PLANNING COMMISSION AGENDA REPORT

MEETING DATE: FEBRUARY 22, 2016 **ITEM NUMBER:** PH-4

SUBJECT: **PLANNING APPLICATION PA-15-59 AND TENTATIVE PARCEL MAP NO. PM-15-189 FOR A DESIGN REVIEW AND SUBDIVISION MAP FOR A DETACHED 4-UNIT SMALL LOT DEVELOPMENT AT 167-171 22ND 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-15-59:*** Design Review to construct a 4-unit, two-story, detached small lot subdivision development on a lot size of 13,500 sq. ft. in an R2-MD zone with the following code deviation:

   - Variance from front building setback due to required dedications for right-of-way and a bike lane. An 11-foot wide area along the property frontage is required to be dedicated (20 feet required; 9 feet proposed).

2. ***Tentative Parcel Map PM-15-189:*** Tentative Parcel Map for the subdivision of the property into fee simple lots, in accordance with the small lot subdivision standards.

AUTHORIZED AGENT

The authorized agent is Warren Caves, representing the property owner, Warren Christopher LLC.

RECOMMENDATION

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

PLANNING APPLICATION SUMMARY

Location: 165-171 22nd Street Application Number: PA-15-59/PM-15-189

Request: Design review of a 4-unit small lot residential development and a subdivision map with a variance from front setback requirements.

SUBJECT PROPERTY:

Zone: R2-MD

General Plan: Medium Density Residential

Lot Dimensions: 100 FT X 135 FT (Before Dedication)

Lot Area: 13,500 SF

Existing Development: 2 residential units (to be demolished).

SURROUNDING PROPERTY:

North: Acr. 22nd St.) R2-MD, Multi-Family Residential, Residential Use

South: R2-MD, 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	100 FT
Lot Area	NA	13,500 SF
Maximum Density (Based on Gross Lot Area):		
DU's/ Acre (Residential)	1 du/3,000 SF (1) Maximum 4 units	1 du/3,375 SF Proposed 4 units
Building Coverage (Development Lot)		
Buildings	NA	5,191 SF (38%)
Paving	NA	3,240 SF (24%)
Minimum Open Space	4,050 SF (30%)	5,069 SF (38%)
TOTAL	NA	13,500 SF (100%)
Building Height	2 Stories/Max. 27 FT	2 Stories/ 27 FT
Chimney Height	2 FT Above Max. Bldg. Ht.	NA
Private Open Space	200 SF/Min. 10 FT Min. Dim.	712 SF/10 FT
Distance Between Main Buildings	NA	3 FT
Setbacks (Development Lot)		
Front	20 FT	20 FT (Before Dedication) 9 FT (After Dedication) (2)
Side (left/right)	5 FT/5 FT	5 FT/5 FT
Rear	10 FT	10 FT
Parking		
Garage(s)	8	8
Open	8	8
TOTAL	16 Spaces	16 Spaces
Interior garage dimension	20 FT Min.	20 FT

NA = Not Applicable or No Requirement
(1) For legal lots existing as of March 16, 1992
(2) Variance requested (see staff report discussion)

CEQA Status	Guidelines Section 15332/Class 32, Infill Development.
Final Action	Planning Commission

BACKGROUND

Project Site/Environs

The 13,500 square foot project site is comprised of two parcels (165 and 171 22nd Street) containing 2 residential units (1 on 165 22nd Street and 1 on 171 22nd Street), located on the south side of 22nd Street, east of Elden Avenue. The units, originally constructed in 1959, will be demolished to accommodate the proposed project and the lots will be combined. The property is zoned R2-MD with a maximum development potential of 4 units (1 dwelling unit for every 3,000 square feet of lot area for legal lots existing as of March 16, 1992).

ANALYSIS

Design Review for PA-15-59

The project involves the construction of an 8-unit, two-story residential development based on the Residential Small Lot Subdivisions Ordinance. The unit type is summarized in the following table:

Unit Type Summary

Unit Size (Not Including Garage)	2,538 SF
Total No. of Units	4
No. of Bedrooms/Bathrooms	3 Beds/3.5 Bath
No. of Stories	2
No. of Garage Spaces (Total)	8
No. of Open Spaces (Total)	8
Total Parking	16 (Meets Code)

The project layout, floor plans, and elevations comply with the R2-MD development standards, with the exception of front building setback, which is discussed later in the is report. A total of 37 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 in the driveways leading to the garage (this layout has been reviewed and approved by the Transportation Services Division).

Building exteriors have been designed with materials and finishes which utilize a combination of vertical board and batten siding, as well as clapboard, shingle and cement plaster finishes.

Variance Due to Required Street Dedication

<u>Ultimate Right-of-Way versus Existing Right-of-Way</u>

Code requires that the front building setback be measured from the ultimate right-of-way. In this case, the existing property line (existing right-of-way) shows a 20-foot front setback for the proposed development.

However, Code requires that the required dedications (11-foot wide dedication in total) be reflected in the setback measurements. Although the project as proposed provides the code required 20-foot front building setback from property line, the property is subject to a dedication requirement of public right-of-way to accommodate a 5-foot wide bike lane and a 6-foot wide street widening (11 feet total), resulting in a 9 foot building setback from the ultimate property line as shown in the following diagram (the requested variance is discussed later in this report):

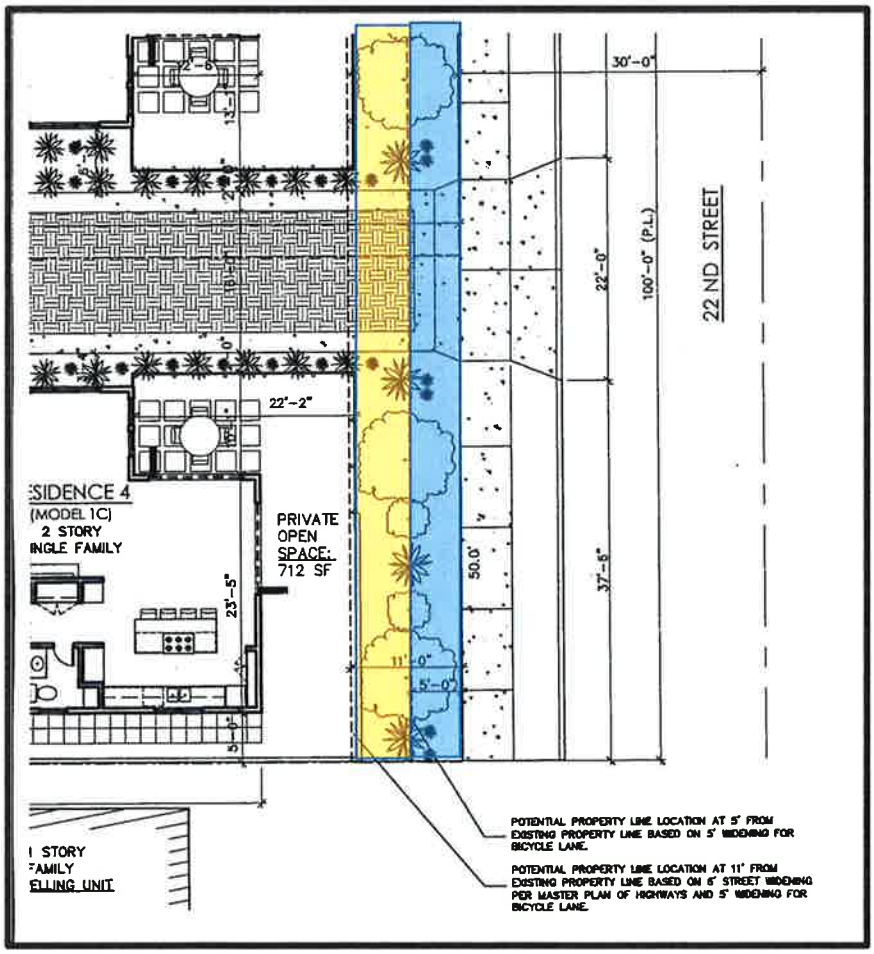


Exhibit Showing Highlighted Areas of Dedication

According to the Public Services Department, the required dedication for a 6-foot street widening may be eliminated later this year if the City Council approves a revision to the Master Plan of Highways as part of the General Plan update. The bike lane is part of an update to the City's Master Plan of Bikeways which will also be considered by the City Council later this year.

This approximate 11-foot wide dedication requirement will be applied to redeveloped properties along E. 22nd Street. The following table provides a summary of the front setbacks of neighboring properties as measured from the existing right-of-way and new right-of-way (if dedication occurs):

Properties along 22nd Street	Current Setback	Setback with Dedication Requirement
155 22nd St.	28 FT	17 FT
157 22nd St.	22 FT	11 FT
163 22nd St.	18 FT	7 FT
165 22nd St.	20 FT	9 FT
171 22nd St.	21 FT	10 FT
175 22nd St.	21 FT	10 FT
177 22nd St.	No building	N/A
181 22nd St.	19 FT	7 FT
187 22nd St.	19 FT	7 FT
2197 Orange Ave.	7 FT (Side Setback)	Encroaching 4 FT

Tentative Parcel Map PM-15-189

The applicant proposes a parcel 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 4 detached residences. The project is consistent with the allowable density of 1 dwelling unit per 3,000 square feet. 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, with the exception of the requested variance, 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, with the exception of the requested variance, complies with the development standards of the small lot ordinance and R2-MD development.

- *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 materials and finishes which utilize a combination of vertical board and batten siding, as well as clapboard, shingle and cement plaster finishes. 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 37% 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.

Variance

Code Section 13-29(g)(1) requires the following findings for variances:

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

Despite the request for deviation from front building setback, staff believes that approval of the variance is justified based on the following:

- *Because of special circumstances related to the dedication requirement on 22nd Street, the strict application of development standards deprives the property of privileges enjoyed by others in the vicinity*. As noted earlier, the requested variance is a result of a required 11-foot street dedication to accomodate future widening of 22nd Street and a bike lane. As noted in the table earlier in this report, all of the properties on this side of 22nd Street will have reduced setbacks as a result of the dedication. The required dedication creates a special circumstance applicable to the property where the strict application of the 20-foot landscape setback would deprive the property of privileges enjoyed by others in the vicinity.

- *The deviations will not allow a use, density, or intensity which is not in accordance with the general plan designation for the property.* The granting of the deviation will not be detrimental to the public health, safety, or welfare, or be materially injurious to properties or improvements in the vicinity. The development is consistent with the General Plan goals and policies as discussed earlier in this report, and will be required to comply with all applicable Building and Fire Safety regulations to ensure that no adverse impact to the public health, safety, or welfare is created as a result of this project.

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 Parcel Map, as conditioned, will allow the development of the project which is consistent with the Residential Development Standards and Design Guidelines. 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. Draft Planning Commission Resolutions and Exhibits
5. Project Plans/Elevations/Perspectives

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

Warren Caves
c/o Warren Christopher LLC
2435 E. Coast Highway
Corona Del Mar, CA 92625

City of Costa Mesa

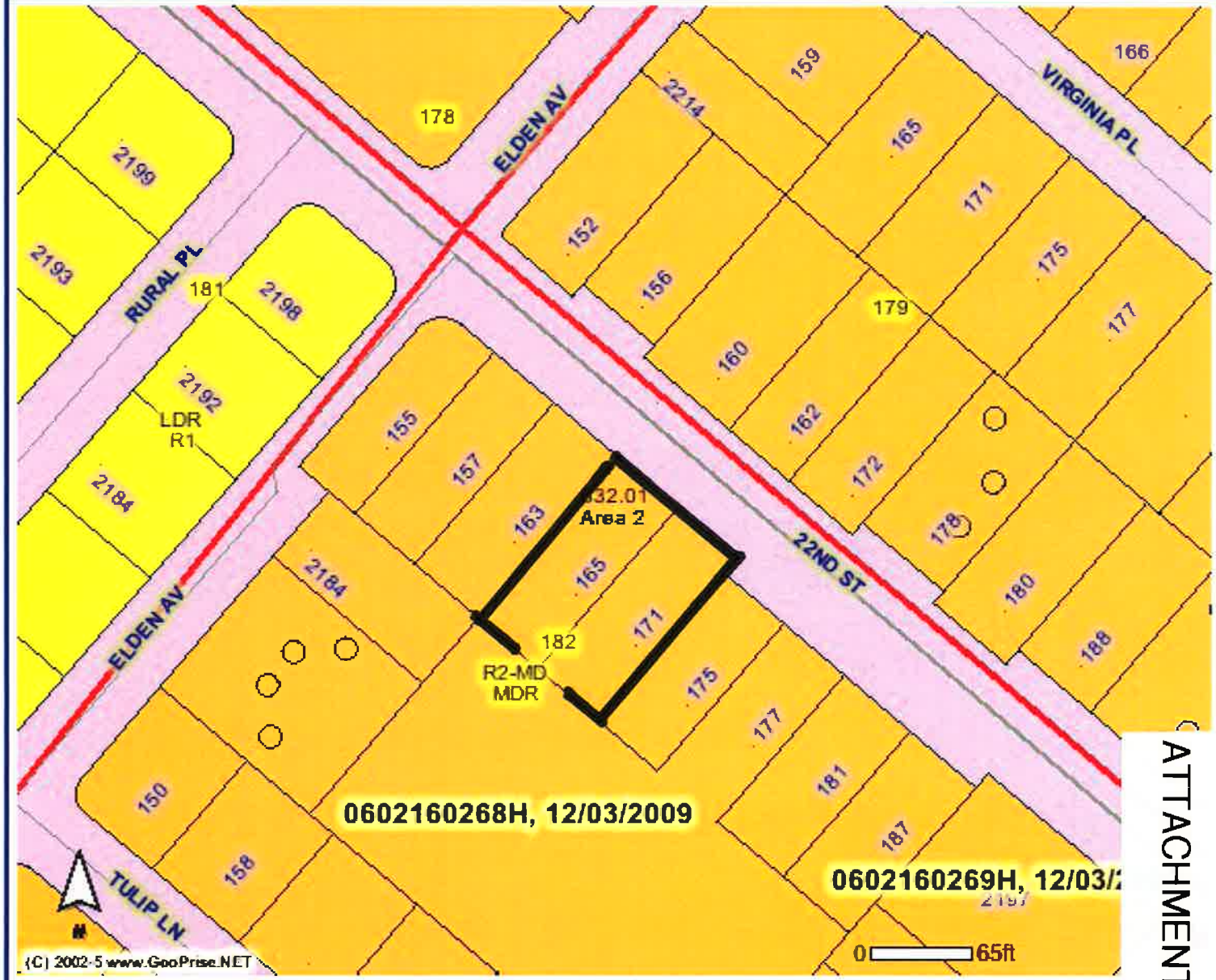
CITY OF COSTA MESA - [Created: 8/4/2015 7:53:29 AM] [Scale: 125.54] [Page: 8.5 x 11 / Landscape]

Overview Map

Legend

- Address Medium
- Address Points
- Freeway
- Roads
- Collector
- Freeway
- Major
- Newport BLVD Primary
- SECONDARY
- Hydrology Channels
- Street Names
- Street Centerlines
- Parcel Lines
- City Boundary
- Water Ways
- Zoning (cont)

Map Display



ATTACHMENT 1

City of Costa Mesa

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Overview Map

Legend

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- Primary
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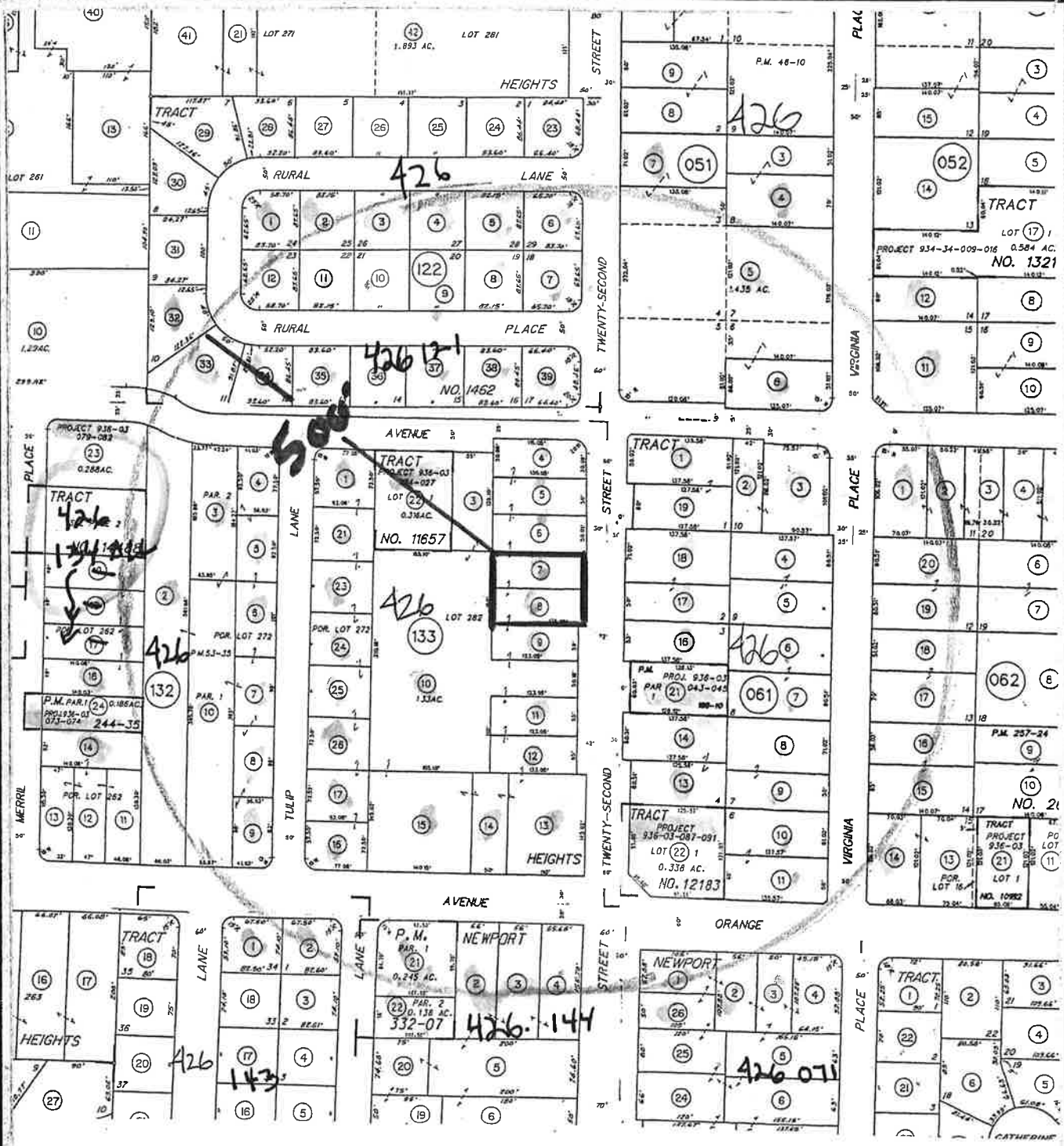
- Channels
- Street Names
- Street Centerlines

Map Display

(C) 2002-5 GeoPrise.net (GeoVec, Inc.) - (866)422-2505



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

FILE # 152507
165 and 171 E 22ND ST
COSTA MESA CA
NOVEMBER 24 2015
500' OWNERS
426 133 07 AND 08

NORTH

165 22ND STREET

171 22ND STREET

EXISTING ROW (EAST AND WEST BOUND)

December 22, 2015

Mr. Melvin E. Lee
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92628-1200

Subject: Design Review and Subdivision Application

Re: 165 and 171 E. 22nd Street, Costa Mesa, CA

Dear Mel,

Warren Christopher, LLC is pleased to submit our Planning Application for the proposed development of four single family residences in accordance with the City's Residential Small Lot Subdivision standards.

Existing Site
The existing site currently consists of two side-by-side parcels each 6750 SF for a total of 13,500 SF. Both parcels have existing homes that are very old and will be razed to make way for the new development.

Single Family Residences
We propose to create four equal parcels of 3375 SF each and construct single family residences on each parcel. Each residence will be two story, approximately 2200 square feet of living space with three bedrooms and 3.5 baths and have a two car garage and two guest parking spaces. The residences will evoke an American vernacular style of domestic architecture. The design incorporates standing seam metal roofs with exposed rafter tails, vertical board and batten siding, as well as clapboard, shingle and cement plaster finishes. The windows are square or vertically oriented with flat trim surrounds. The use of window bay projections and balconies create dynamic massing below a gabled roof with a generous projecting eave. The entry porch and great room are oriented towards the center of the project site to foster a sense of community while the kitchen and dining rooms open wide onto expansive private outdoor spaces.

Parking and Traffic Flow
The site plan for the project has been reviewed and approved by the City's Transportation Engineer as it relates to parking and traffic flow.

2435 East Pacific Coast Highway, Corona Del Mar, California 92625
weaves@sbcglobal.net, Telephone 949/220-3424

Landscaping
Our preliminary landscape plan consists of four Australian Willow trees located in the front of the project and several California friendly, drought tolerant shrubs, vines and ground covers located throughout the four parcels.

Summary
When completed the new community will be a positive addition to the adjacent homes and Eastside neighborhood. We look forward to working with you on this project and welcome any questions you might have about our plans. I will be the "Authorized Agent" for the project and can be reached at 949/887-8587 or ***wcaves@sbcglobal.net.***

Very truly yours,

Warren H. Caves
Warren Christopher, LLC

2435 East Pacific Coast Highway, Corona Del Mar, California 92625
wcaves@sbcglobal.net, Telephone 949/220-3424

RESOLUTION NO. PC-16-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-15-59 AND TENTATIVE PARCEL MAP PM-15-189 AT 165-171 22ND 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 Warren Caves, representing Warren Christopher LLC, the property owners, requesting approval of the following:

1. ***Planning Application PA-15-59:*** Design Review to construct a 4-unit, two-story, detached small lot subdivision development on a lot size of 13,505 sq. ft. in an R2-MD zone with the following code deviation:
   - Variance from front building setback due to required dedications for right-of-way and a bike lane. An 11-foot wide area along the property frontage is required to be dedicated (20 feet required; 9 feet proposed).
2. ***Tentative Parcel Map PM-15-189:*** Tentative Parcel Map for the subdivision of the property into fee simple lots, in accordance with the small lot subdivision standards.

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-15-59 and Tentative Parcel Map PM-15-189.

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-15-59 and Tentative

Parcel Map PM-15-189 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 4 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 12 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. The requested variance substantially complies with Costa Mesa Municipal Code Section 13-29(g)(1) in that:

Findings:

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

Facts in Support of Findings:

- *Because of special circumstances related to the dedication requirement on 22nd Street, the strict application of development standards deprives the property of privileges enjoyed by others in the vicinity.* The requested variance is a result of a required 11-foot street dedication for future widening of 22nd Street and a bike lane. The required dedication creates a special circumstance applicable to the property where the strict application of the 20-foot landscape setback would deprive the property of privileges enjoyed by others in the vicinity.

- *The deviations will not allow a use, density, or intensity which is not in accordance with the general plan designation for the property.* The granting of the deviation will not be detrimental to the public health, safety, or welfare, or be materially injurious to properties or improvements in the vicinity. The development is consistent with the General Plan goals and policies as discussed earlier in this report, and will be required to comply with all applicable Building and Fire Safety regulations to ensure that no adverse impact to the public health, safety, or welfare is created as a result of this project.

D. **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.

E. 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-15-59 shall coincide with the expiration of the approval of the Tentative Parcel Map PM-15-189 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.
9. 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.
10. 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.
11. All driveways shall be complemented by stamped concrete or decorative pavers.
12. Trash facilities shall be screened from view, and designed and located appropriately to minimize potential noise and odor impacts to residential areas
13. 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 materials and finishes which utilize a combination of vertical board and batten siding, as well as clapboard, shingle and cement plaster finishes. 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.
14. 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.
15. 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.

16. 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.
17. 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.
18. 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.
19. 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.
20. 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.
21. 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. 22. 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.

CODE REQUIREMENTS

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

Plng.

1. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections, final occupancy and utility releases will not be granted until all such licenses have been obtained.
2. 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 Parcel Map PM-15-189.
5. All on-site utility services shall be installed underground.
6. Planning Commission action on PA-15-59 and PM-15-189 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.

Bldg. 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.
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 tired and under-carriages of trucks leaving construction sites.
    f. Provide for street sweeping, as needed, on adjacent roadways to remove dirt dropped by construction vehicles or mud, which would otherwise be carried off by trucks departing project sites.
    g. Securely cover loads with a tight fitting tarp on any truck leaving the construction sites to dispose of debris.
    h. Cease grading during period when winds exceed 25 miles per hour.

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 22nd Street as shown on 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 PLANNING APPLICATION PA-15-59 AND TENTATIVE PARCEL MAP PM-15-189 AT 165-171 22ND 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 Warren Caves, representing Warren Christopher LLC, the property owners, requesting approval of the following:

1. ***Planning Application PA-15-59:*** Design Review to construct a 4-unit, two-story, detached small lot subdivision development on a lot size of 13,505 sq. ft. in an R2-MD zone with the following code deviation:
   - Variance from front building setback due to required dedications for right-of-way and a bike lane. An 11-foot wide area along the property frontage is required to be dedicated (20 feet required; 9 feet proposed).
2. ***Tentative Parcel Map PM-15-189:*** Tentative Parcel Map for the subdivision of the property into fee simple lots, in accordance with the small lot subdivision standards.

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-15-59 and Tentative Parcel Map No. PM-15-189.

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 requested variance do not comply with Costa Mesa Municipal Code Section 13-29(g)(1) in that:

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

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

E. The Costa Mesa Planning Commission has denied Planning Application PA-15-59 and Tentative Parcel Map No. PM-15-189. Pursuant to Public Resources Code Section 21080(b)(5) and CEQA Guidelines Section 15270(a) CEQA does not apply to this project because it has been rejected and will not be carried out.

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

ATTACHMENT 5

22ND STREET
Plant Legend

11/19/15

Botanical Name	Common Name
Trees	
Geijera parviflora	Australian Willow, Wilga
Thevetia peruviana	Yellow-Oleander, Lucky Nut
Shrubs	
Dianella tasmanica 'Variegata'	White Striped Tasman Flax Lily
Phormium cultivars	New Zealand Flax selections
Russelia equisetiformis	Coral Fountain, Firecracker Plant
Westringia 'Wynyabbie Gem'	Wynyabbie Gem Westringia
Ground covers	
Senecio mandraliscae	Kleinia
Vines	
Hardenbergia violacea	Lilac Vine, Coral Pea
Grasses	
Carex pansa	California Meadow Sedge
Nassella tenuissima	Mexican Feather Grass
Pennisetum 'Eaton Canyon'	Fountain Grass
Pennisetum 'Fairy Tails'	Fountain Grass
Pennisetum setaceum	Tender Fountain Grass
Succulents	
Agave angustifolia v. marginata	Marginata Agave
Agave attenuata	Velvet Agave, Foxtail Agave
Agave desmettiana	Smooth Agave
Aloe maculata	Soap Aloe, African Aloe
Herbs	
Rosmarinus officinalis 'Prostratus'	Prostrate Rosemary

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22ND STREET
11/19/15

Botanical Name: **Geijera parviflora**
Common Name: **Australian Willow, Wilga**
Plant Type: Tree
Habit: Broad Round Weeping
Plant Size: 12-25'
Leaf Color: Light green
Flower Color: n/a
Flower Season: n/a
Sun: Full sun
Water: Medium water
Soil Type: All soils Poor soil Neutral pH
This evergreen tree reaches a height of 25', with 3"-6" long, medium length, green colored leaves that are narrow. Its main branches sweep up and out, while the smaller branches tend to hang down.

Botanical Name: **Thevetia peruviana**
Common Name: **Yellow-Oleander, Lucky Nut**
Plant Type: Tree Shrub
Habit: Irregular Round
Plant Size: 6-12'
Leaf Color: Light green
Flower Color: Orange Yellow
Flower Season: Spring Summer
Sun: Full sun Half sun
Water: Medium water
Soil Type: All soils Average soil Rich soil Well-drained soil Dry soil Neutral pH
This shrub or small tree wil grow 15'-30' high and has shiny green leaves accented by yellow apricot flowers. It does well with medium watering and thrives in full hot sun.

Botanical Name: **Dianella tasmanica 'Variegata'**
Common Name: **White Striped Tasman Flax Lily**
Plant Type: Perennial
Habit: Mound Upright
Plant Size: 1-3'
Leaf Color: Grey green White
Flower Color: n/a
Flower Season: n/a
Sun: Full sun Half sun
Water: Light water Medium water Extra summer water
Soil Type: Sandy soil Loam soil Average soil Rich soil Well-drained soil Neutral pH
1 to 2 foot tall variegated form of the Tasman Flax Lily is grown for its bold white striped leaves. Small flowers appear in spring and are followed by dark blue berries. Best in light shade, but will take full caostal sun in well-drained soil. Hardy to 20-25 degrees.

Botanical Name: **Phormium cultivars**
Common Name: **New Zealand Flax selections**
Plant Type: Shrub
Habit: Arching Round
Plant Size: 3-6' 6-12'
Leaf Color: Dark green Green
Flower Color: Red Yellow
Flower Season: Summer
Sun: Full sun Half sun Shade
Water: Light water
Soil Type: All soils Poor soil Moist soil Neutral pH
New Zealand Flax is a large, bold plant with stiffly vertical, sword-like, green leaves that arise from its base. It should be grown under full sun for best color. Varieties will offer different growth habits and leaf color.

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22ND STREET
11/19/15

Botanical Name: **Russelia equisetiformis**
Common Name: **Coral Fountain, Firecracker Plant**
Plant Type: Shrub
Habit: Irregular Mound
Plant Size: 3-6'
Leaf Color: Dark green Green Red
Flower Color: Orange Red
Flower Season: Spring Summer
Sun: Full sun Half sun
Water: Medium water Extra summer water
Soil Type: All soils Average soil Poor soil Well-drained soil Neutral pH Basic pH
This heavy blooming shrub is from tropical Mexico. Coral Fountain can reach a mature size of about 5' tall and wide in frost-free climates. In colder climates, foliage will die back at freezing, but the plants will survive all but a hard frost. This is an excellent plant for containers, so plants can be moved to a sheltered location in winter for frost areas.

Botanical Name: **Westringia 'Wynyabbie Gem'**
Common Name: **Wynyabbie Gem Westringia**
Plant Type: Shrub
Habit: Round
Plant Size: 3-6'
Leaf Color: Green Grey green
Flower Color: Lavender
Flower Season: Spring Summer
Sun: Full sun
Water: Drought tolerant Light water Medium water
Soil Type: All soils Average soil Neutral pH
This evergreen shrub will grow 3'-6' high and 6'-8' wide and has lavender flowers that bloom February through spring. It is drought tolerant and does well in full sun or partial shade.

Botanical Name: **Senecio mandraliscae**
Common Name: **Kleinia**
Plant Type: Ground cover Perennial
Habit: Mound
Plant Size: 1-3'
Leaf Color: Grey green Blue green
Flower Color: White
Flower Season: Summer Fall
Sun: Full sun Half sun
Water: Light water
Soil Type: All soils Average soil Well-drained soil Dry soil Neutral pH
This succulent perennial will grow to about 1.5' tall and 2' wide. It has curved, bluish gray leaves that are about 3.5" long and very slender.

Botanical Name: **Hardenbergia violacea**
Common Name: **Lilac Vine, Coral Pea**
Plant Type: Shrub Vine
Habit: Twining
Plant Size: 6-12'
Leaf Color: Green
Flower Color: Pink Purple
Flower Season: Winter Spring
Sun: Full sun
Water: Light water
Soil Type: Sandy soil Loam soil Average soil Neutral pH
Hardenbergia violacea rosea an evergreen, shrubby vine. Leaves are usually undivided, 2"-4" long. Flowers are lilac or rose and look like sweet peas. Flower color depends on the cultivar.

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22ND STREET
11/19/15

Botanical Name: **Carex pansa**
Common Name: **California Meadow Sedge**
Plant Type: Perennial Grass
Habit: Upright Vase
Plant Size: Under 1'
Leaf Color: Dark green Green
Flower Color: n/a
Flower Season: Spring Summer
Sun: Half sun
Water: Medium water
Soil Type: All soils Average soil Rich soil Moist soil Neutral pH

This native Carex can be successfully used as a lawn substitute but requires significant water to obtain good coverage. Once coverage is reached, water can be reduced and maintenance is close to zero. Unmowed, the plant can be used effectively in a variety of conditions and will reach a height of 6" or under and spreads up to 2' by rhizomes.

Botanical Name: **Nassella tenuissima**
Common Name: **Mexican Feather Grass**
Plant Type: Grass
Habit: Mound Upright
Plant Size: 1-3'
Leaf Color: Light green Brown
Flower Color: Green
Flower Season: Summer
Sun: Full sun Half sun
Water: Drought tolerant
Soil Type: All soils Average soil Poor soil Well-drained soil Dry soil Neutral pH

This ornamental grass grows to 2' tall. It goes partially dormant during the summer but green in spring and fall. It prefers a sunny, well drained site. This plant can be invasive in some areas, so use caution. To keep reseeding to a minimum, drip irrigation will be best. Cut back in early spring to remove dormant foliage and dried seed heads. It can also tolerate dry shade. It grows to 10" wide and is the

Botanical Name: **Pennisetum 'Eaton Canyon'**
Common Name: **Fountain Grass**
Plant Type: Grass
Habit: Arching
Plant Size: 1-3'
Leaf Color: Bronze Red
Flower Color: n/a
Flower Season: Intermittent
Sun: Full sun Half sun
Water: Light water Medium water
Soil Type:

Evergreen to semi-evergreen grass has foliage that grows 18"-24" tall with narrow red-tinged bronze foliage and reddish-brown flower plumes taht rise above foliage to about 30". It is a smaller & finer textured plant than red fountain grass. Cut batck in winter to early spring.

Botanical Name: **Pennisetum 'Fairy Tails'**
Common Name: **Fountain Grass**
Plant Type: Grass
Habit: Arching
Plant Size: 3-6'
Leaf Color: Green
Flower Color: n/a
Flower Season: Intermittent
Sun: Full sun Half sun
Water: Light water Medium water
Soil Type:

AN evergreen fountain grass that forms 2'-3' wide clumps with upright foliage to 4' tall and dark wheat-colored blooms rising above the foliage in spring & summer. SHould be hardy & evergreen to 20-25 F. Can be left alone or cut back in winter to freshen the lool of newly emerging foliage

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22ND STREET
11/19/15

Botanical Name: **Pennisetum setaceum**
Common Name: **Tender Fountain Grass**
Plant Type: Perennial Annual Grass
Habit: Arching Round Upright
Plant Size: 1-3'
Leaf Color: Green Purple
Flower Color: Purple
Flower Season: Summer
Sun: Full sun
Water: Drought tolerant Light water
Soil Type: All soils Average soil Poor soil Neutral pH Basic pH
This perennial grass reaches a size of 5' tall and wide, and is grown for its feathery plume-like seed heads. The plant should receive sun with little or no summer watering. Heavy seed head production can make this grass very invasive. Remove flower plumes before seeds mature to check their spread.

Botanical Name: **Agave angustifolia v. marginata**
Common Name: **Marginata Agave**
Plant Type: Succulent
Habit: Mound
Plant Size: 3-6'
Leaf Color: Light green
Flower Color: Green Yellow
Flower Season: n/a
Sun: Full sun Half sun Shade
Water: Drought tolerant Light water
Soil Type: All soils Average soil Poor soil Well-drained soil Neutral pH Basic pH
This tropical is native ot Costa Rica and Mexico. It has light green and cream variegated leaves and is cold hardy to about 20f. The stiff leaves are about 1 1/2" wide with cream white stripes along the margins. It will form clumps to about 3-4' across. In the low desert, filtered shade is best. It can also handle more water than most agaves.

Botanical Name: **Agave attenuata**
Common Name: **Velvet Agave, Foxtail Agave**
Plant Type: Succulent
Habit: Irregular Mound
Plant Size: 1-3'
Leaf Color: Light green
Flower Color: Green Yellow
Flower Season: n/a
Sun: Full sun Half sun Shade
Water: Light water
Soil Type: All soils Average soil Poor soil Well-drained soil Neutral pH Basic pH
This Agave has a dramatic tropical form. Even light frost can damage its succulent leaves. It is great for containers. In the low desert, partial sun will be best. If it becomes top heavy, simply cut and stick in the ground to root. It is not a fast grower and has light green foliage. It will also die after flowering but pups around the mother will survive. Distinctive with its large rosette of leaves perched on a long

Botanical Name: **Agave desmettiana**
Common Name: **Smooth Agave**
Plant Type: Succulent
Habit: Upright Vase
Plant Size: 1-3'
Leaf Color: Light green
Flower Color: Yellow
Flower Season: Spring
Sun: Half sun Shade
Water: Light water
Soil Type: All soils Average soil Poor soil Well-drained soil Neutral pH Basic pH
Agave with an open rosette form grows quickly to 3' x 3'. Very attrative plant resembles Octopus Agave but smaller. Fleshy leaves are light green with smooth edges and a sharp tip. Will grow best in filtered sun or full shade. After several years flower stalk will appear with bright yellow flowersin spring. Like most agaves, it will die after flowering but produces an abundance of offesets. Somewhat

Created with GardenSoft PlantMaster - www.gardensoft.com

22ND STREET

11/19/15

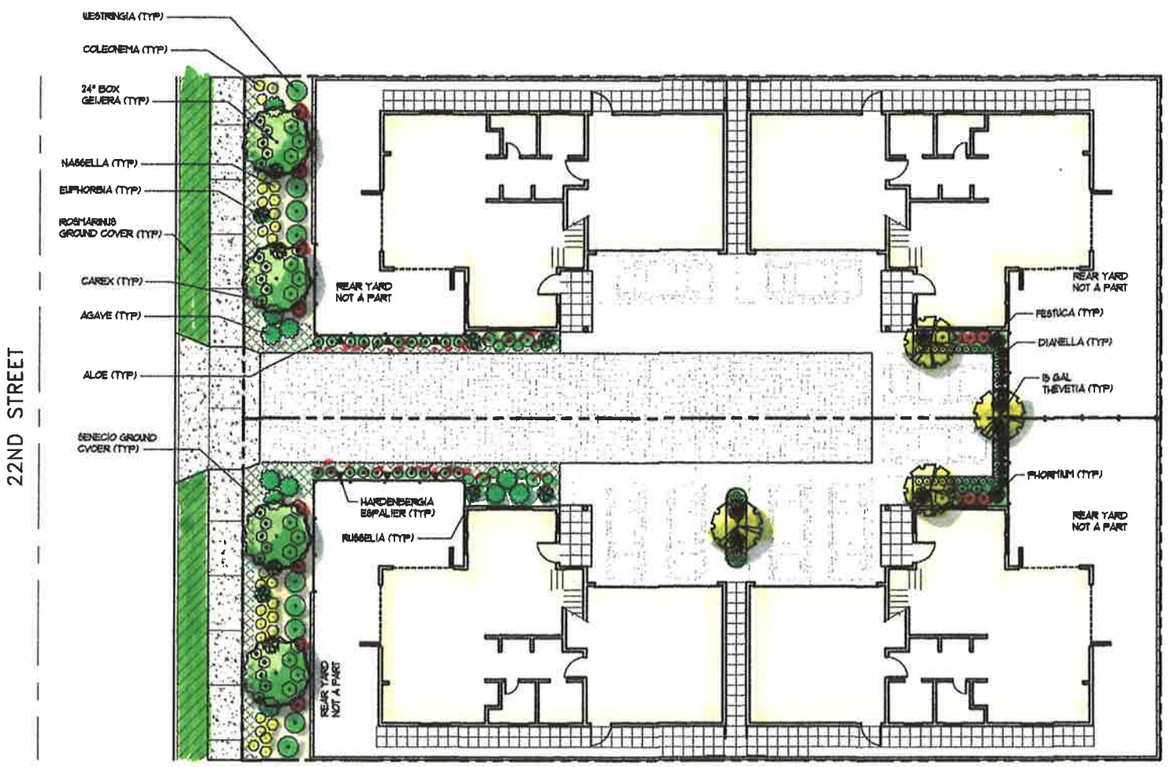
Botanical Name: **Aloe maculata**
Common Name: **Soap Aloe, African Aloe**
Plant Type: Succulent
Habit: Irregular
Plant Size: Under 1' 1-3'
Leaf Color: Light green White
Flower Color: Orange Pink Red
Flower Season: Spring Fall
Sun: Full sun Half sun
Water: Light water
Soil Type: All soils Average soil Poor soil Well-drained soil Dry soil Neutral pH Basic pH

This succulent plant will grow about 2' high and has large, white-spotted green leaves with orange, pink, and red flowers that bloom in spring and fall. Leaves may get a red tinge in colder weather. Somewhat cold sensitive.

Botanical Name: **Rosmarinus officinalis 'Prostratus'**
Common Name: **Prostrate Rosemary**
Plant Type: Shrub Ground cover Herb
Habit: Mound Prostrate
Plant Size: 1-3'
Leaf Color: Dark green
Flower Color: Blue
Flower Season: Winter Spring Summer
Sun: Full sun
Water: Light water
Soil Type: All soils Average soil Poor soil Well-drained soil Dry soil Neutral pH

The 'Prostratus' grows to a height of 2'-3' with a spread to 8'. Its flowers are pale, lavender blue in color; the leaves are needle-like with a dark, blue-green color. This plant makes a good groundcover, and its leaves can be used as seasoning in cooking. It has very aromatic leaves.

Created with GardenSoft PlantMaster - www.gardensoft.com



PLANT LEGEND

SYMBOL	SIZE	BOTANICAL NAME	COMMON NAME	QUANTITY
		TREES		
	24" BOX	GEIJERA PARVIFLORA	AUSTRALIAN WILLOW	4
	15 GAL	THEVETIA PERUVIANA	LUCKY NUT TREE	4
		SHRUBS & GRASSES		
	1 GAL	COLEONEMA 'SUNSET GOLD'	DWARF BREATH OF HEAVEN	26
	5 GAL	DIANELLA T. 'VARIEGATA'	VARIEGATED FLAX LILY	8
	15 GAL	EUPHORBIA T. 'STICKS OF FIRE'	PENCIL TREE	9
	1 GAL	FESTUCA O. 'GLAUCA'	BLUE FESCUE	42
	5 GAL	PHORMIUM T. 'RUBRUM'	NEW ZEALAND FLAX	8
	5 GAL	RUSSELIA EQUISETIFORMIS	CORAL FOUNTAINS	5
	5 GAL	WESTRINGIA 'WYNYABBIE GEM'	COAST ROSEMARY	9
	15 GAL	AGAVE ATTENUATA	FOXTAIL AGAVE	11
	5 GAL	ALOE DAWEI	DAWE'S ALOE	23
	1 GAL	CAREX PANSA	CALIF. MEADOW SEDGE	20
	1 GAL	NASSELLA TENUISSIMA	MEXICAN FEATHER GRASS	9
	5 GAL	PENNISETUM S. 'RUBRUM'	RED FOUNTAIN GRASS	28
		VINES		
	5 GAL	HARDENBERGIA VIOLACEA	HAPPY WANDERER	8
		GROUND COVERS		
	FLATS	ROSMARINUS O. 'PROSTRATUS'	PROSTRATE ROSEMARY	@ 24" O.C.
	FLATS	SENECIO MANDRALISCAE	CHALKSTICKS	@ 12" O.C.

PLANTING NOTES

CONTRACTOR SHALL VERIFY LOCATION OF ALL UNDERGROUND UTILITIES AND SERVICES PRIOR TO ANY DIGGING. CONTRACTOR ASSUMES FULL RESPONSIBILITY FOR ALL DAMAGE CAUSED BY FAILURE TO DO SO.

PLANT MAINTENANCE WORK SHALL CONSIST OF APPLYING WATER, WEEDING, FERTILIZING PER SPECIFICATIONS.

THE ENTIRE PROJECT IS TO BE MAINTAINED FOR A PERIOD OF 60 CALENDAR DAYS, COMMENCING FROM THE TIME ALL ITEMS OF WORK HAVE BEEN COMPLETED TO THE SATISFACTION OF THE LANDSCAPE ARCHITECT.

CONTRACTOR SHALL BE RESPONSIBLE FOR DISEASE AND PEST CONTROL DURING THE MAINTENANCE PERIOD.

CONTRACTOR SHALL RAISE OR LOWER SPRINKLER HEADS TO PROPER LEVEL IF PLANT MATERIAL OBSTRUCTS FULL COVERAGE.

CONTRACTOR TO VERIFY WITH SOIL ANALYSIS, THE SOIL AMENDMENT AND CONTACT THE LANDSCAPE ARCHITECT IF THERE ARE ANY INADEQUATE AMENITIES.

ALL SHRUBS AND GROUND COVER TO BE INSTALLED 1" ABOVE BACKFILL GRADE. COMPACT BACKFILL TO REMOVE MAJOR SETTLING OF PLANT MATERIAL.

PLANTS CALLED OUT ON PLAN ARE CONSIDERED IN CLUSTERS EVEN IF NOT ATTACHED BY CONNECTING LINES. CALLOUTS WILL HAVE TOTAL COUNTS NEEDED.

ALL PLANTING BEDS TO RECEIVE 2" DEPTH OF FIR BARK MULCH - "FOREST FLOOR" OR EQUAL.

ALL TREES WITHIN FIVE FEET (5') OF HARDSCAPE OR WALLS TO BE INSTALLED WITH A ROOT BARRIER.

NORTH

39

REVISIONS	BY
2/1/16 - REVISE SETBACK	NS

STAN SMITH ASSOCIATES
LANDSCAPE ARCHITECTURE
23011 Moulton Parkway
PLANNING • RESEARCH
Suite J12 • Laguna Hills, CA 92653
(949) 855-6413
FAX 830-4465

PLANTING PLAN

22nd STREET FOURPLEX
165 & 171 22nd STREET
COSTA MESA, CA

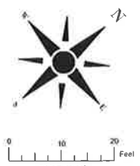
DRAWN	SSA
CHECKED	SSA
DATE	11-25-15
SCALE	1"=10'
JOB NO.	
SHEET	L-2
OF	SHEETS

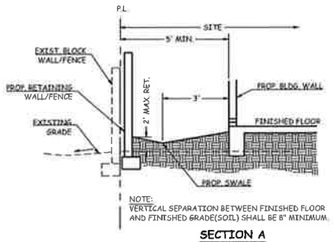
TENTATIVE PARCEL MAP NO. 2015-189

THE NORTHWESTERLY 100 FEET OF THE SOUTHEASTERLY 455.20 FEET OF THE NORTHEASTERLY 135.05 FEET OF LOT 282 OF NEWPORT HEIGHTS, IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 4, PAGE 83 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

DATE OF PREPARATION: February 8, 2016

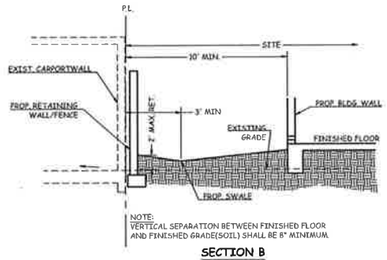
REVISIONS		
#	DATE	DESCRIPTION





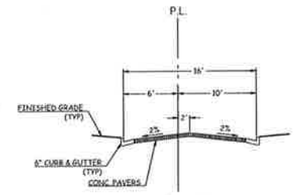
NOTE:
VERTICAL SEPARATION BETWEEN FINISHED FLOOR AND FINISHED GRADE(SOIL) SHALL BE 8" MINIMUM.

SECTION A
NOT TO SCALE



NOTE:
VERTICAL SEPARATION BETWEEN FINISHED FLOOR AND FINISHED GRADE(SOIL) SHALL BE 8" MINIMUM.

SECTION B
NOT TO SCALE



SECTION C
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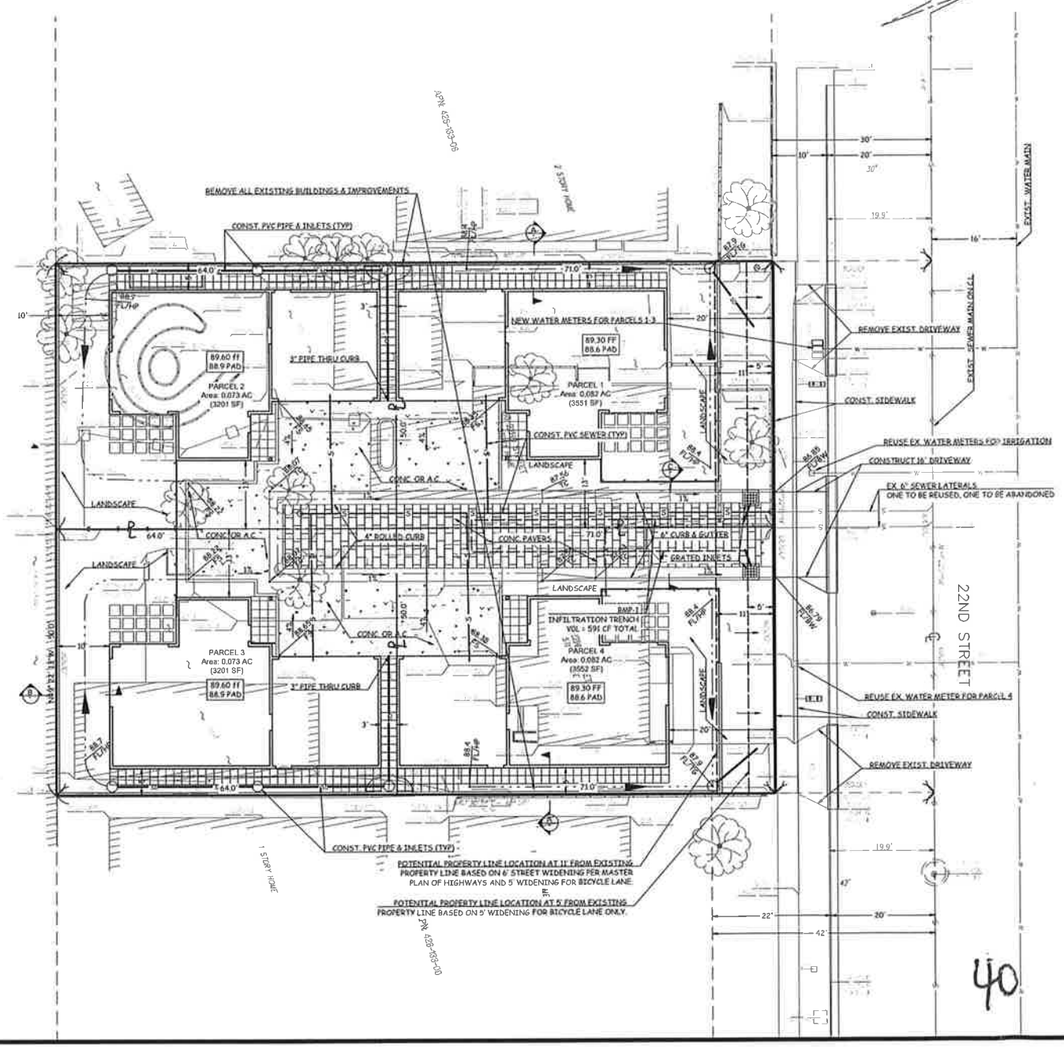

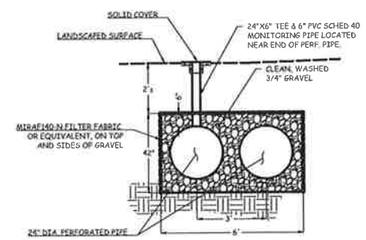

SECTION
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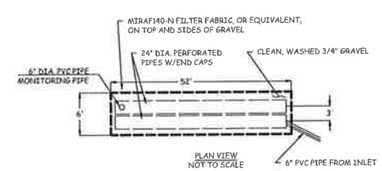
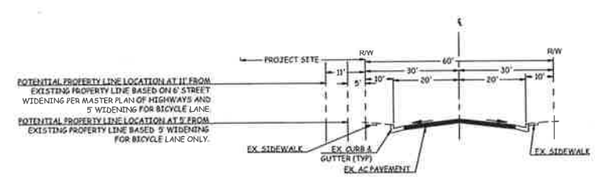
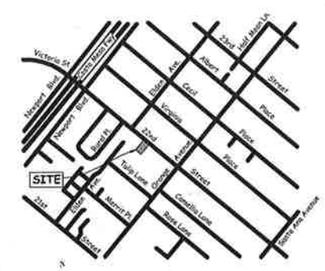


PLAN VIEW
NOT TO SCALE

BMP-1: INFILTRATION TRENCH
TRENCH AREA: 0'X50' = 317 SF
TOTAL STORAGE: 591 CF(MIN)



TYPICAL SECTION: 22ND STREET
NOT TO SCALE



VICINITY MAP
NOT TO SCALE

Notes:
0.310 ACRES GROSS & NET
LAND NOT SUBJECT TO INUNDATION OR OVERFLOW.
NO PARKS TO BE DEDICATED

Proposed Land Use:
4 SINGLE FAMILY RESIDENCES

Assessor's Parcel Numbers:
426-133-07

Setback Requirements:
FRONT 20'
SIDES 5'
REAR 10'

Legal Description:
THE NORTHWESTERLY 50 FEET OF THE SOUTHEASTERLY 455.20 FEET OF THE NORTHEASTERLY 135.05 FEET OF LOT 282 OF NEWPORT HEIGHTS, IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 4, PAGE 83 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.
TOGETHER WITH THE NORTHWESTERLY 50 FEET OF THE SOUTHEASTERLY 405.20 FEET OF THE NORTHEASTERLY 135.05 FEET OF LOT 282 OF NEWPORT HEIGHTS, IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 4, PAGE 83 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

Basis of Bearings:
THE BEARINGS SHOWN HEREON ARE BASED UPON THE BEARING BETWEEN O.C.S. HORIZONTAL CONTROL STATION GPS NO. "62298I" AND STATION GPS NO. "6205" BEING NORTH 40°38' 38" EAST, PER RECORDS ON FILE IN THE OFFICE OF THE COUNTY SURVEYOR

Benchmark:
THE ELEVATIONS SHOWN HEREON ARE BASED ON ORANGE COUNTY SURVEY VERTICAL CONTROL NUMBER "1E-118-04".
ELEVATION 85.007 FEET (NAVD88) 1995 OCS ADJ.

Owner/Subdivider:
WARREN CAVES
1 BARRINGER COURT
NEWPORT BEACH, CA 92660

Site Address:
165-171 22nd STREET
COSTA MESA, CA 92627

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

Estimated Grading Quantities:
RAW CUT: 0 CY
RAW FILL: 600 CY
IMPORT: 600 CY

Engineer:
ROBIN B. HAMERS & ASSOCIATES, INC.
234 E. 17TH STREET, SUITE 205
COSTA MESA, CA 92627
(949) 548-1192

Legend:

AC	ASPHALTIC CONCRETE
EX	EXISTING
FH	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
WATER MAIN
WATER METER

Easements:
PER FIRST AMERICAN TITLE COMPANY PRELIMINARY REPORT NOS. O-SA-4678786 & O-SA-4677229 FOR THE PROJECT PROPERTY, THERE ARE NO EASEMENTS OF RECORD ON THE SITE.

REGISTERED PROFESSIONAL ENGINEER
ROBIN B. HAMERS
NO. RCE 31720
CIVIL
STATE OF CALIFORNIA

PREPARED BY:
ROBIN B. HAMERS & ASSOC., INC.
CIVIL ENGINEERS
234 E. 17TH STREET, SUITE 205
COSTA MESA, CALIFORNIA 92627
(949) 548-1192

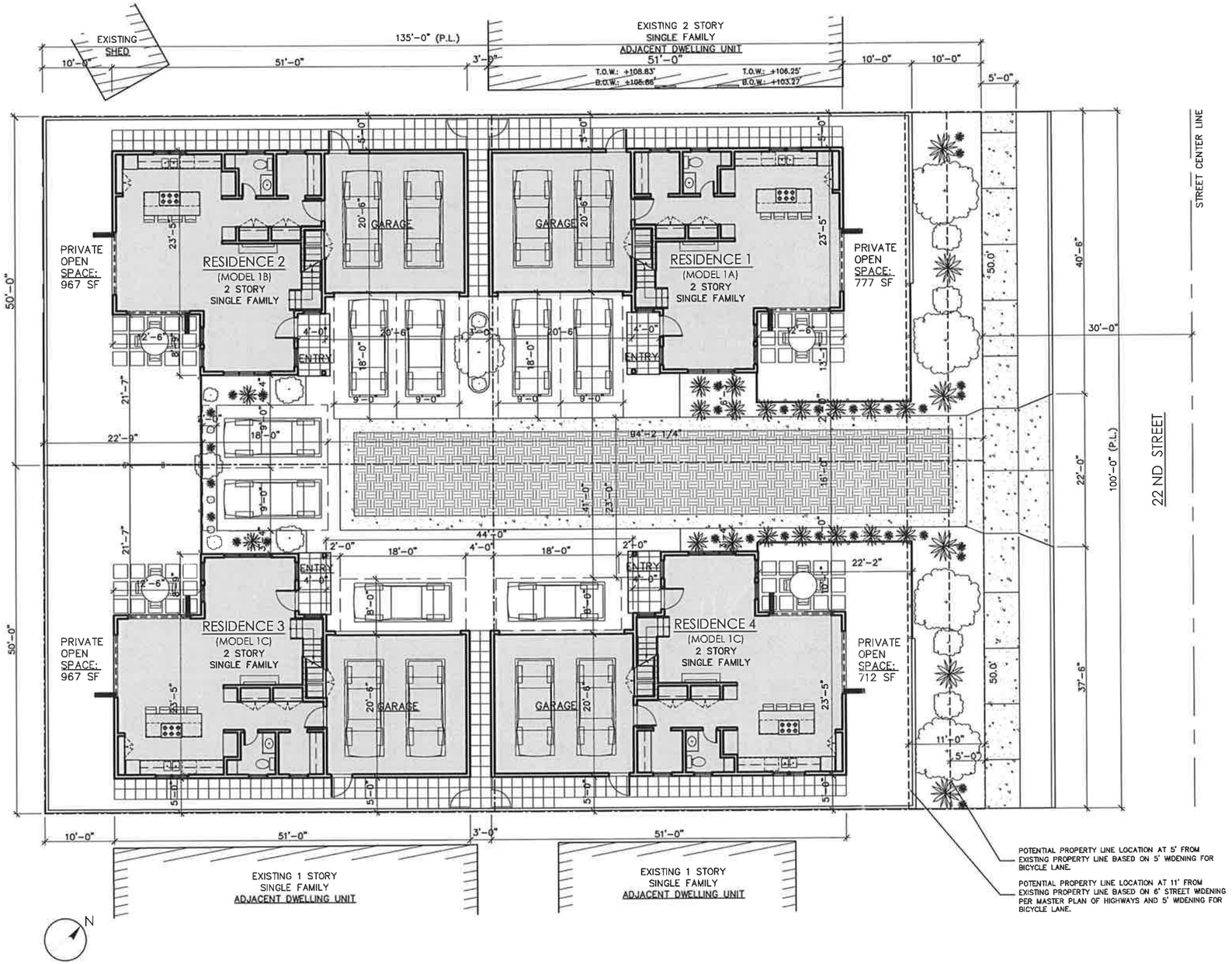
ROBIN B. HAMERS R.C.E. 31720 — 2/8/16 DATE

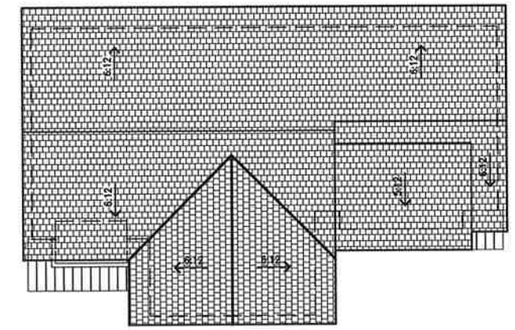
TENTATIVE PARCEL MAP NO. 2015-189
& PRELIMINARY GRADING PLAN

165-171 22nd STREET
COSTA MESA, CA 92627

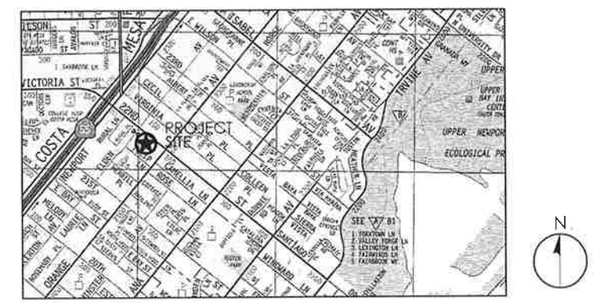
SHEET 1 OF 1

40





ROOF PLAN (RESIDENCE 2)
SCALE: 1/8" = 1'-0"



VICINTY MAP
SCALE: NTS

PROJECT DATA:

ZONE: R2-MD
GENERAL PLAN: MEDIUM DENSITY RESIDENTIAL
EXISTING LOTS: 50 'X 135.05 '= 6752.20 SF
TOTAL LOT AREA: 2 X 6752.50 = 13,505 SF
REQUIRED OPEN SPACE: 13,505 SF X .30 = 4,052 SF (30%)
PROVIDED OPEN SPACE: 5,069 SF (37.5%)
PAVING AREA: 3,240 SF (24%)
MAXIMUM BUILDING HEIGHT: 26'-9 1/2"
PARKING SPACES PROVIDED: (2)GARAGE SPACES PER UNIT=(8)
(2)OPEN GUEST SPACES PER UNIT =(8)

FLOOR AREA SCHEDULE:

RESIDENCE	PLAN	DESCRIPTION	LIVING AREA(SF)			GARAGE	TOTAL AREA(SF)
			1ST FL	2ND FL	TOTAL		
1	1A	3BR + LOFT	870	1,268	2,138	400	2,538
2	1B	3BR + LOFT	870	1,268	2,138	400	2,538
3	1A REV	3BR + LOFT	870	1,268	2,138	400	2,538
4	1C	3BR + LOFT	870	1,268	2,138	400	2,538
TOTAL LIVING FLOOR AREA: 8,552 SF							10,152

165 & 171 22nd Street

165 & 171 22ND STREET, COSTA MESA, CA

41

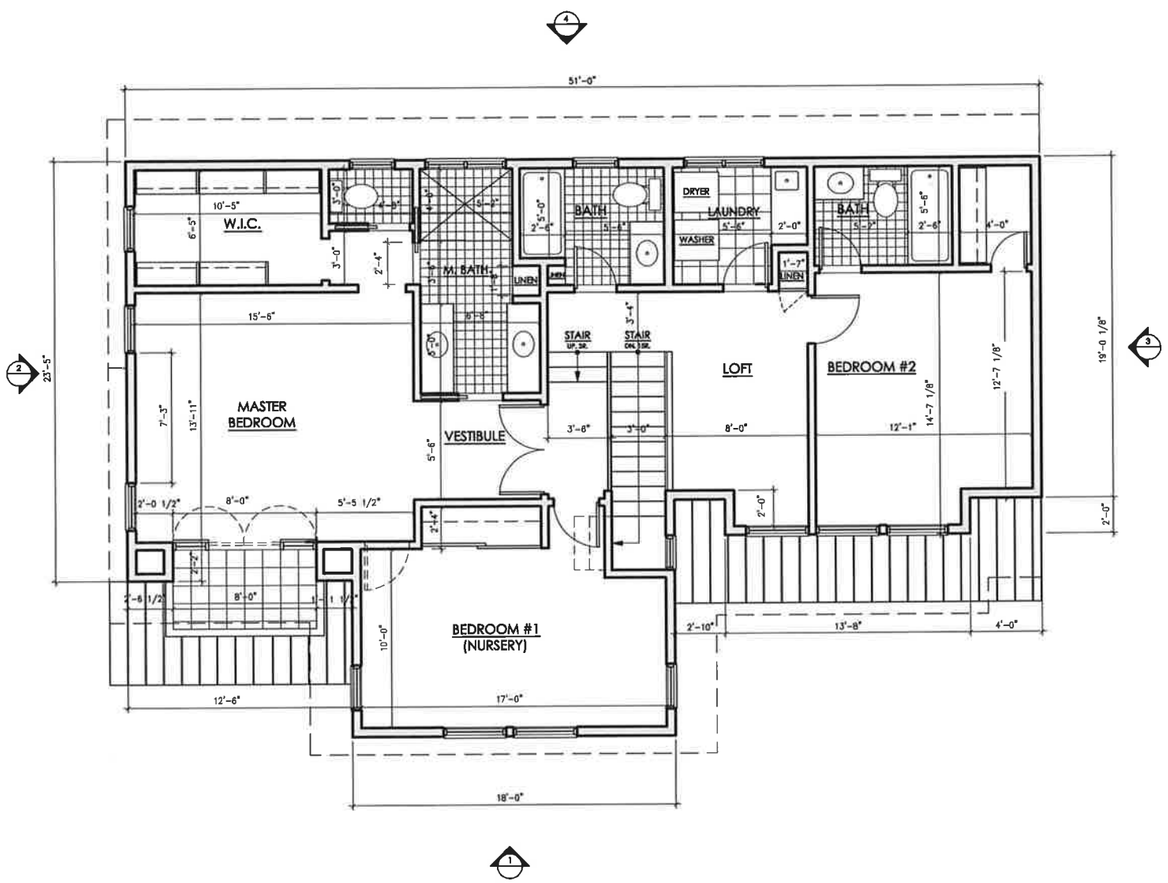
PROPOSED SITE PLAN
SCALE: 1/8" = 1'-0"
FEBRUARY 8, 2016

DRAWING NO. 1/6

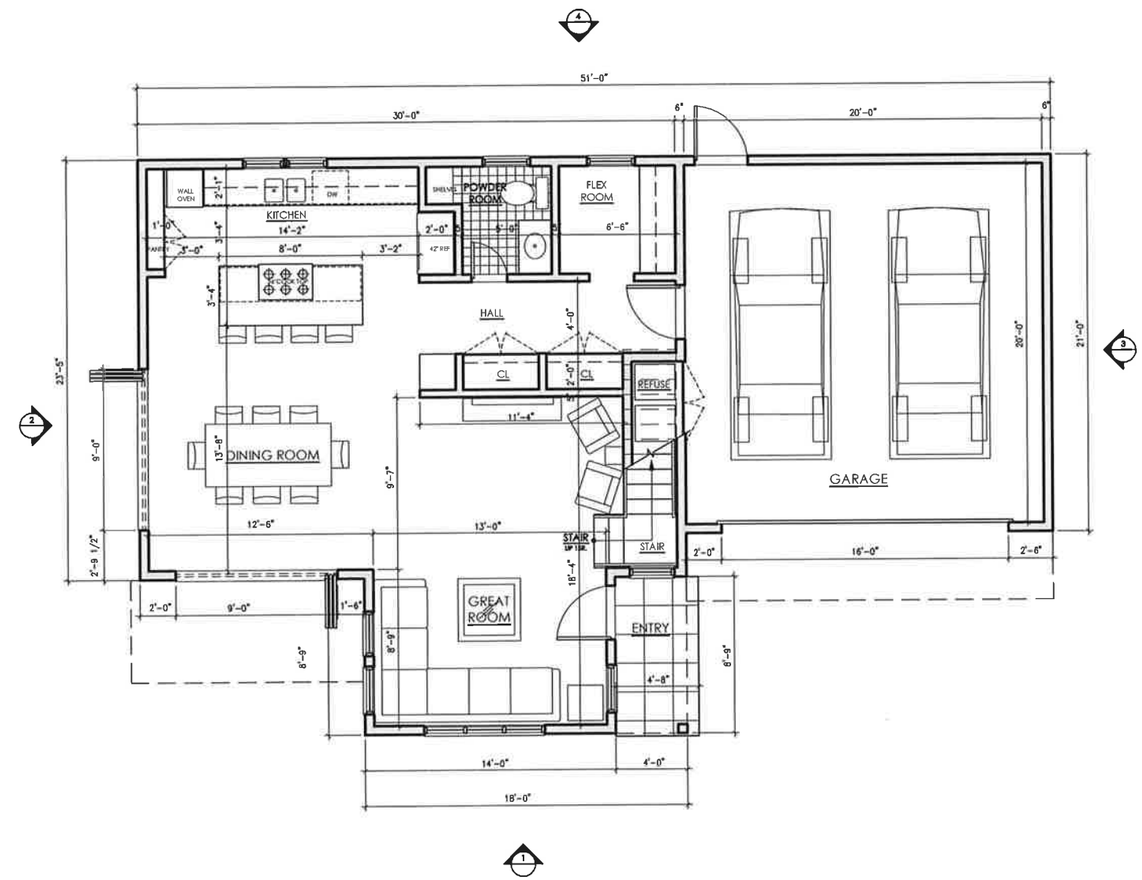
APPLICANT:
WARREN CHRISTOPHER, LLC
2435 East Pacific Coast Highway
Corona Del Mar, CA 92625
TEL: (949) 887-8587

ARCHITECT:
CAP DESIGN ARCHITECTURE
27071 CABOT ROAD, SUITE 128
LAGUNA HILLS, CA 92653
TEL: (949) 716-8258

CAP DESIGN
ARCHITECTURE



2 PROPOSED SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"



2 PROPOSED FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

165 & 171 22nd Street

165 & 171 22ND STREET, COSTA MESA, CA

42

PROPOSED FLOOR PLANS

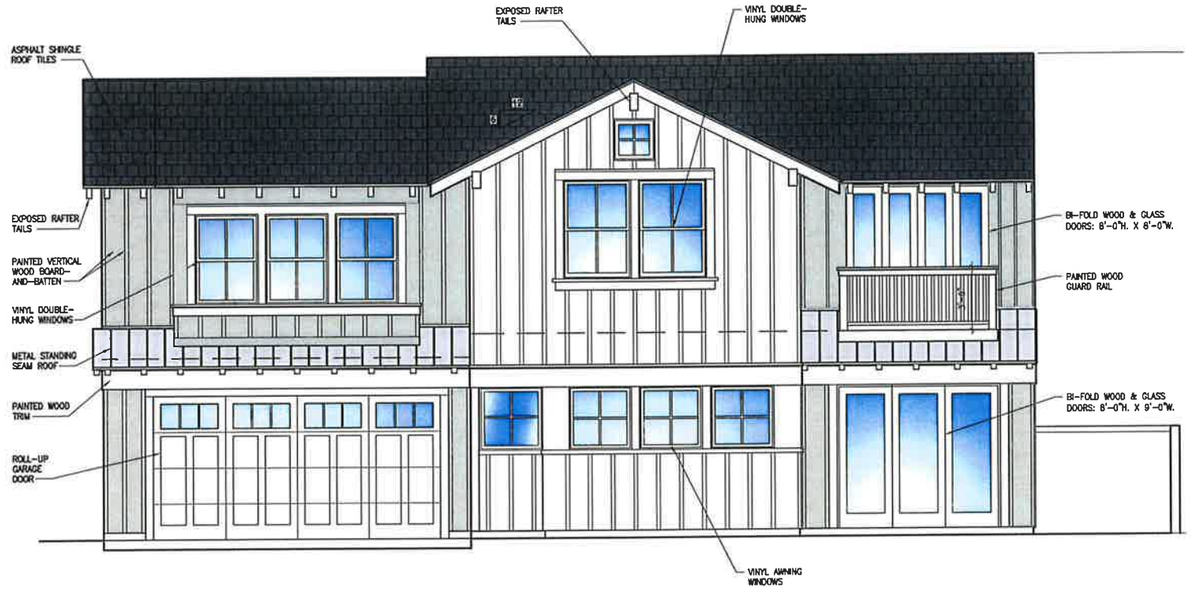
SCALE: AS NOTED
JANUARY 29, 2016

DRAWING NO. 2/6

APPLICANT:
WARREN CHRISTOPHER, LLC
2435 East Pacific Coast Highway
Corona Del Mar, CA 92625
TEL: (949) 887-8587

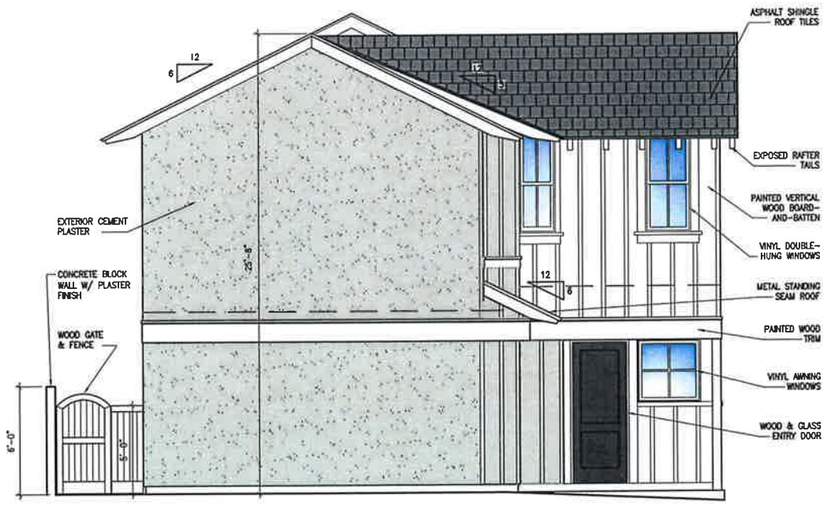
ARCHITECT:
CAP DESIGN ARCHITECTURE
27071 CABOT ROAD, SUITE 128
LAGUNA HILLS, CA 92653
TEL: (949) 716-8258

CAP DESIGN
ARCHITECTURE



1 PROPOSED FRONT ELEVATION

2 PROPOSED SIDE ELEVATION



3 PROPOSED SIDE ELEVATION

4 PROPOSED REAR ELEVATION

165 & 171 22nd Street

165 & 171 22ND STREET, COSTA MESA, CA

RESIDENCE 1 (MODEL 1A): EXTERIOR ELEVATIONS

SCALE: AS NOTED

JANUARY 29, 2016

DRAWING NO. 3/6

43

APPLICANT:
WARREN CHRISTOPHER, LLC
2435 East Pacific Coast Highway
Corona Del Mar, CA 92625
TEL: (949) 887-8587

ARCHITECT:
CAP DESIGN ARCHITECTURE
27071 CABOT ROAD, SUITE 128
LAGUNA HILLS, CA 92653
TEL: (949) 716-8258 FAX: (949) 716-8259

CAP DESIGN ARCHITECTURE

1 PROPOSED FRONT ELEVATION

2 PROPOSED SIDE ELEVATION

3 PROPOSED SIDE ELEVATION

4 PROPOSED REAR ELEVATION

165 & 171 22nd Street

165 & 171 22ND STREET, COSTA MESA, CA

RESIDENCE 2 (MODEL 1B): EXTERIOR ELEVATIONS

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

JANUARY 29, 2016

DRAWING NO. 4/6

44

APPLICANT:
WARREN CHRISTOPHER, LLC
2435 East Pacific Coast Highway
Corona Del Mar, CA 92625
TEL: (949) 887-8587

ARCHITECT:
CAP DESIGN ARCHITECTURE
27071 CABOT ROAD, SUITE 128
LAGUNA HILLS, CA 92653
TEL: (949) 716-8258 FAX: (949) 716-8259

CAP DESIGN ARCHITECTURE

1 PROPOSED FRONT ELEVATION

2 PROPOSED SIDE ELEVATION

3 PROPOSED SIDE ELEVATION

4 PROPOSED REAR ELEVATION

165 & 171 22nd Street

165 & 171 22ND STREET, COSTA MESA, CA

RESIDENCE 3 (MODEL 1A): EXTERIOR ELEVATIONS

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

JANUARY 29, 2016

DRAWING NO. 5/6

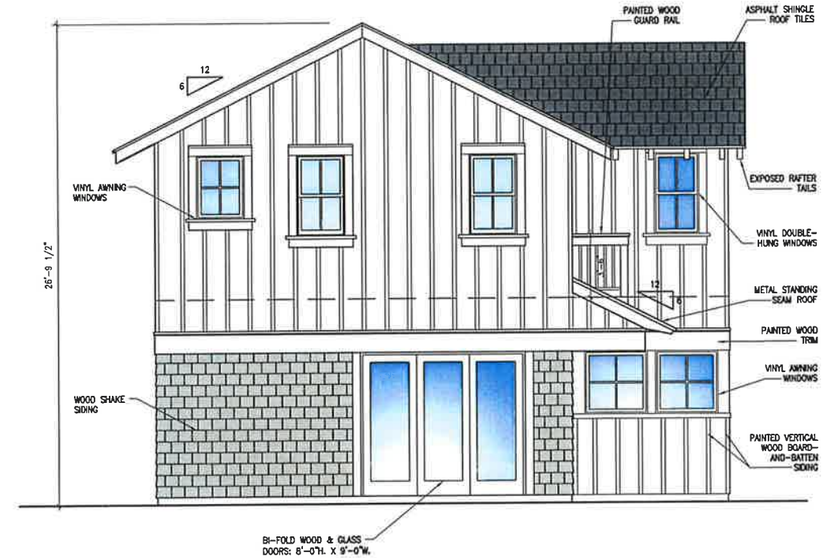
45

APPLICANT:
WARREN CHRISTOPHER, LLC
2435 East Pacific Coast Highway
Corona Del Mar, CA 92625
TEL: (949) 887-8587

ARCHITECT:
CAP DESIGN ARCHITECTURE
27071 CABOT ROAD, SUITE 128
LAGUNA HILLS, CA 92653
TEL: (949) 716-8258 FAX: (949) 716-8259

CAP DESIGN
ARCHITECTURE

1 PROPOSED FRONT ELEVATION



2 PROPOSED SIDE ELEVATION

3 PROPOSED SIDE ELEVATION

4 PROPOSED REAR ELEVATION

165 & 171 22nd Street

165 & 171 22ND STREET, COSTA MESA, CA

RESIDENCE 4 (MODEL 1C): EXTERIOR ELEVATIONS

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

JANUARY 29, 2016

DRAWING NO. 6/6

46

APPLICANT:
WARREN CHRISTOPHER, LLC
2435 East Pacific Coast Highway
Corona Del Mar, CA 92625
TEL: (949) 887-8587

ARCHITECT:
CAP DESIGN ARCHITECTURE
27071 CABOT ROAD, SUITE 128
LAGUNA HILLS, CA 92653
TEL: (949) 716-8258 FAX: (949) 716-8259

CAP DESIGN ARCHITECTURE

48

PLANNING COMMISSION SUPPLEMENTAL MEMORANDUM

MEETING DATE: FEBRUARY 22, 2016 **ITEM NUMBER:** PH-4

SUBJECT: **PLANNING APPLICATION PA-15-59 AND TENTATIVE PARCEL MAP NO. PM-15-189 FOR A DESIGN REVIEW AND SUBDIVISION MAP FOR A DETACHED 4-UNIT SMALL LOT DEVELOPMENT AT 167-171 22ND STREET**

DATE: **FEBRUARY 16, 2016**

FROM: **PLANNING DIVISION/DEVELOPMENT SERVICES DEPARTMENT**

PRESENTATION BY: **MEL LEE, SENIOR PLANNER** MEL

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

Attached to this memo is the revised Exhibit B, incorporating the 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)

Warren Caves
c/o Warren Christopher LLC
2435 E. Coast Highway
Corona Del Mar, CA 92625

EXHIBIT B

CONDITIONS OF APPROVAL

Plng.

1. The expiration of Planning Application PA-15-59 shall coincide with the expiration of the approval of the Tentative Parcel Map PM-15-189 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.
9. 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.
10. 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.
11. All driveways shall be complemented by stamped concrete or decorative pavers.
12. Trash facilities shall be screened from view, and designed and located appropriately to minimize potential noise and odor impacts to residential areas
13. 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 materials and finishes which utilize a combination of vertical board and batten siding, as well as clapboard, shingle and cement plaster finishes. 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.
14. 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.
15. 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.

16. 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.
17. 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.
18. 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.
19. 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.
20. 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.
21. 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. 22. 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.

CODE REQUIREMENTS

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

Plng.

1. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections, final occupancy and utility releases will not be granted until all such licenses have been obtained.
2. 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 Parcel Map PM-15-189.
5. All on-site utility services shall be installed underground.
6. Planning Commission action on PA-15-59 and PM-15-189 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.

Bldg.

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.
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 tired and under-carriages of trucks leaving construction sites.
    f. Provide for street sweeping, as needed, on adjacent roadways to remove dirt dropped by construction vehicles or mud, which would otherwise be carried off by trucks departing project sites.
    g. Securely cover loads with a tight fitting tarp on any truck leaving the construction sites to dispose of debris.
    h. Cease grading during period when winds exceed 25 miles per hour.

Eng. 24. 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.

25. 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.

26. 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.

27. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then construct P.C.C. driveway approach per City of Costa Mesa Standards as shown on the Offsite Plan. Location and dimensions are subject to the approval of the Transportation Services Manager. ADA compliance required for new driveway approaches.

28. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then construct P.C.C. Residential sidewalk per City of Costa Mesa Standards as shown on the Offsite Plan, including four (4) feet clear around obstructions in the sidewalk.

29. 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.

30. Fulfill Drainage Fee requirements per City of Costa Mesa Ordinance No. 06-19 prior to approval of Final Map/Approval of Plans.

31. 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.

32. Submit updated Title Report of subject property.

33. The Parcel Map shall be developed in full compliance of C.C.M.M.C. Sec. 13-208 through 13-261 inclusive.

34. Release and relinquish all vehicular and pedestrian access rights to 22nd Street to the City of Costa Mesa except at approved locations.

35. 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.

36. 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.

37. Survey Monuments shall be preserved and referenced or set pursuant to Section 8771 of the Professional Land Surveyors Act and Business and Professional code.

38. Submit cash deposit or surety bond to guarantee monumentation prior to approval of the map. Amount to be determined by City Engineer.

39. Dedicate an 11-foot street and highway easement behind existing right-of-way line on 22nd Street.

Fire

40. 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.

41. 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.

42. The project shall provide an automatic fire sprinkler system according to NFPA 13D.

Trans. 43. Construct residential drive approach(es) on 22nd Street as shown on site plan. Comply with minimum clearance requirements from property lines and any vertical obstructions.

44. 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 45. 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.

PH-4

COLGAN, JULIE

Subject: Planning Application PA-15-59

From: Daniel Lyons [mailto:dflyons1@gmail.com]
Sent: Monday, February 22, 2016 3:00 PM
To: LEE, MEL <MEL.LEE@costamesaca.gov>
Subject: Planning Application PA-15-59

February 22, 2016

Mr. Lee,

I am a resident of Costa Mesa located two lots away from the proposed units in Planning Application PAa-15-59.

I have several concerns regarding the proposed 4-unit property and the future use of the units. Specifically, I am very worried that the units could potentially to be sold or rented to any company or individuals affiliated with drug/alcohol rehabilitation. What are the stipulations after occupancy is given, and if are there are none at this time, what can be done to prevent these units from turning into rehabilitation homes?

I am also concerned that units will be subsequently illegally added and/or the units will be subdividing, and in an increase of population density on the property.

What assurances are being made, before this plan is approved, so that neither of the above issues occurs in the future?

I am concerned that the width of the driveway is inadequate considering of the speed of and the large amount of traffic on 22nd street. What provisions are being taken by the City so that people exiting this driveway, especially exiting to travel westbound, will not be involved in accidents or cause delays to oncoming traffic? We already have a constant issue with the traffic exiting the neighboring Coast Apartments.

Lastly, I see that there are four trees proposed in the front of the project, per the plan view on page 41. Will the trees be properly of the city and if not, who will be responsible for their maintenance? If the trees are city property, what is the trimming schedule? There are no other trees located on the property. Will there be additional trees on the property to enhance privacy and meet landscape requirements? Are there additional trees requires for this property?

Thank you for your consideration. I look forward to your reply.

Best,

Daniel Lyons