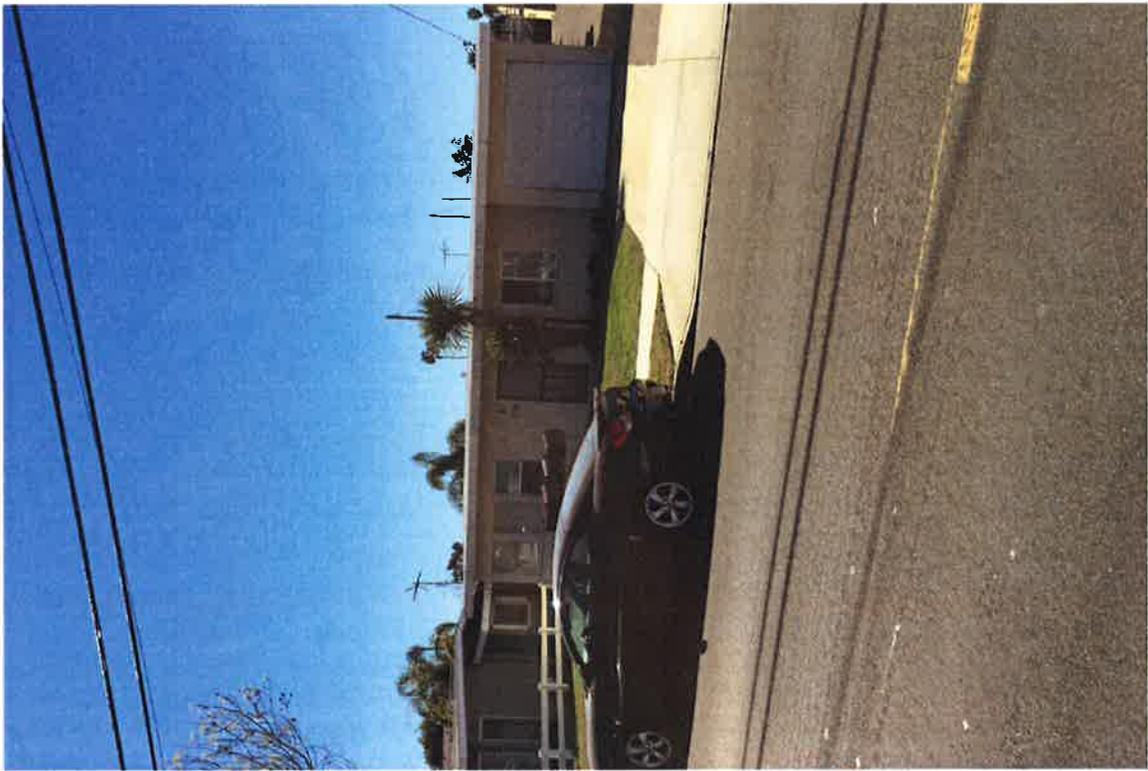


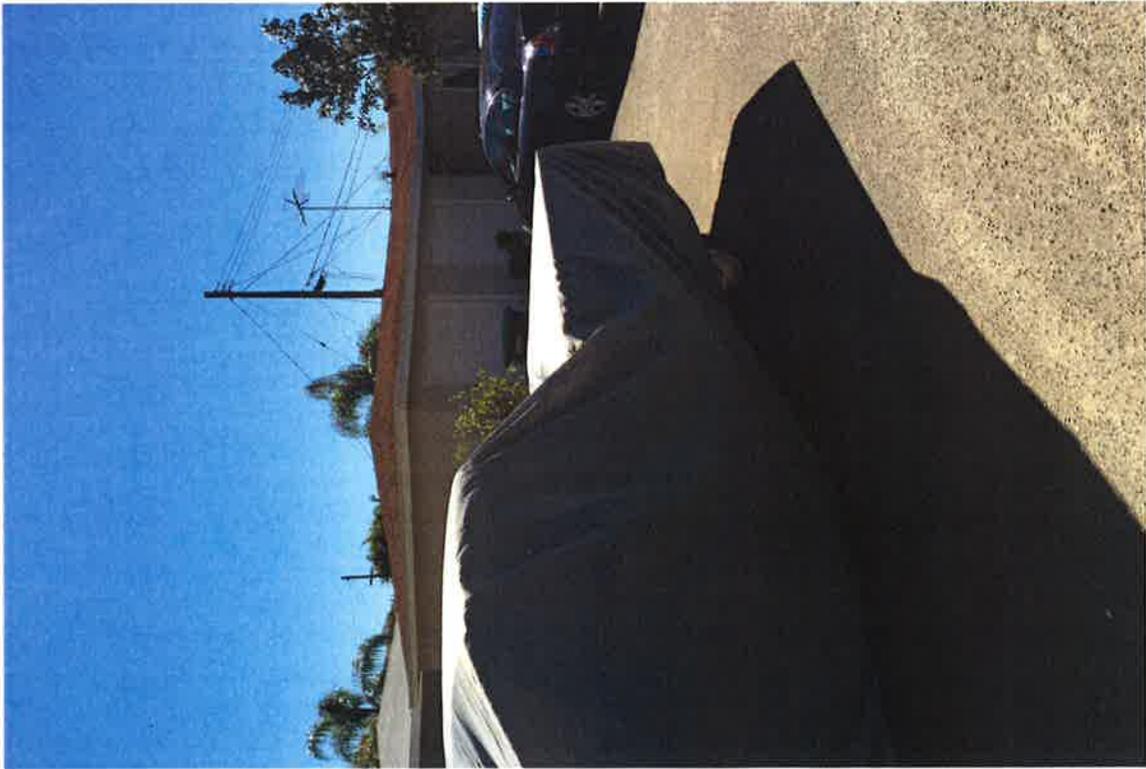
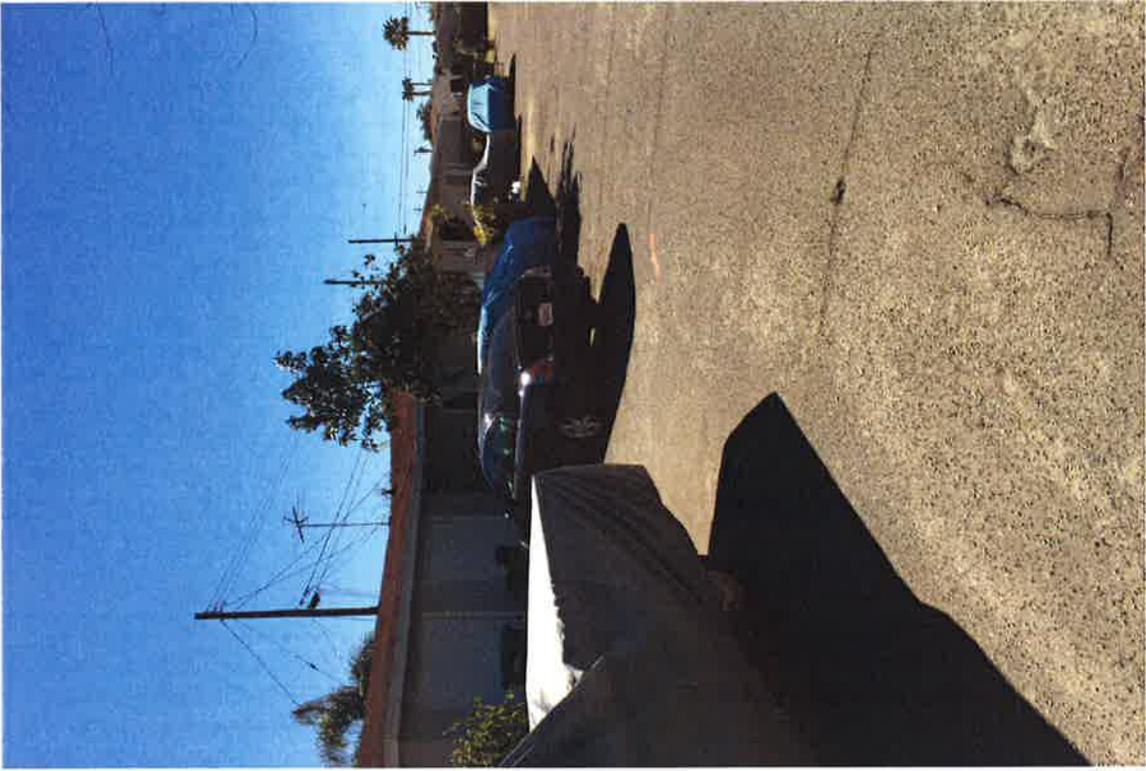
Map Preparer:
SUSAN W. CASE, INC.
 917 GLENNEYRE ST #7
 LAGUNA BEACH CA 92651
 949 494 6105
 susancaseinc@yahoo.com

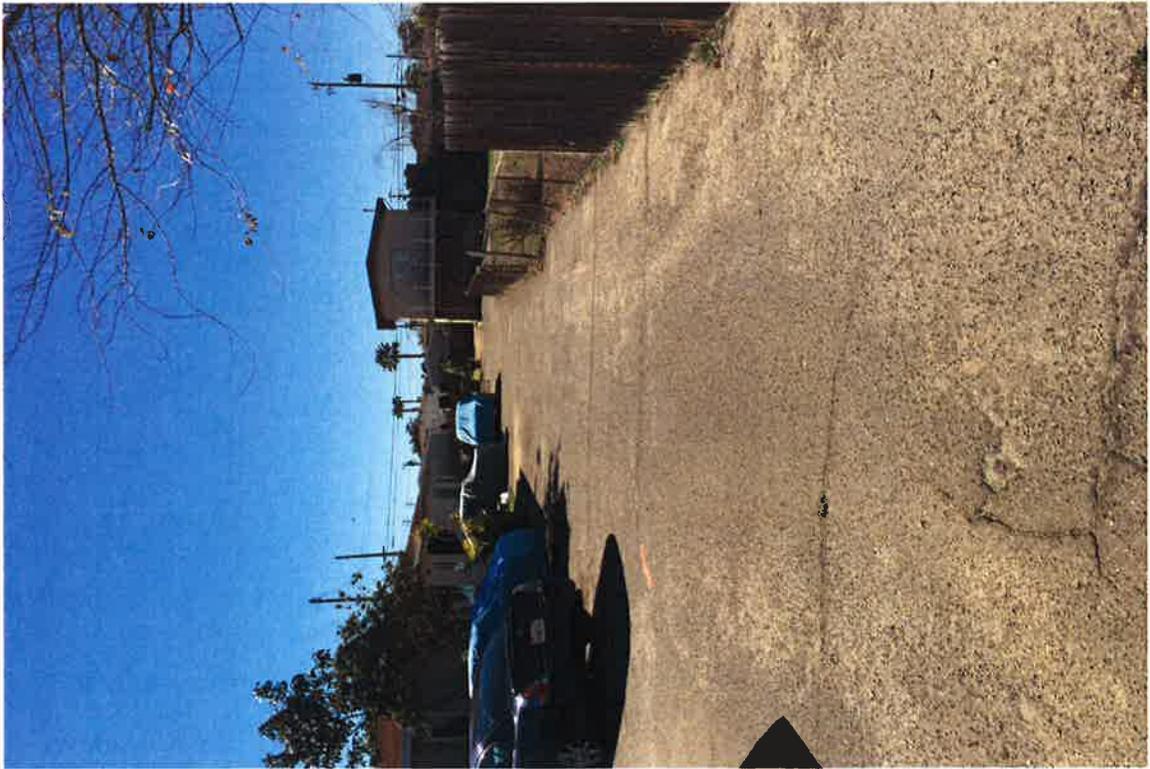
FILE # 152535
 133 to 139 E 21st ST
 COSTA MESA CA
 DECEMBER 3 2015
 500' OWNERS
 426 182 14 AND 15

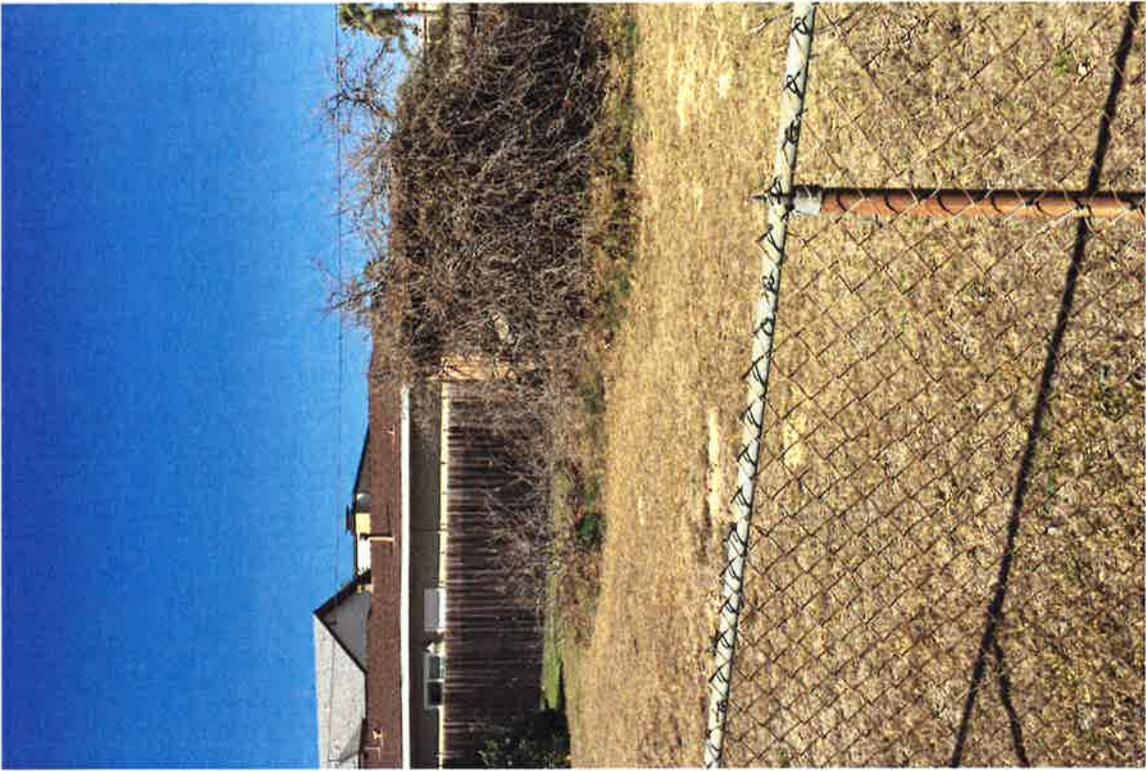


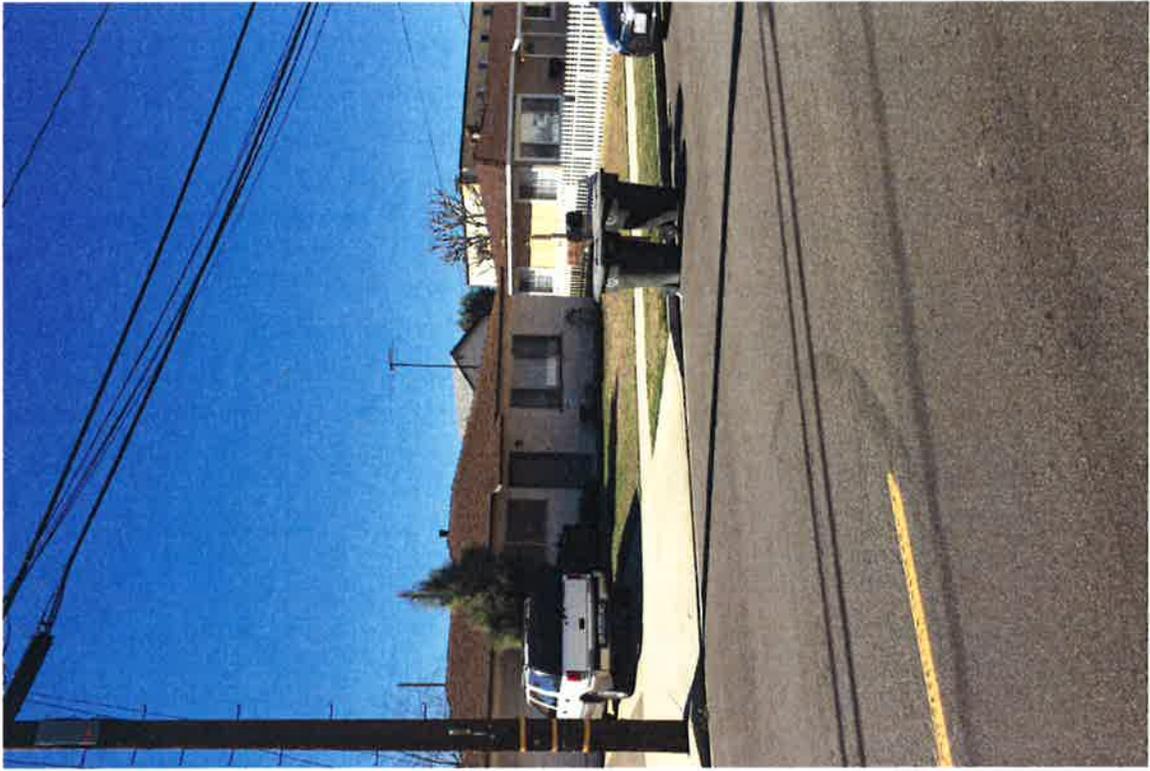
NORTH













16

133 - 139 E. 21st Street
Costa Mesa, CA 92627

Project Description

The proposed project is eight (8) single family contemporary coastal cottage development submitted under the code amendment CO-15-01 for Small Lot Subdivision Ordinance adopted on April 1, 2014. The site is in the R-2 MD zone and is approximately 31,515 square feet (.72 acre) in size.

There are currently five (5) units of residential income (for rent) housing on the site. The existing units are a mix of four small single-story family dwelling units and one two-story single family unit. The five units which were originally built in the 1950s.

The concept for the development is to achieve the unique combination of creating a community with character, livability, and diversity within an in the Southern California coastal environment. With a nod to some of the principles of New Urbanism, the intent is to create a housing community that not only enhances the surrounding neighborhood, but embraces it.

- Think going home and putting your feet up in a comfy-cozy setting.
- Think running out the door for fun day at the beach, back bay or Costa Mesa Fairgrounds just minutes away.
- Think owning a home that invites friendship with its interesting design and minimalist beauty.

The homes have been designed to have an approximat 1,934 living space with three bedrooms upstairs and an optional forth downstairs. The floor plans have been designed to create open living spaces that are functional and efficient resulting in a very spacious feel within a home under 2,000 square feet. The optional plan for a ground floor bedroom will allow for the inclusion of senior aged home buyers to our community who prefer to live conveniently on the ground floor.

Exterior building materials and finishes will be consistent with the contemporary cottage design and utilize a combination of stucco and wood siding, metal roof material and details may be used where applicable. The perimeter fence and yard fences will be a combination of concrete block and wood or wood like material that is consistent with the cottage community aesthetic.

Each home will have a unique private open space that allows for the desired indoor-outdoor livability that our coastal climate provides. There will be a number of common area landscape spaces that will be designed with a theme of coastal sensibility and California native plant materials. The project will utilize as many sustainable building practices as feasible and employ several community green building practices such as using draught tolerant landscape materials and low flow irrigation. Energy efficient fixtures, appliances, heating system and tank less water heaters will be featured in all homes.

Vehicular access to the homes will be accommodated in a common driveway accented with permeable concrete elements and decorative paving where applicable. Each home will have an attached; two car garage with two additional open parking spaces, one in front of the driveway at the garage entrance and the second alongside the garage. There will also be an additional "17th" open parking space at the end of the community drive.

The project site is approximately 105' feet by 300.25' feet with 34.10 % open space.

The project has been developed with the direction of staff to fulfill the intent of the current zoning codes and requirements.

We believe the proposed development plan more than meets the intent of the current zoning codes and requirements and provides a much needed opportunity for new home ownership in Eastside Costa Mesa that enjoys the comfortable coastal lifestyle.

MATT | WHITE

CUSTOM HOMES

February 11, 2016

RE: Requesting Waiver to Undergrounding Public Right Away Utilities – Not Feasible (133 - 139 E. 21st Street Costa Mesa, CA 92627)

Dear City of Costa Mesa Planning Commission:

The proposed project of eight (8) single family coastal cottages located at 133-139 East 21st Street has a power pole located in the Public Right Away. We have been informed that City Council is advocating all public utilities be required to be undergrounded in the right of way without a documented City ordinance.

We understand the desire to improve the City's sight line with undergrounding power poles. However, the level of uncertainty of undergrounding this one power pole creates an impractical situation. The pole located in front of our eight homes is a major distribution power pole which serves not only our current property but the surrounding neighbors, The Day's Inn and Newport Senior Center. We have met with all three of the major utilities companies: Southern California Edison, Southern California Gas and AT&T. Please see attached Exhibit "A" outlining letters we received from each of the utility companies. AT&T, Steven Besneatte, Plant Engineer, "Relocating or undergrounding utility facilities at this location will be extremely difficult, if it's possible at all. Any relocation of aerial cable, due to the length of spans and positions of terminals, will actually increase the number of poles needed to maintain the cable on either side of the undergrounding." **By undergrounding this one pole we will need to install three new poles, possibly four including guide wires.** Please see attached Exhibit "B" for new pole locations.

Undergrounding one power pole in a small community on 21st Street will severely impact the neighborhood. Unknown schedule for Southern California Edison to complete their work will impact power to homes, phone service and internet service. Safety is always our top priority. If the pole must be undergrounded we will need to close streets due to open trenches and divert auto and pedestrian traffic. There will also need to be new easements completed that will affect neighbors on the adjacent side of 21st Street which will be difficult since most homeowners will not want to give up property for public power pole.

We hired a Utility Consultant to run cost estimates for undergrounding our one public right way pole. The costs are prohibitive for a small project of only eight homes. We current have

estimates at \$500,000 to cover subcontractor fees, Edison conversion charges and communication conversions which does not include tract development undergrounding of two onsite power poles and new service lines to our next door neighbor located at 143 E. 21st Street. Another important note, we will not be able to start the Southern California Edison application process for tract utilities until the public right away power pole application and design is complete which could take anywhere from 6 to 12 weeks for plans to be processed and another 8 to 12 months for construction. This will be detrimental to our project schedule. Please see Exhibit "C" for cost breakdown.

We have observed the City of Costa Mesa having other new home communities with the same power pole condition as our new project is requesting. For your reference, Exhibit "D" is attached which demonstrates existing communities with public right away power poles in center drives.

We believe the proposed development plan more than meets the intent of the current zoning codes and requirements. Leaving the power pole in place will not hinder the value that these eight homes will bring to the community. Please take the above mentioned information under consideration as we request the requirement to underground the public right away power pole to be waived.

We look forward to continuing to be an active Company and Builder in the City of Costa Mesa adding new home ownership opportunity that enjoys the comfortable coastal lifestyle Costa Mesa creates.

Thank you for your consideration.

Sincerely,



Matt White

President

714-329-2222

mattw@mwcustom.com

Matt White Custom Homes, Inc.

Exhibit “A”

Zabeth Shuman

From: BESNEATTE, STEVEN J <sb1658@att.com>
Sent: Thursday, November 12, 2015 3:14 PM
To: Zabeth Shuman
Subject: Project on E 21st Street

Zabeth,

My apologies for the delay in sending you this assessment of the project being planned for 133-139 E 21st Street in Costa Mesa.

As I made reference to during our visit, any relocation or undergrounding of our facilities at this location will be extremely difficult and expensive, if it's possible at all.

Any relocation of the aerial cable, due to the length of the spans and the position of the terminals, will actually increase the number of poles needed to maintain the cable on either side of the undergrounding. We would need a pole where the undergrounding starts and one where it ends, as opposed to the single pole now in the middle, which is currently enough to maintain the proper height and sag of the existing cable.

In addition, serving the properties on the north side of 21st Street will involve trenches crossing the street in a few locations, with the phone cables still needing to rise up the clearance poles on the north side and spanning aerially from there out to the houses served.

The remaining poles on the south side would need to be down guyed and anchored both on the west and on the east, to prevent the dead end poles from being pulled down by the weight of the cable on one side not being offset by the weight of the cable being removed by this project. So now we would need to set those anchors and down guys in the right of way, possibly disenchanting the property owners at either end and creating some aesthetic issues where there are currently none.

The cost of this project as proposed would be high due to the extensive trenching needed, the materials, the splicing and placing crew time and labor, etc.

If the City or MWC Custom Homes would like an accurate estimate of the cost for this work, I would actually need to bill in advance for estimated engineering hours over the four hours which the PUC says we can give before payment must be made.

I can give you greater detail on the difficulties involved with undergrounding this particular stretch of aerial cable and the terminals connected to it, if needed, but to summarize: because of the particular situation (location of poles, length of aerial span, number of street crossings, number of terminals, resulting number of poles needed), I strongly suggest that the AT&T plant along 21st Street be protected in place and left as is.

Steven J. Besneatte
AT&T Outside Plant Engineer
3939 E Coronado Ave., 2nd floor
Anaheim, CA 92807
949-480-6084
sb1658@att.com
M-F 630am-2:30pm

Zabeth Shuman

From: Val Trowbridge <Val.Trowbridge@sce.com>
Sent: Wednesday, November 18, 2015 4:08 PM
To: Zabeth Shuman; Matt White
Cc: Matt White; Mike Schneider (mike@utilityconsultants.net); Tracey Bass; Roger Jones
Subject: 133-139 21st St, Costa Mesa

Zabeth and Matt,

Below are my observations from my site visit on October 29, 2015. If the City of Costa Mesa requires the undergrounding of Southern California Edison (SCE) facilities along the front of this property, the following will most likely be required.

- Removal of Pole 576867H and the overhead transformer on this pole from the front of this property
- Addition of two new poles, one each on either side of the property, to allow SCE to attach risers and take our facilities underground and then rise back up from underground
- Addition of one new pole with a riser to maintain the current overhead services for properties across the street
- Addition of a new underground fed Padmount transformer near the front property line to serve the 30+ customers formerly fed from the overhead transformer
- Possible addition of multiple underground structures to facilitate cable pulling and connections
- With the change from the overhead transformer to a new underground one, we may need to add a new pole at the west end of 21st Street to allow us to set a new overhead transformer to serve the customers at that end of the block.

In summary, the undergrounding of SCE facilities in front of this property will likely result in a net addition of three new poles to this portion of 21st Street. This type of work order would be considered a Rule 20C under our Tariff Rules and all associated costs would be paid by the developer. These costs would be significant. If a cost estimate is required I suggest you contact your utility consultant Mike Schneider, as he has much experience estimating this type of work. If you need an estimate from Edison, I will have to require an Engineering Advance fee. This would be coordinated through Tracey Bass our Project Manager for this area.

Thank you,

Val Trowbridge
Planner
New Development Project Design
Saddleback Hub
Southern California Edison
Office 949-458-4435
Cell 949-616-0766
PAX 51435
VAL.TROWBRIDGE@SCE.COM

Zabeth Shuman

From: Zabeth Shuman
Sent: Thursday, February 11, 2016 11:44 AM
To: Zabeth Shuman
Subject: mike s

Matt White | President
MW Custom Homes

From: Mike @ Utility Consultants [<mailto:mike@utilityconsultants.net>]
Sent: Wednesday, November 11, 2015 11:14 AM
To: Matt White
Subject: Re: Email from Edison

Matt,

In order to remove the pole with the overhead transformer which is located in the center of your frontage along 21st Street and underground the existing overhead facilities along your the front of your property (approximately 200 feet), the following would need to be done.

Set two (2) new poles; one on your west P.L. and one on your east P.L. on 21st Street. Both poles would require downguys to be installed directed back into your property.

Set a new service pole on the north side of 21st Street in front of the house with the white picket fence. This would allow you to maintain existing overhead service to the house at 132 21st Street and the house behind it.

Without the new pole, you would have to get permission from both owners to dig on their property and convert their existing electric service panels from overhead to underground fed. They do not have to give you permission to do either at which point you are back to needing the service pole.

Set a new padmount transformer in front of your property in order to replace the one on the pole that you are removing. This transformer must now pick up the load of the existing one. Since the existing transformer provides service to both the Days Inn and the senior apartments on the north side of 21st Street to the west, new voltage drop and flicker calculations would have to be done to see if their load could be serviced from the new padmount transformer location. This is already an extremely long service run from the existing transformer to these buildings and the new location of the transformer increases the overall service run. In addition, any new electric load that was added to these buildings or any homes being served from the existing transformer would have to be taken into account in calculating the new voltage drop and flicker.

If either service does not meet allowable voltage or flicker, either a new padmount transformer would have to be placed in front of the building with new underground service runs installed to each building or a new pole would

have to be set with an overhead transformer. The new pole would be required because there is no available space for a transformer on the existing poles in the immediate area. There does not appear to be enough room within the street right of way to set this transformer so an easement would have to be obtained and, as before, you would have to get permission from both parties to dig on their property and convert their service panels from overhead fed to underground fed.

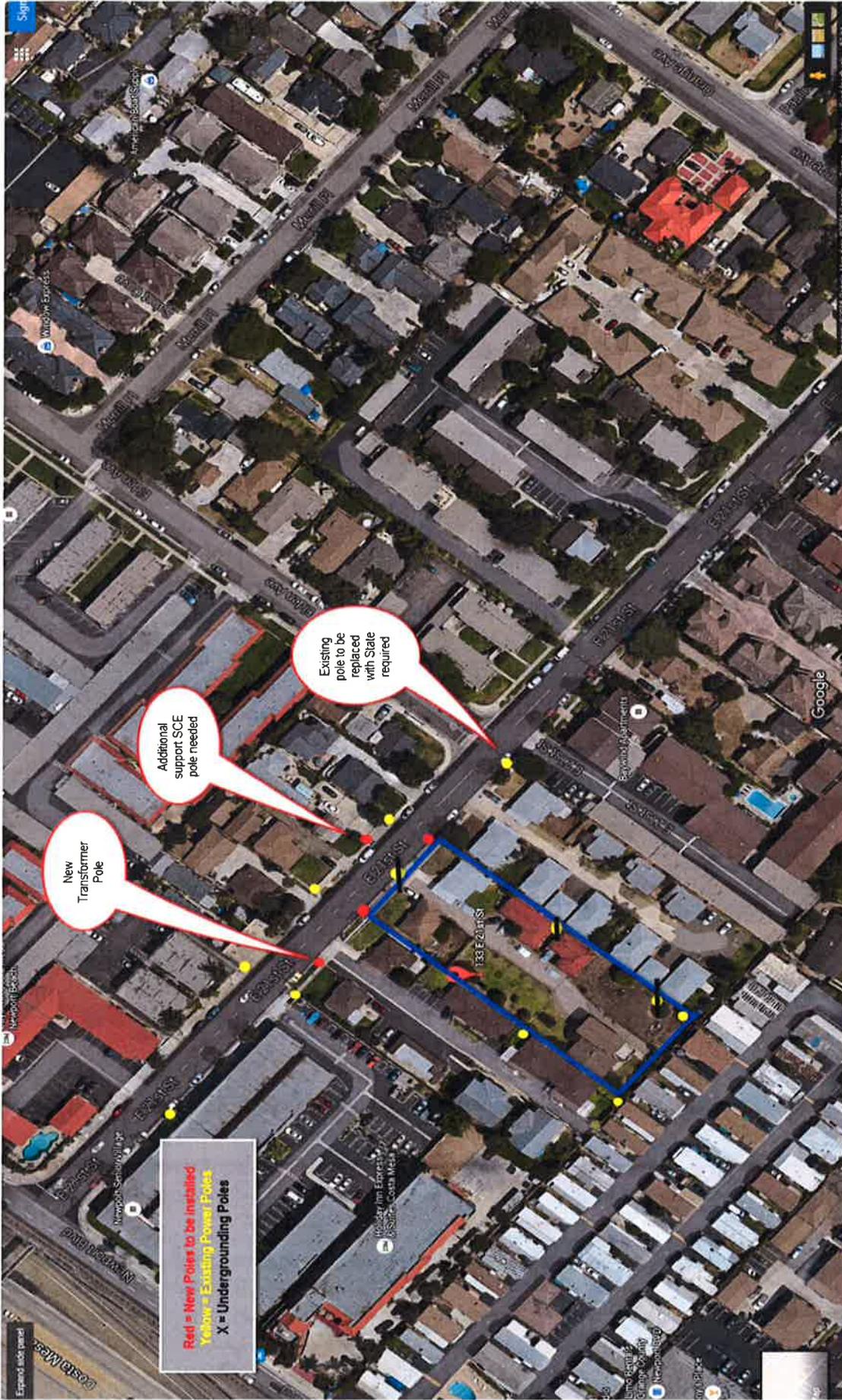
Michael Schneider
UTILITY CONSULTANTS OF
ORANGE COUNTY
23101 Moulton Pkwy., Ste. 202
Laguna Hills, CA 92653
949-855-9558
Fax: 949-855-4079

From: [Matt White](#)
Sent: Tuesday, November 10, 2015 3:36 PM
To: mike@utilityconsultants.net
Subject: FW: Email from Edison

Zabeth Shuman | Vice President
MW Custom Homes

3090 Pullman Street | Costa Mesa CA, 92626
t: 714.434.4371 f: 714.557.1838
mwcustom.com

Exhibit "B"



Proposed Undergrounding of Public Right Away Pole



Exhibit "C"

Cost Estimate :

- Public Right Away Overhead Conversion
 - Contractor Charges: \$102,500
 - Edison Conversion Charges: \$279,656
 - Communication Conversion Charges: \$108,178
(includes AT&T, Time Warner & Additional Fiber)
- Sub Total = \$490,334

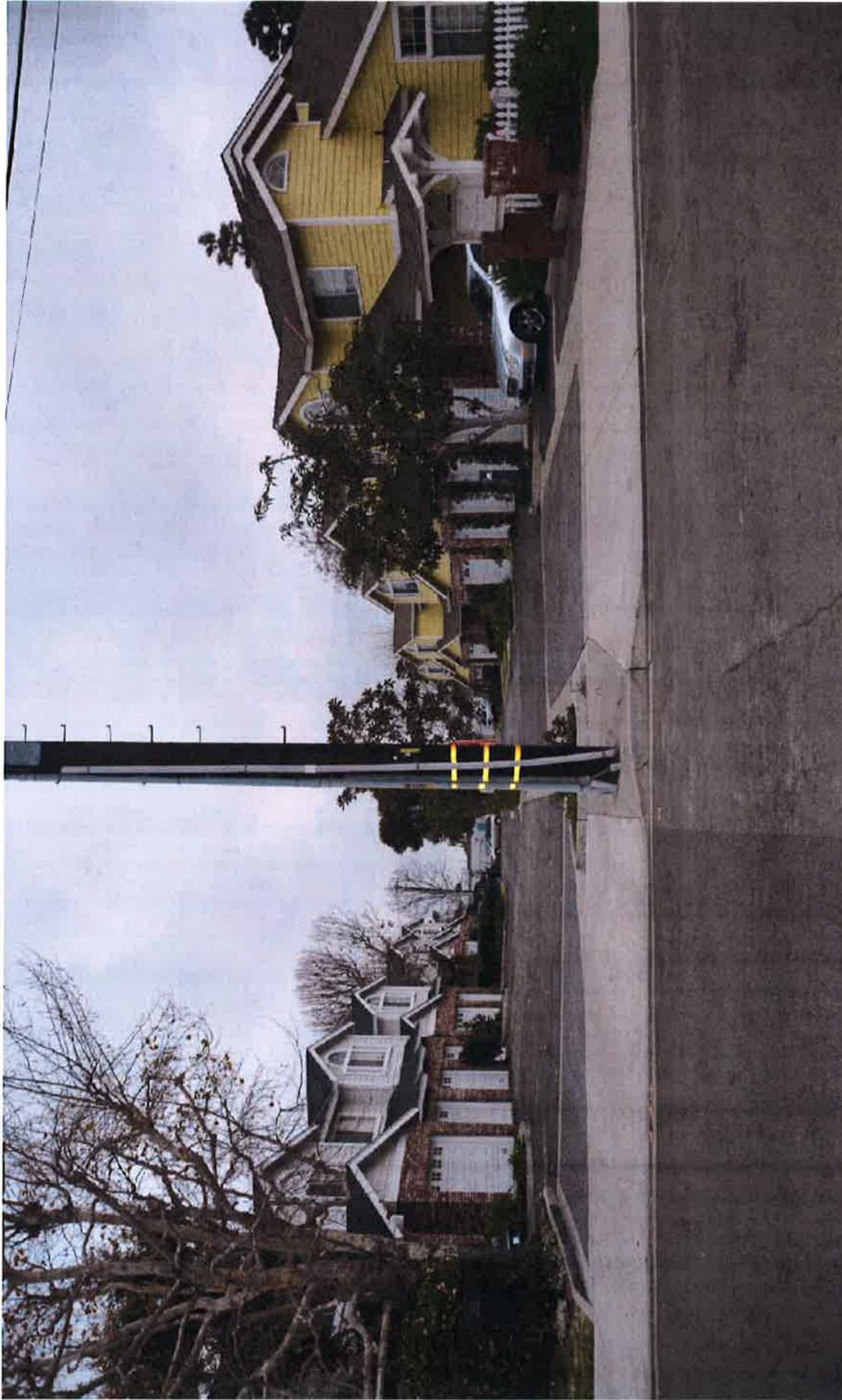
- On-Site Overhead Conversion
 - Edison Conversion Charges: \$29,700
 - Communication Conversion Charges: \$10,500
(includes AT&T & Time Warner)
- Sub Total = \$40,200

Grand Total = \$530,534

Proposed Undergrounding of Public Right Away Pole



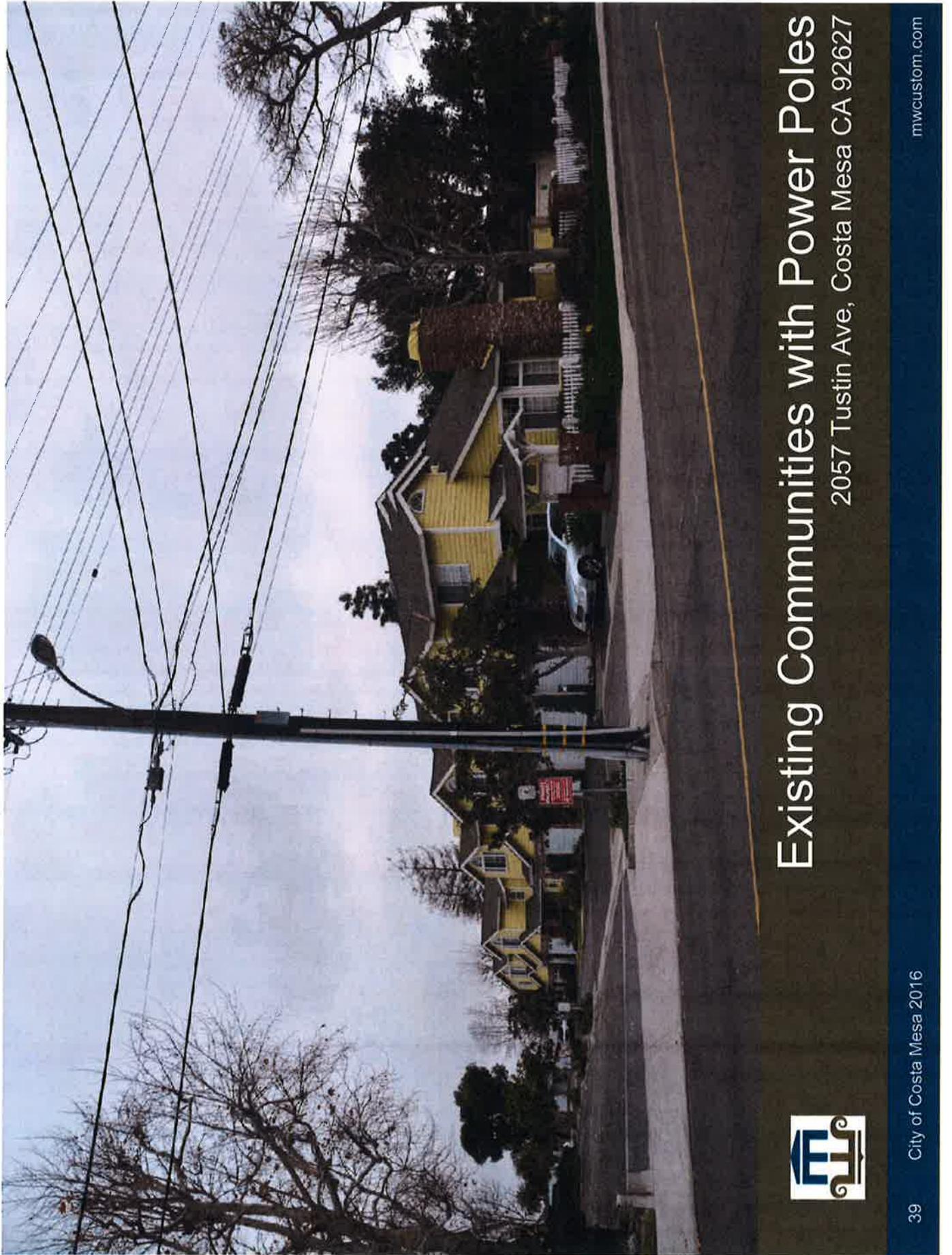
Exhibit "D"



Existing Communities with Power Poles

2057 Tustin Ave, Costa Mesa CA 92627





32

Existing Communities with Power Poles

2057 Tustin Ave, Costa Mesa CA 92627

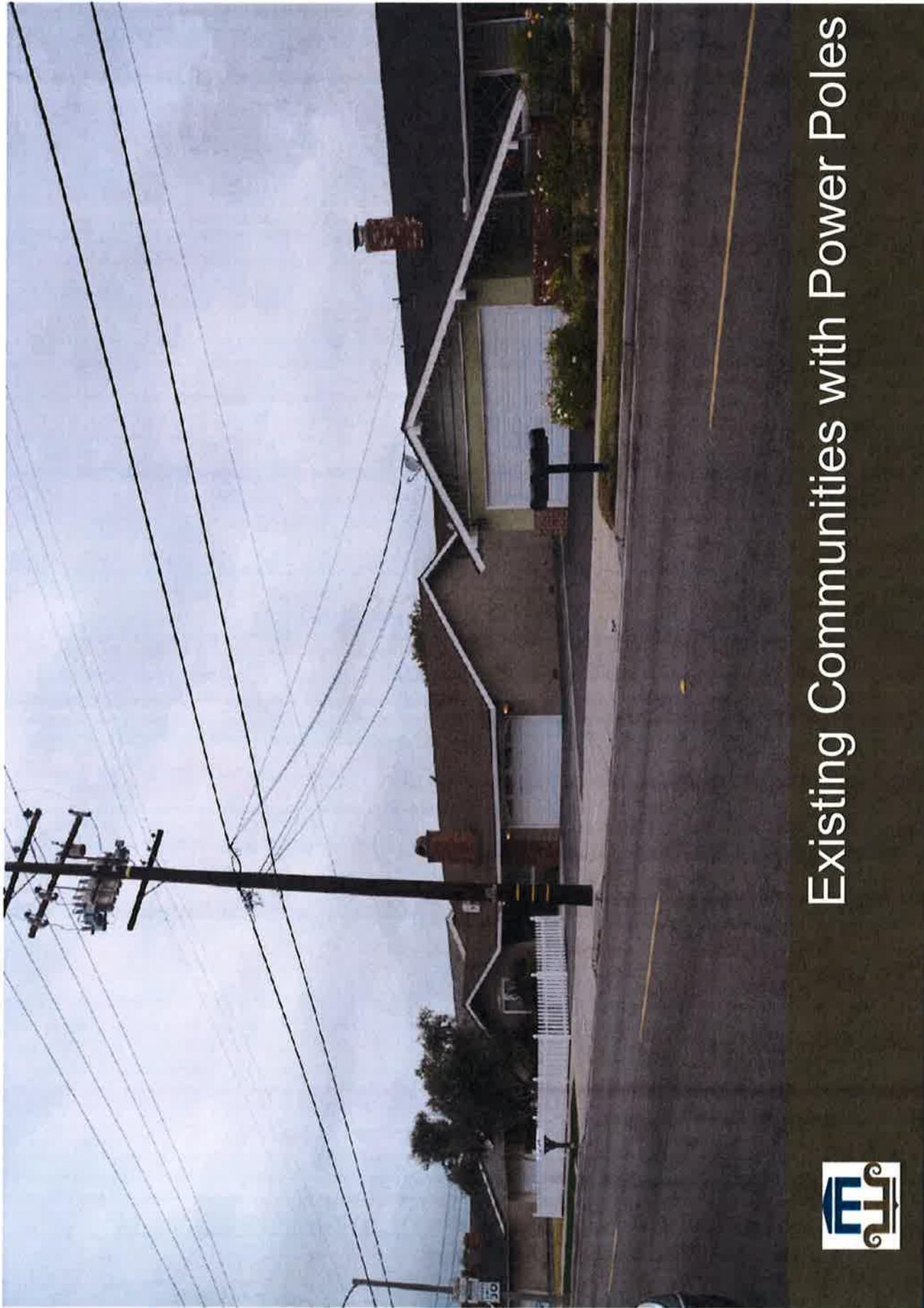




Existing Communities with Power Poles

2057 Tustin Ave, Costa Mesa CA 92627





34



Existing Communities with Power Poles



35

Existing Communities with Power Poles





36

Existing Communities with Power Poles





37

Existing Communities with Power Poles





Existing Communities with Power Poles



RESOLUTION NO. PC-16-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-15-57 AND TENTATIVE TRACT MAP TT-17998 AT 133-139 EAST 21ST 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 Zabeth Schuman, representing Richard L. Abramson and William R. Abramson, the property owners, requesting approval of the following:

1. Planning Application PA-15-57: Design Review to construct an 8-unit, two-story, small lot subdivision on a 31,526 sq. ft. lot in an R2-MD zone. The project satisfies all R2-MD development standards and residential design guidelines.
2. Tentative Tract Map TT-17998: A residential small lot subdivision consisting of 8 fee simple lots.

WHEREAS, a duly noticed public hearing held by the Planning Commission on February 22, 2016 with all persons having the opportunity to speak for and against the proposal.

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.

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-15-57 and Tentative Tract Map TT-17998.

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-15-57 and Tentative Tract Map TT-17998 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 22nd day of February, 2016

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 February 22, 2016 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 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 a two-story house or addition in a predominantly single-story neighborhood has been reduced through appropriate transitions between the first and second floors and the provision of second floor offsets to avoid flat two-story walls.

Facts in Support of Findings: The 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 high-quality materials, articulating roof lines along the front elevations, and use of window treatments and pop outs to highlight the vertical offsets and horizontal floor to floor transitions.

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

Facts in Support of Findings: The proposed project provides 8 additional ownership opportunities for detached units in place of the previous residences. The project exhibits site planning excellence by providing private open spaces for all units, private driveways for each unit, and adequate separation between the homes and the abutting structures.

- 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 11 units per acre, consistent with the General Plan designation of Medium Density Residential.

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 15332 (Class 32), Infill Development. The project is within 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 15332 (Class 32) for Infill Development.

Facts in Support of Finding: This exemption allows for the construction of 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-15-57 shall coincide with the expiration of the approval of the Tentative Tract Map TT-17998 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 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.
 4. The applicant shall submit a detailed wall and fence plan for review. The location and heights of fences/walls shall comply with Code requirements, as well as any visibility standards for traffic safety related to ingress and egress. The private, interior fences or walls between the homes shall be a minimum of six feet in height.
 5. Prior to issuance of building permits, developer shall contact the U.S. Postal Service with regard to location and design of mail delivery facilities. Such facilities shall be shown on the site plan, landscape plan, and/or floor plan.
 6. Prior to final inspection, the applicant shall construct a minimum six-foot tall decorative masonry wall around the perimeter of the project site. 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.
 7. 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.
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. 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.
 11. 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.
 12. All driveways shall be complemented by stamped concrete or decorative pavers.
 13. Trash facilities shall be screened from view, and designed and located appropriately to minimize potential noise and odor impacts to residential areas
 14. 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 modifications to the "contemporary cottage" design, wood siding, stucco, metal seam roofs and architectural detailing. Any modification should be consistent to originally proposed colors. 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. Elevations facing the street shall have enhanced architectural materials and detailing, subject to approval by the Planning Division.

15. 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.
16. 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.
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. 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.
19. 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.

20. 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.
21. 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.

22. 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.
- Eng. 23. Maintain the public Right-of-Way in a "wet-down" condition to prevent excessive dust and remove any spillage from the public Right-of-Way by sweeping or sprinkling.
24. Comply with the requirements contained in the letter prepared by the City Engineer (Exhibit B1).
25. The applicant shall be required to underground utilities in the public right-of-way along East 21st Street 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).

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. Prior to issuance of building permits, the applicant shall provide proof of recordation of Tentative Tract Map T-17998.
5. All on-site utility services shall be installed underground.
6. Planning Commission action on PA-15-57 and TT-17998 shall not become final until seven days following final action.
7. 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.
8. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.
9. Two (2) sets of detailed landscape and irrigation plans, which meet the requirements set forth in Costa Mesa Municipal Code Sections 13-101 through 13-108 and the City's Water Efficient Landscape Guidelines, shall be required as part of the project plan check review and approval process. Plans shall be forwarded to the Planning Division for final approval prior to issuance of building permits.
10. The landscaping of this project shall comply with the City's landscaping requirements and guidelines.
11. Landscaping and irrigation shall be installed in accordance with the approved plans prior to final inspection or occupancy clearance.
12. Installation of all utility meters shall be performed in a manner so as to obscure the installation from view from any place on or off the property. The installation shall be in a manner acceptable to the public utility and shall be in the form of a vault, wall cabinet, or wall box under the direction of the Planning Division.
13. 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.
14. 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.
15. 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.
16. Submit a precise grading plan, an erosion control plan, and a hydrology study.

Bldg.

17. Submit a soil's report for the project. Soil's Report recommendations shall be blueprinted on both the architectural and the precise grading plans.
18. On graded sites the top of exterior foundation shall extend above the elevation of the street gutter at point of discharge or the inlet of an approved discharge devise a minimum of 12 inches plus two percent (2%). 2013 California Residential Code CRC 403.1.7.3
19. 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.
20. Lot shall be graded to drain surface water away from foundation walls. The grade shall fall a minimum of 6 inches within the first 10 feet. CRC R401.3.
21. 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.
22. 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.
23. 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.
- Fire 24. 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.
25. 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.
26. The project shall provide an automatic fire sprinkler system according to NFPA 13D.
- Trans. 27. Construct residential drive approach(es) on East 21st Street as shown on the site plan. Comply with minimum clearance requirements from property lines and any vertical obstructions.
28. Fulfill mitigation of off-site traffic impacts at the time of issuance of occupancy by submitting to the Planning Division the required traffic impact fee pursuant to the prevailing schedule of charges adopted by the City Council. The traffic impact fee is calculated including credits for all existing uses. NOTE: The Traffic Impact Fee will be recalculated at the time of issuance of building permit/certificate of occupancy based upon any changes in the prevailing schedule of charges adopted by the City Council and in effect at that time.
- Utilities 29. Prior to the issuance of a connection permit, the applicant shall pay the applicable water connection fees.

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 (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 (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
- 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-16-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DENYING PLANNING APPLICATION PA-15-57 AND TENTATIVE TRACT MAP TT-17998 AT 133-139 EAST 21ST 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 Zabeth Schuman, representing Richard L. Abramson and William R. Abramson, the property owners, requesting approval of the following:

1. Planning Application PA-15-57: Design Review to construct an 8-unit, two-story, small lot subdivision on a 31,526 sq. ft. lot in an R2-MD zone. The project satisfies all R2-MD development standards and residential design guidelines.
2. Tentative Tract Map TT-17998: A residential small lot subdivision consisting of 8 fee simple lots.

WHEREAS, a duly noticed public hearing held by the Planning Commission on February 22, 2016 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-15-57 and Tentative Tract Map No. TT-17998.

PASSED AND ADOPTED this 22nd day of February, 2016

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 February 22, 2016 by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Claire L. Flynn, Secretary
Costa Mesa Planning Commission

EXHIBIT A

FINDINGS (DENIAL)

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

- B. The 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.

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

- D. The Costa Mesa Planning Commission has denied Planning Application PA-15-57 and Tentative Tract Map No. TT-17998. 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.

- E. The project is exempt from Chapter IX, Article 11, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.



Bryant • Palmer • Soto Inc.

Neil Stanton Palmer ARCHITECTS / Jack K. Bryant ENGINEERS
2001 Airport Drive, Suite 310, Torrance, CA 90505
Telephone: (310) 328-0111
Fax: (310) 328-0271

Builder



MATT WHITE
CUSTOM HOMES
(714) 434-4371

Project

8 HOMES
133-139 EAST 21ST STREET
COSTA MESA, CALIFORNIA 92627

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SUBMITTALS

| MARK | DATE | DESCRIPTION |
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| | 12/08/15 | PLANNING SUBMITTAL |
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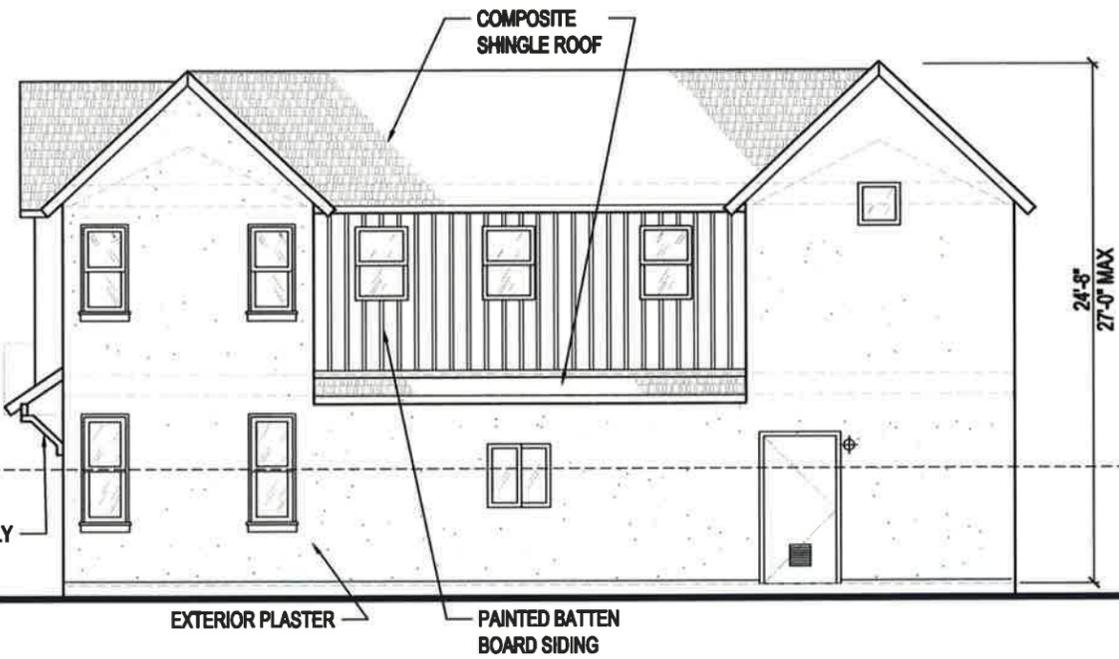
DO NOT SCALE THE DRAWINGS.
SCALES INDICATED ARE FOR
RELATIVE SCALE ONLY.
DIMENSIONS SHALL GOVERN
OVER SCALE.

Stamp

Job No.: 02-1003-004
CADD File: 11-16-2015
Date: 11-16-2015
Set Drawn/Revised By: -
Checked By: KP
Scale: AS NOTED

Drawing Title
REAR ELEVATION

Sheet
A-6



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

61

Builder



MATT WHITE
CUSTOM HOMES
(714) 434-4371

Project

8 HOMES
133-139 EAST 21ST STREET
COSTA MESA, CALIFORNIA 92627

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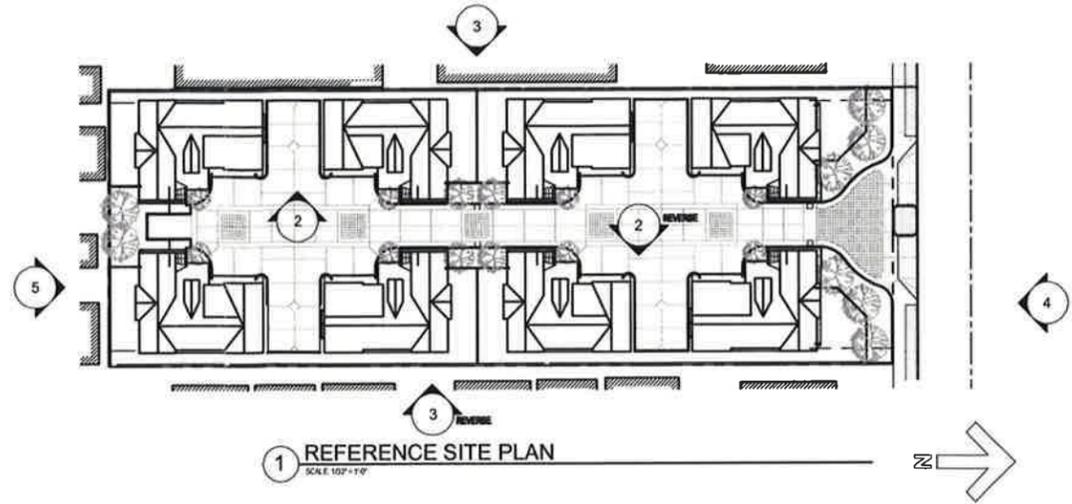
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DIMENSIONS INDICATED ARE FOR
RELATIVE SCALE ONLY.
DIMENSIONS SHALL GOVERN
OVER SCALE.

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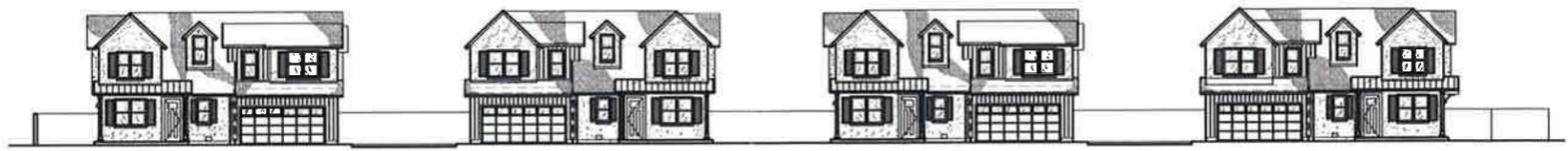
Job No.: 02-1003-004
CADD File: 02-1003-004 RESIDENTIAL PL PLANS SHEET ELEVATIONS
Date: 11-16-2015
Set Drawn/Revised By: -
Checked By: KP
Scale: AS NOTED

Drawing Title
SITE ELEVATIONS

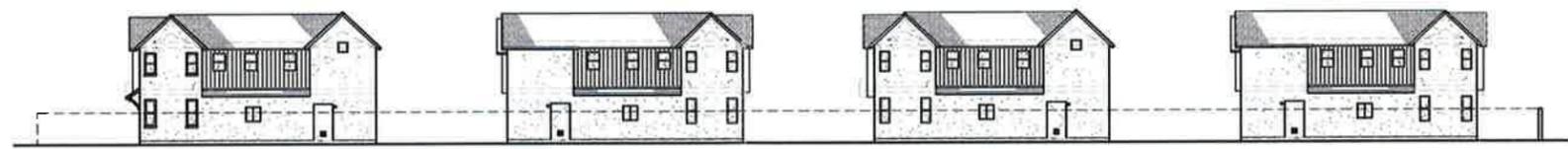
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A-8



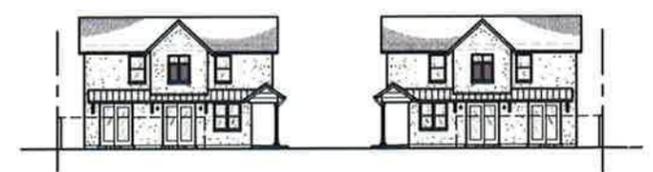
1 REFERENCE SITE PLAN
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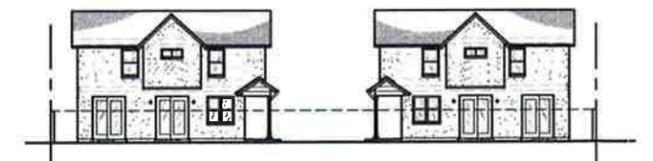
2 ELEVATION LOOKING WEST
SCALE 1/8" = 1'-0"



3 ELEVATION LOOKING EAST
SCALE 1/8" = 1'-0"



4 21st STREET ELEVATION
SCALE 1/8" = 1'-0"



63

5 ELEVATION LOOKING NORTH
SCALE 1/8" = 1'-0"

NOTES:
 0.724 ACRES GROSS/NET
 LAND NOT SUBJECT TO INUNDATION OR OVERFLOW
 NO LAND OR PARKS TO BE DEDICATED

PROPOSED LAND USE:
 8 SINGLE FAMILY RESIDENCES

ASSESSOR'S PARCEL NUMBERS:
 426-182-14 & 15

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

LEGAL DESCRIPTION:

PARCEL A:
 THE NORTHWESTERLY 52.5 FEET OF THE SOUTHEASTERLY 230 FEET OF LOT 241 OF NEWPORT HEIGHTS, AS PER MAP THEREOF RECORDED IN BOOK 4, PAGE 83 OF MISCELLANEOUS MAPS, RECORDS OF SAID ORANGE COUNTY.

PARCEL B:
 THE NORTHWESTERLY 52.5 FEET OF THE SOUTHEASTERLY 157.5 FEET OF LOT 241 OF NEWPORT HEIGHTS IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON A MAP THEREOF RECORDED IN BOOK 4, PAGE 83 OF MISCELLANEOUS MAPS, RECORDS OF SAID ORANGE COUNTY.

FLOOD ZONE:
 ZONE X, OUTSIDE THE 500 YEAR FLOOD BOUNDARIES.

ESTIMATED GRADING QUANTITIES:

RAW CUT 50 CY
 RAW FILL 3630 CY
 IMPORT 1570 CY

OWNER/SUBDIVIDER:

MATT WHITE
 3090 PULLMAN STREET
 COSTA MESA, CA 92626

SITE ADDRESS:

133-139 21ST STREET
 COSTA MESA, CA 92626

BENCHMARK:
 THE ELEVATIONS SHOWN HEREON ARE BASED ON ORANGE COUNTY SURVEY VERTICAL CONTROL NUMBER 'CM-16-71', ELEVATION 84.242' (NAVD83) 1995 OCS ADJ

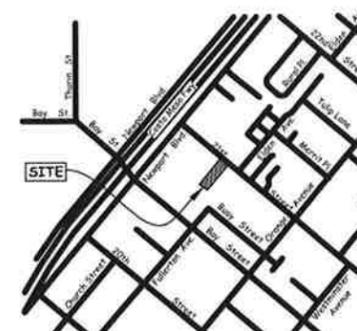
LEGEND:

- AC ASPHALTIC CONCRETE
- EX EXISTING
- PH FIRE HYDRANT
- FS FINISHED SURFACE
- ST LT STREET LIGHT
- SF SQUARE FEET
- TC TOP OF CURB
- CENTERLINE
- CURB & GUTTER
- - - DRAINAGE SWALE
- - - PROPERTY LINE
- - - SEWER
- TRACT BOUNDARY
- W WATER MAIN
- WATER METERS
- DRAIN PIPE
- INLET

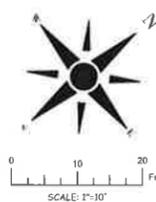
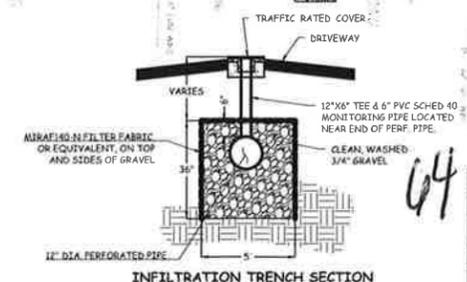
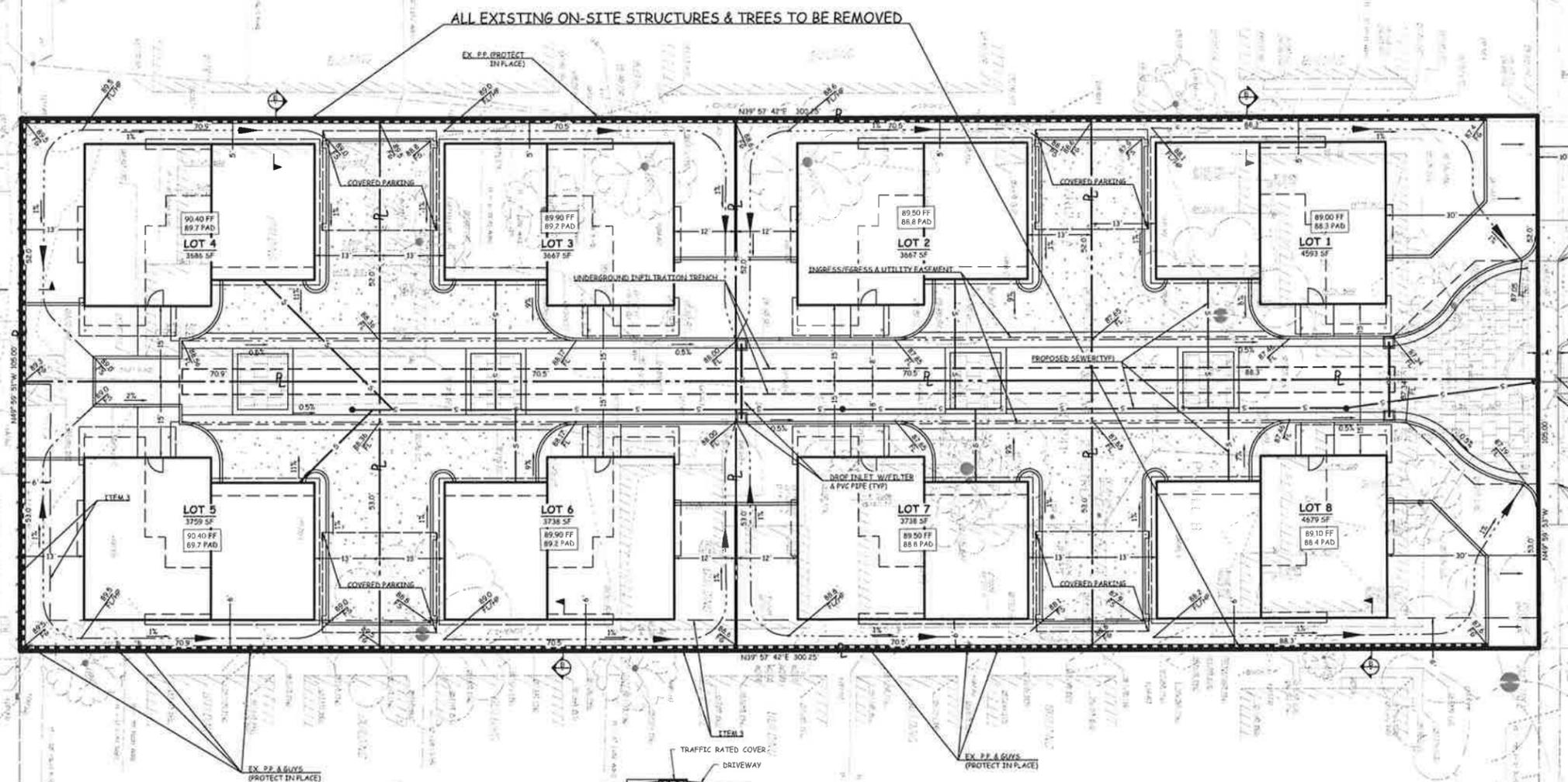
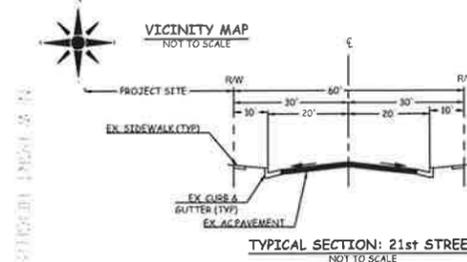
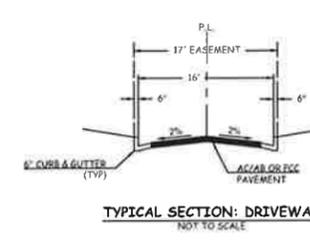
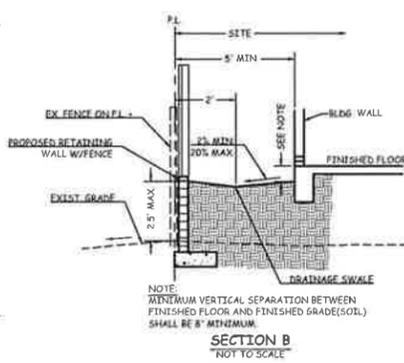
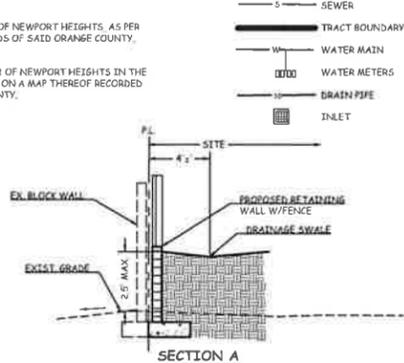
TENTATIVE TRACT NO. 17998

A PORTION OF LOT 241 OF NEWPORT HEIGHTS, IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON A MAP THEREOF RECORDED IN BOOK 4, PAGE 83 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

DATE OF PREPARATION: January 20, 2016



NEWPORT BLVD



EASEMENTS PER COMMONWEALTH LAND TITLE COMPANY PRELIMINARY REPORT, FILE NO. 08026275, SCHEDULE B:
 ITEM 2 - EASEMENT IN FAVOR OF LA HABRA VALLEY LAND AND WATER COMPANY FOR PIPE LINES, REC. 8/9/1913 PER BK. 237, PG. 324 OF RECORDS. EASEMENT IS NOT LOCATED OF RECORD.
 ITEM 3 - EASEMENT IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY FOR PUBLIC UTILITIES, REC. 2/8/1956 PER BK. 3387, PG. 490 OF O.R. EASEMENT IS PLOTTED HEREON

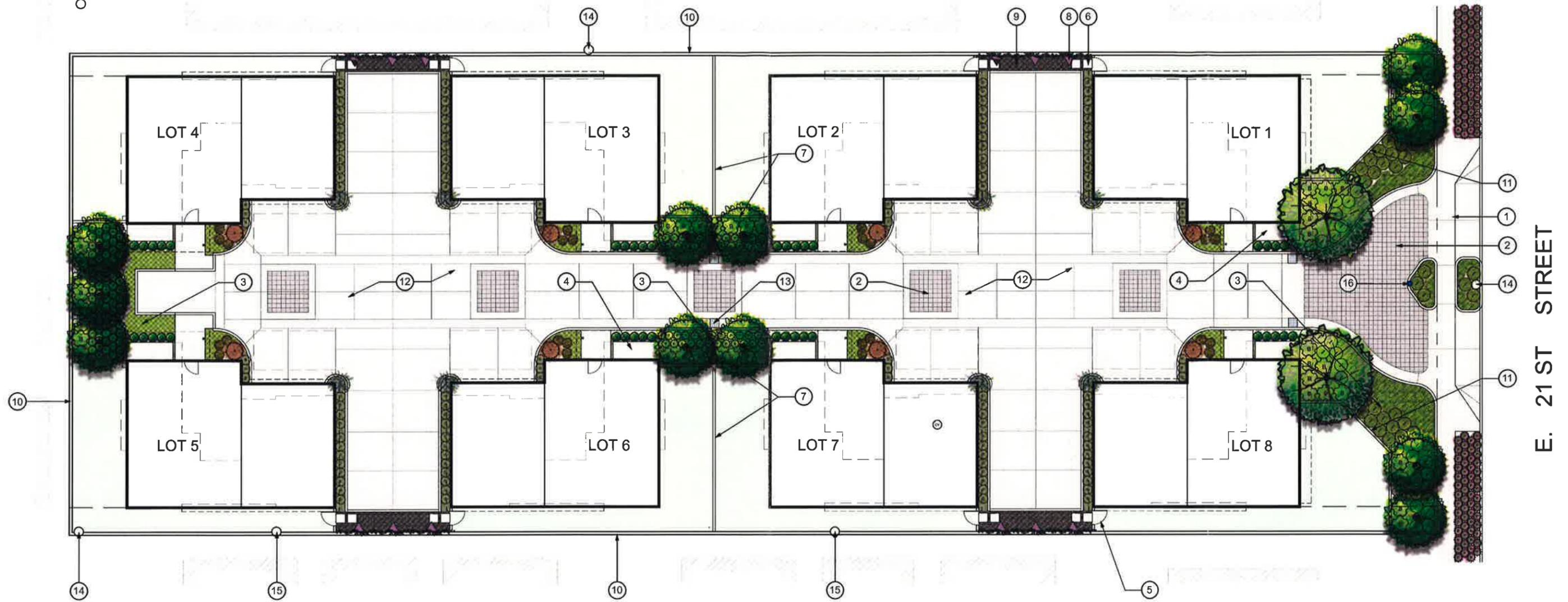


PREPARED BY:
 ROBIN B. HAMERS & ASSOC., INC.
 CIVIL ENGINEERS
 284 E. 17TH STREET, SUITE 205
 COSTA MESA, CALIFORNIA 92627
 (949) 448-1332
 RBH
 ROBIN B. HAMERS P.L.C.E. 81720

TENTATIVE TRACT NO. 17998
 & PRELIMINARY GRADING PLAN
 133-139 21ST STREET
 COSTA MESA, CA 92626

SHEET
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 OF 1

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PROPOSED PLANT MATERIAL



PLANT SCHEDULE

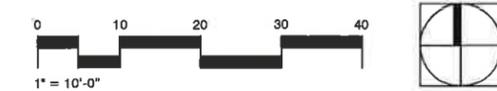
| TREES | BOTANICAL NAME | COMMON NAME | GROUND COVERS | BOTANICAL NAME | COMMON NAME |
|-------|--|----------------------------|---------------|-----------------------------|-------------------------|
| | ARBUTUS X 'MARINA' | ARBUTUS STANDARD | | CAREX OSHIMENSIS 'EVERILLO' | EVERILLO JAPANESE SEDGE |
| | GEUERA PARVIFLORA | AUSTRALIAN WILLOW | | GRAVEL MULCH | |
| | BULBINE BULBOSA | BULBINE LILY | | SEDUM RUBROINCTUM | PORK AND BEANS |
| | CALLISTEMON VIMINALIS 'BETTER JOHN' | DWARF WEEPING BOTTLE BRUSH | | | |
| | DIANELLA CAERULEA 'CLARITY BLUE' | DIANELLA | | | |
| | LEUCADENDRON X 'RISING SUN' | CONEBUSH | | | |
| | LOMANDRA LONGIFOLIA 'BREEZE' | DWARF MAT RUSH | | | |
| | PENNISETUM MESSIACUM 'RED BUNNY TAILS' | FOUNTAIN GRASS | | | |
| | PODOCARPUS ELONGATUS 'ICEE BLUE' TM | ICEE BLUE YELLOW WOOD | | | |
| | RHAMNUS CALIFORNICA 'MOUND SAN BRUNO' | CALIFORNIA COFFEEBERRY | | | |
| | TRACHELOPERMUM JASMINOIDES | CHINESE STAR JASMINE | | | |

ENTRY WALL ALTERNATIVE MATERIALS



LEGEND

- ① PUBLIC SIDEWALK AND DRIVEWAY APRON CITY COMMERCIAL DIMENSIONS
- ② CONCRETE UNIT PAVERS (T.B.D)
- ③ PLANTING AREA
- ④ PRIVATE CONCRETE PORCH
- ⑤ SIDE YARD GATE TYP.
- ⑥ CONCRETE STEPPERS
- ⑦ 6FT HIGH VINYL FENCE
- ⑧ 'GREEN SCREEN' PANELS WITH FLOWERING VINES
- ⑨ GRAVEL MULCH
- ⑩ 6FT HIGH CMU PERIMETER WALL (COLOR & STYLE T.B.D)
- ⑪ 6FT HIGH CMU WALL ENHANCED AT FRONTAGE
- ⑫ ENHANCED CONCRETE DRIVECOURT PAVING
- ⑬ DRAIN INLET
- ⑭ EXISTING UTILITY POWER POLE PROTECT IN PLACE
- ⑮ EXISTING UTILITY POWER POLES TO BE REMOVED BY DEVELOPER
- ⑯ TRAFFIC CONTROL SIGN (KEEP RIGHT)



E. 21 ST. STREET - 8 UNIT RESIDENTIAL DEVELOPMENT

CONCEPTUAL LANDSCAPE PLAN

MATT WHITE CUSTOM HOMES

CITY OF COSTA MESA

02/04/2016

45



L-1



44



67



PLANNING COMMISSION

SUPPLEMENTAL MEMORANDUM

MEETING DATE: FEBRUARY 22, 2016

ITEM NUMBER: PH-3

SUBJECT: PLANNING APPLICATION PA-15-57 AND TENTATIVE TRACT MAP NO. TT-17998 FOR A DESIGN REVIEW AND SUBDIVISION MAP FOR A DETACHED 8-UNIT SMALL LOT DEVELOPMENT AT 133-139 EAST 21ST STREET

DATE: FEBRUARY 16, 2016

FROM: PLANNING DIVISION/DEVELOPMENT SERVICES DEPARTMENT

PRESENTATION BY: MEL LEE, SENIOR PLANNER *ML*

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

Attached to this memo is the Exhibit B1, Engineering Conditions of Approval, for the above project.

Attachment

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)

Zabeth Shuman
c/o Matt White Custom Homes
3090 Pullman Street
Costa Mesa, CA 92626

Richard L. Abramson and
William R. Abramson
1804 Alguna Lane
Huntington Beach, CA 92648



CITY OF COSTA MESA

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

FROM THE DEPARTMENT OF PUBLIC SERVICES/ENGINEERING DIVISION

February 12, 2016

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

SUBJECT: Tract No. 17998
LOCATION: 133-139 E 21st Street

Dear Commissioners:

Tentative Tract Map No. 17998 as furnished by the Planning Division for review by the Public Services Department consists of subdividing two lots into eight (8) numbered lots. Tentative Tract Map No. 17998 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 E 21st 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. a 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.

2

9. Submit for approval to the City of Costa Mesa, Engineering Division, Street Improvement Plans showing Sewer and Water Improvements, prepared by a Civil Engineer.
10. Submit for approval to the City of Costa Mesa preliminary plans that shows the undergrounding of the utility pole along 21st Street to the extent practical or feasible.
11. 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.
12. Fulfill City of Costa Mesa Drainage Ordinance No. 06-19 requirements prior to approval of Final Tract Map
13. The Subdivider's engineers shall furnish the Engineering Division a storm runoff study 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.
14. Ownership and maintenance of the private on-site drainage facilities and 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 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 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. 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.
19. 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.
20. Survey monuments shall be preserved and referenced before construction and replaced after construction, pursuant to Section 8771 of the Business and Profession Code.
21. The elevations shown on all plans shall be on Orange County benchmark datum.
22. 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.

23. 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,

A handwritten signature in black ink, appearing to read "Baltazar Mejia". The signature is fluid and cursive, with a long horizontal stroke at the end.

Baltazar Mejia, P. E.
Acting City Engineer

(Engr. 2016/Planning Commission Tract 17998)

Donna Yelich
345 Westbrook Place
Costa Mesa, CA 92626-1263
February 15, 2016

Costa Mesa Planning Division
77 Fair Drive
Costa Mesa, Ca 92626

Re: property at 133 to 139 East 21st Street
Costa Mesa, Ca 92627
Hearing Date February 22, 2016

Dear Committee:

I own the property next door at 143 and 147 East 21st Street. I fully support Mr. Matt Whites project at the above address. This will be a great improvement to the neighborhood and area. Several houses on this property have been vacant for over 20 years. My tenants have been bothered by rats, possums, raccoons and mice which come over from next door. I have looked forward for years to seeing an improvement to the area.

Yours truly,


Donna Yelich