PLANNING COMMISSION AGENDA REPORT

MEETING DATE: JULY 11, 2016 **ITEM NUMBER:** PH-1

SUBJECT: **PARCEL MAP 2015-185 FOR A TWO-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION AT 1951 TUSIN AVENUE IN THE R1 ZONE**

DATE: **JULY 7, 2016**

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

PRESENTATION BY: **DAN INLOES, SENIOR PLANNER**

FOR FURTHER INFORMATION CONTACT: **DAN INLOES, AICP 714.754.5088**
daniel.inloes@costamesaca.gov

DESCRIPTION

The proposed project involves ***Parcel Map 2015-185*** to subdivide a 12,952-square foot (0.297 acre) parcel into two minimum 6,000 square-foot lots in accordance with the R1 zone development standards. No code deviations are requested.

APPLICANT

The applicant is Justin Henderson of Mastercraft Homes, authorized agent for 1951 Tustin Partners, LLC.

ENVIRONMENTAL DETERMINATION

The project is exempt from the provisions of the California Environmental Quality Act under Section 15332 (Class 32), In-Fill Development.

Class 32 consists of projects characterized as in-fill development meeting the following conditions:

a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
c) The project site has no value as habitat for endangered, rare, or threatened species.
d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
e) The site can be adequately served by all required utilities and public services.

RECOMMENDATION

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

PLANNING APPLICATION SUMMARY

Location: 1951 Tustin Avenue Application Number: PM-2015-185

Request: Subdivision of a 0.297-acre lot into two R1 lots

SUBJECT PROPERTY:

Zone: R1
General Plan: LDR
Lot Dimensions: 107 FT x 121 FT
Lot Area: 12,952 SF (0.297 AC)
Existing Development: One parcel with a single family residence (to be demolished).

SURROUNDING PROPERTY:

North: R1 Single-Family Residential, Residential use
South: R1 Single-Family Residential, Residential use
East: R1 Single-Family Residential, Residential use
West: R1 Single-Family Residential, Residential use

DEVELOPMENT STANDARD COMPARISON

Development Standard	Required/Allowed	Proposed/Provided
Lot Size (Individual Lots):		
Lot Width Parcel 1 – interior lot Parcel 2 – corner lot	 Minimum 50 FT Minimum 60 FT	 56.55 FT 64.50 FT
Lot Area Parcel 1 Parcel 2	 6,000 SF 6,000 SF	 6,050 SF 6,901 SF
Maximum Density (based on gross acreage):		
DU's/ Acre (Residential)	1 DU/6,000 SF (less than 8 DU's/Acre) Maximum 2 lots	Maximum 1 DU/6,000 SF (less than 8 DU's/Acre) Maximum 2 lots

CEQA Status	Guidelines Section 15332/Class 32, In-Fill Development
Final Action	Planning Commission
Zoning Compliance	Proposed Subdivision complies with Code requirements.

BACKGROUND

Project Site/Environs

The 12,952 square foot project site is located at the northwest corner of Walnut Avenue and Tustin Avenue. The project site is currently developed with a single-story residence, originally constructed in 1935, that will be demolished to accommodate the proposed subdivision. The property is zoned R1 with a maximum development potential of two units.

Properties to the north, south, east, and west are all zoned R1 and are developed with residential uses.

ANALYSIS

Parcel Map 2015-185

The applicant proposes a parcel map in compliance with the City's R1 zoning requirements to allow the formation of two lots. Both lots will front on Walnut Avenue; Tustin Avenue will abut the right side of Parcel 2. The lots satisfy minimum width and area requirements and the proposed property is suitable to accommodate the proposed subdivision. There are no interferences with the City's or other utility agencies' right-of-way areas and/or easements. The map is consistent with City codes and the State Subdivision Map Act.

The table below summarizes the proposed lots and the lots to the north and west of the subject property:

Lot Number/Address	Lot Width	Lot Depth	Lot Area
1 (Proposed)	56.55 FT	107 FT	6,045 SF
2 (Proposed)	64.50 FT	107 FT	6,901 SF
378 Walnut Street (Existing)	60 FT	107 FT	6,420 SF
382 Walnut Street (Existing)	60 FT	107 FT	6,420 SF
1965 Tustin Avenue (Existing)	50 FT	122 FT	6,100 SF
1969 Tustin Avenue (Existing)	50 FT	122 FT	6,100 SF

To increase pedestrian access on this street, the project will include a three-foot sidewalk easement on Walnut Avenue. Although not all properties in this neighborhood have a sidewalk easement, it is being encouraged for new development. This allows the subdivision and development to not interfere with the public right-of-way.

Future Development of Single-Family Homes in R1 zone

The proposed two R1 lots are compliant with zoning requirements in regard to lot size and lot width. Once the map is recorded, these lots could be sold individually for the future development of a single-family on each lot. There are no common areas or shared access easements that would tie these lots together.

A condition of approval will be placed on this project which stipulates that prior to recordation of the parcel map a code compliant residential project shall be submitted. The future single-family residential development will need to comply with the R1 development standards in the Zoning Code as well as our residential design guidelines.

Staff notes that two-story, single-family residences that comply with all applicable development standards and Residential Design Guidelines would be approved through standard building plan check procedures with notice only to abutting neighbors. If Planning staff's approval is not appealed to Planning Commission, building permits are issued "over the counter" for compliant residential structures.

General Plan Conformance

The proposed development is a subdivision of one R1 lot into two R1 lots. The project is consistent with the maximum allowable General Plan density of 1 dwelling unit per 5,445 square feet, or 8 dwelling units per acre. The proposal is consistent because, at 7 dwelling units to the acre, the density is below the 8 dwelling units per acre allowed in the Low Density Residential land use designation. The project also complies with Land Use Objective LU-1A.4 to..."Strongly encourage the development of low-density residential uses and owner-occupied housing where feasible to improve the balance between rental and ownership housing opportunities". The two parcels will be sold independent of one another promoting homeownership opportunities.

This proposed subdivision also complies with Land Use Objective LU-1C to . . . "Promote land use patterns and development, which contribute to community and neighborhood identity". The proposed subdivision is consistent with the neighborhood's average density, alignment of the interior rear property line, and lot sizes.

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 Parcel Map 2015-185, based on the following assessment of facts and findings which are also reflected in the draft resolution.

- *The proposed subdivision 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 proposed project does not exceed the maximum density of 8 units per acre, consistent with the General Plan designation of Low Density Residential.

  Additionally, the subdivision is consistent with General Plan Land Use Objective LU-1C in that it proposes a subdivision which is consistent with the character and identity of the surrounding neighborhood. The lot sizes fall within the range of existing lot sizes within the community, a proposed density very similar to the average density within the neighborhood, and interior rear property lines that match the rear lot line of the existing lots to the west and so continues the existing subdivision pattern of the block.

- *The proposed subdivision is conditioned to include a three-foot sidewalk easement.* To maintain consistency in the neighborhood and increase pedestrian access on this street, the project will include a three-foot sidewalk easement on Walnut Avenue. Although not all properties in this neighborhood have a sidewalk easement, it is being encouraged for new development. This allows the subdivision and development to not interfere with the public right-of-way. This sidewalk easement further allows this project to contribute to the overall character and identity of the neighborhood as well as the future safe movement of pedestrians within the community.

- The proposed subdivision is conditioned to submit a project which is completely code compliant before recordation of the parcel map. Prior to submittal of the subdivision application the applicant has been working with staff to develop a residential project that meets all residential development standards and design guidelines. The project not only meets the required setbacks but increases the setbacks at the rear and easterly side of the property to ensure a development project which is consistent with the neighborhood character. The elevations of the proposed dwelling units also address both Walnut and Tustin Avenue which are both residential street frontages.

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 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 Parcel Map will allow the subdivision of one R1 lot into two R1 lots. The project complies with R1 density, lot size, and lot width requirements; therefore, it is consistent with the intent of the General Plan and Zoning Code. Resolutions for approval and denial of the project are attached for consideration by the Planning Commission.

Daniel J Inloes Jr

DAN INLOES, AICP
Senior Planner

CLAIRE FLYNN, AICP
Assistant Director
Development Services

Attachments:
1. Vicinity, Zoning, and 500 FT Radius Map
2. Applicant's Project Description
3. Resolutions and Exhibits
4. Parcel Map 2015-185

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)

Daniel Thompson
1951 Tustin Partners, LLC
20201 SW Birch Street, Suite 100
Newport Beach, CA 92660

Justin Henderson
Mastercraft Homes
20201 SW Birch Street, Suite 100
Newport Beach, CA 92660

ATTACHMENT 1

City of Costa Mesa

CITY OF COSTA MESA -- 1951 TUSTIN AVENUE - [Created: 6/14/2016 3:54:43 PM] [Scale: 442.76] [Page: 8.5 x 11 / Portrait]

Overview Map

Legend

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

Map Display

City of Costa Mesa

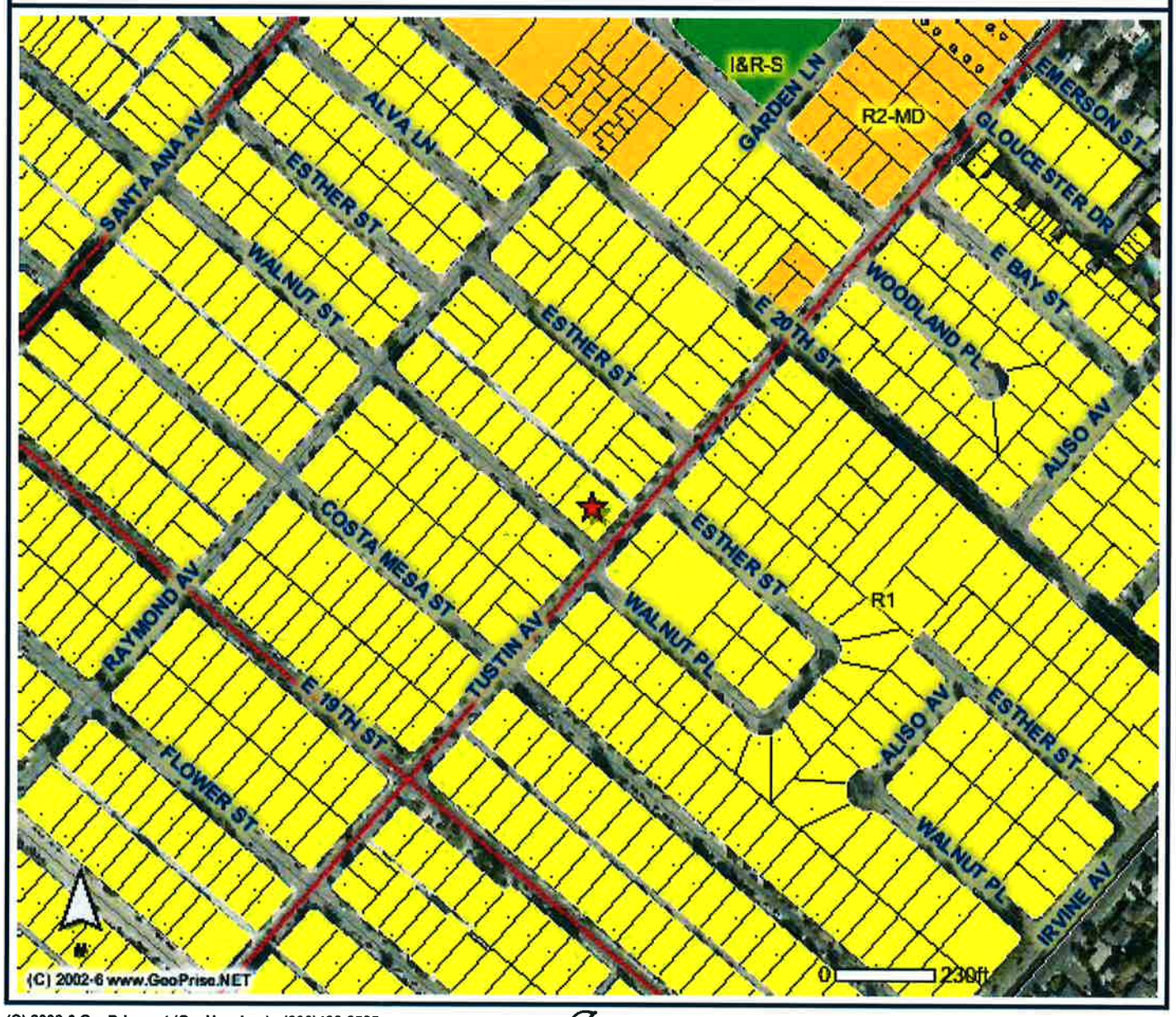
CITY OF COSTA MESA -- 1951 TUSTIN AVENUE - [Created: 6/14/2016 3:56:39 PM] [Scale: 442.77] [Page: 8.5 x 11 / Portrait]

Overview Map

Legend

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

Map Display



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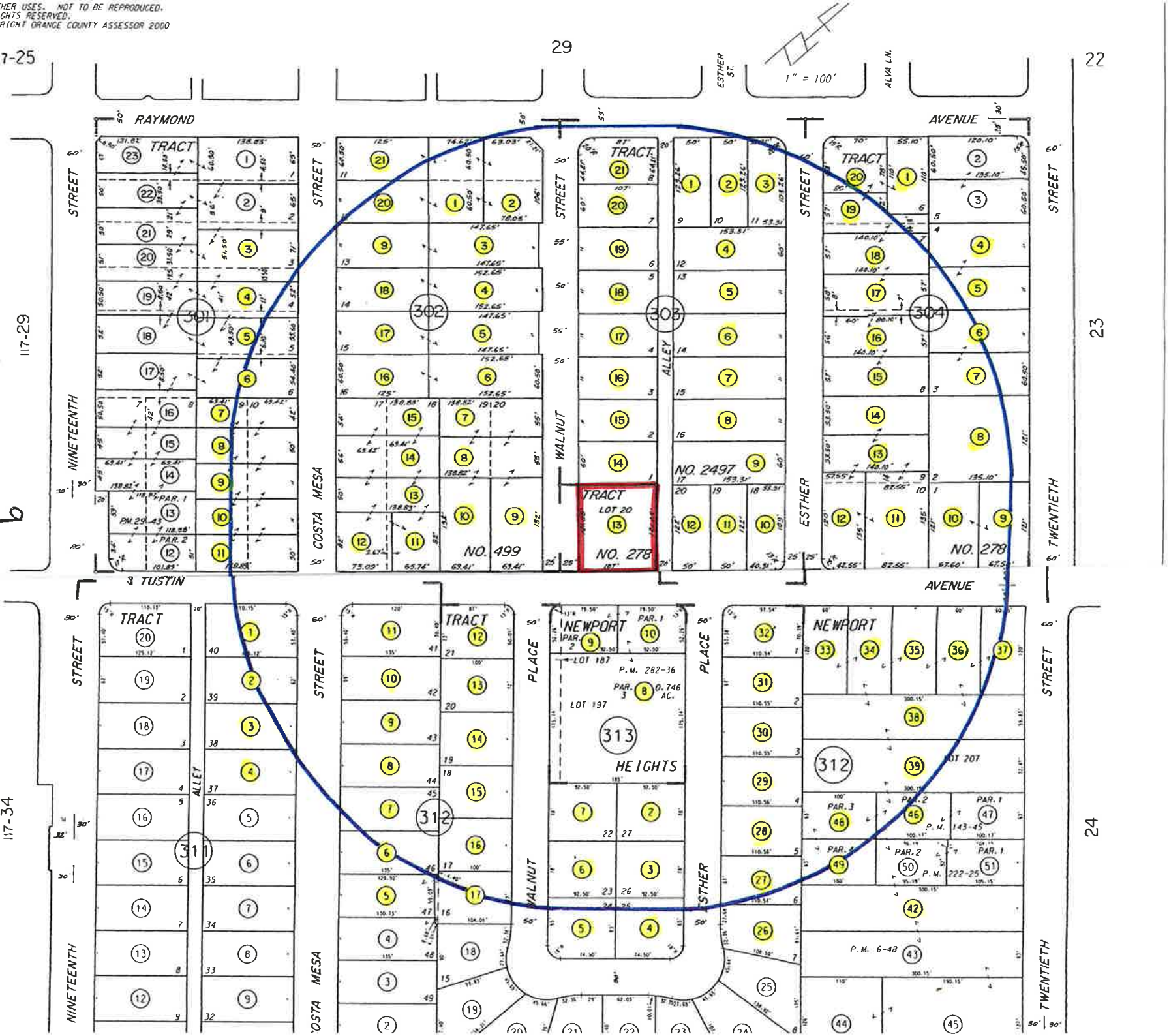


ATTACHMENT 2

MASTERCRAFT RESIDENTIAL
20201 SW Birch St. Suite 100
Newport Beach, CA 92660

APPLICANT LETTER – TENTATIVE PARCEL MAP APPLICATION

1951 TUSTIN AVE.
COSTA MESA, CA
4/25/2016

PROJECT DESCRIPTION

Applicant/Owner:	Justin Henderson – Mastercraft Residential / 1951 Tustin Partners, LLC
Legal Description:	Parcel 1: The Southwest 107' of Lot 20 of TR. No. 278 in the City of Costa Mesa, County of Orange, State of California, as per Map recorded in Book 14, Page 20. Parcel 2: That portion of Walnut Place 25' wide, in the City of Costa Mesa, County of Orange, State of California, as shown on Map of TR. No. 278 recorded in Book 14, Pg. 20.
Assessor's Parcel No:	426-303-13
Zoning:	R-1
Land Use:	Single Family Residential
Specific Plan:	Newport Boulevard Specific Plan
Lot Dimensions:	107' x 121'
Lot Size:	12,765 SF
Acreage:	0.29 AC
Existing Dwelling:	1,880 SF single family residence built in 1935

Proposed Project:
The project site is located on the corner of Tustin Avenue and Walnut Street with an existing 1,880 SF single-family residence that was built in 1935. The existing residence is to be demolished after being surveyed for asbestos materials and lead based paint under separate demolition permit application. Once the site has been cleared, Mastercraft Residential will construct a two-story, single-family, detached residence on each of the newly subdivided lots (Parcel 1 and Parcel 2). Both floor plans will feature their own distinct elevation style consistent with other homes in the community. Plan details are as follows:

Parcel 1:
- 6,051 SF Lot
- Setbacks – 20' Front, 5' Side, 22.5' Rear
- Residence 1 – Approx. 3,365 SF, 4 Bedrooms, 4½ Bath, Loft, Outdoor Room, 2-Car Garage, Farmhouse Architectural Elevation

Parcel 2:
- 6,714 SF Lot
- Setbacks – 20' Front, 5' Side, 22.5' Rear
- Residence 2 – Approx. 3,384 SF, 4 Bedrooms, 4½ Bath, Loft, Outdoor Room, Wrap-Around Porch, 2-Car Garage, Cape Cod Architectural Elevation

Architecture:

1. The new homes will be built with architectural diversity as recommended and will include the following elements:
   - An impressive street scene comprised of Farmhouse and Cape Cod inspired architecture.
   - Wrap-around porches, decks, and varied building planes that create a variation in depth and massing.

- Stronger architectural enhancements and detailing, including board and batten siding, shingles, and stone.
- Additional window locations with decorative shutters and window surrounds.
- Distinctive roof layouts and color tones creating variation in the building heights and forms.
- Covered outdoor rooms that encourage indoor/outdoor living.

2. The new homes will be energy efficient using the latest T-24 codes including Green Built, tank-less water heaters, double-pane Low-E coated windows, and roof radiant barrier.

3. Each house will be built with a Solar System (Photovoltaic) by Sun Power.

Project Comparison Table

Development Standard	Required	Proposed
Minimum Lot Area (Parcel 1) Minimum Lot Area (Parcel 2)	6,000 SF (gross) 6,000 SF (gross)	6,051 SF 6,714 SF
Open Space (Parcel 1) Open Space (Parcel 2)	40% of lot area 40% of lot area	3,271 SF – 54.1% 3,834 SF – 57.1%
Lot Width (Parcel 1) Lot Width (Parcel 2)	50 FT (Interior Lot) 60 FT	56.55 FT 64.5 FT
Driveway Width (Parcel 1) Driveway Width (Parcel 2)	16 FT 16 FT	18 FT 18 FT
Driveway Length (Parcel 1) Driveway Length (Parcel 2)	19 FT 19 FT	22.5 FT 22.5 FT
Solar Ready	N/A	Solar System (Photovoltaic) by SunPower
Front Setback (Parcel 1) Front Setback (Parcel 2)	20 FT 20 FT	20 FT 20 FT
Side Setback (Parcel 1) Side Setback (Parcel 2) Rear Setback (Parcel 1) Rear Setback (Parcel 2)	5 FT 5 FT 5 FT 5 FT	5 FT 5 FT 22.5 FT 22.5 FT
Building Height (Parcel 1) Building Height (Parcel 2)	2 Stories / 27 FT 2 Stories / 27 FT	2 Stories / 26 FT 11" 2 Stories / 26 FT 8"
Parking (Parcel 1) Parking (Parcel 2)	2 Garage and 2 Open 2 Garage and 2 Open	2 Garage and 2 Open 2 Garage and 2 Open

If there are any questions or comments regarding this application please do not hesitate to contact me directly at (949) 247-0108 or by email at jhenderson@mastercraftresidential.com.

Thank you,

Justin Henderson
Mastercraft Residential

RESOLUTION NO. PC-16-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PARCEL MAP 2015-185 AT 1951 TUSTIN AVENUE IN THE R1 ZONE

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

WHEREAS, an application was filed by Justin Henderson, as the authorized agent on behalf of the property owner, 1951 Tustin Partners, LLC, requesting approval of Parcel Map 2015-185 to subdivide a 12,952 square foot (0.297 acres) parcel into two residential lots in accordance with R1 zone development standards;

WHEREAS, a duly noticed public hearing held by the Planning Commission on July 11, 2016 with all persons having the opportunity to speak for and against the proposal;

WHEREAS, the project is exempt from the provisions of the California Environmental Quality Act under Section 15332 (Class 32), In-Fill Development;

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** Parcel Map 2015-185.

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 Parcel Map 2015-185 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.

PASSED AND ADOPTED this 11th day of July, 2016.

_____

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

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, _____, 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 July 11, 2016 by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

_____
Secretary
Costa Mesa Planning Commission

EXHIBIT A

FINDINGS

A. 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 tentative parcel map complies with the R1 zoning requirements.

Additionally, the subdivision is consistent with General Plan Land Use Objective LU-1C in that it proposes a subdivision which is consistent with the character and identity of the surrounding neighborhood. The lot sizes fall within the range of existing lot sizes within the community, a proposed density very similar to the average density within the neighborhood, and interior rear property lines that match the rear lot line of the existing lots to the west and so continues the existing subdivision pattern of the block.

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

Facts in Support of Finding: The proposed subdivision has a density of less than eight R1 lots per acre, consistent with the General Plan designation of Low 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), In-Fill Development. The project complies with the maximum allowed density for the site.

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: No development has been proposed at this time. Future development may provide passive or natural heating and 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. An easement for sidewalk purposes is required to ensure public access in front of the subject site on Walnut Avenue.

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

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

C. **Finding:** The project is exempt from the provisions of the California Environmental Quality Act under Section 15332 (Class 32) for In-Fill Development.

Facts in Support of Finding: The subdivision complies with the General Plan, is less than five acres, has no value as habitat for endangered, rare, or threatened species, will not result in significant traffic, noise, air quality, or water quality effects, and can be served by all required utilities and public services.

D. The project is exempt from Chapter XII, Article 3 Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT B

CONDITIONS OF APPROVAL (PM-2015-185)

Plng.

1. The approval of Parcel Map 2015-185 is valid for two years. An extension request is needed to extend the expiration for each additional year after the initial two-year period.
2. The conditions of approval for Parcel Map 2015-185 shall be blueprinted on the face of the site plan as part of the plan check submittal package for the development of the residential units. 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. 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.
4. The current development shall be demolished prior to recordation of the parcel map.
5. Prior to recordation of the parcel map a code compliant residential project shall be submitted.

Eng.

6. At the time development occurs, 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. All on-site utility services shall be installed underground.
5. Installation of all new utility meters shall be performed in a manner so as to obscure the installation from view from any place on or off the property. The installation shall be in a manner acceptable to the public utility and shall be in the form of a vault, wall cabinet, or wall box under the direction of the Planning Division.
6. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.
7. Prior to issuance of occupancy permits, the Developer shall pay a park impact fee or dedicate parkland to meet the demands of the proposed development.

Eng

8. 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.
9. Submit updated Title Report of subject property.
10. The Parcel Map shall be developed in full compliance of CCMMC Sec. 13-208 through 13-261 inclusive.
11. Submit an electronic copy of recorded map or signed plan to Engineering Division, prior to release of building permits.
12. Release and relinquish all vehicular and pedestrian access rights to Tustin Avenue and Walnut Avenue to the City of Costa Mesa except at approved locations.
13. 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, Section 7-9-330/7-9-337 of the Orange County Subdivision Code.
14. Survey monuments shall be preserved and reference or set pursuant to Section 8771 of the Professional Land Surveyors act and Business and Professions Code.
15. Submit cash deposit or surety bond to guarantee monumentation prior to approval of the map. Amount to be determined by City Engineer.
16. Dedicate a 3-foot wide public sidewalk easement behind the public right-of-way for sidewalk purposes along the entire property frontage on Walnut Avenue.
17. Dedicate a corner cut-off for the construction of the ramp at the corner of Tustin Avenue and Walnut Avenue.
18. At the time of development submit for approval an off-site 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 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 to the Engineering Division. An approved offsite plan and fee shall be required prior to engineering/utility permits being issued by the City.

RESOLUTION NO. PC-16-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DENYING PARCEL MAP 2015-185 FOR PROPERTY AT 1951 TUSTIN AVENUE IN THE R1 ZONE

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

WHEREAS, an application was filed by Rob Hamers, as the authorized agent on behalf of the property owner, Elaine Smith, requesting approval of Parcel Map 2015-185 to subdivide a 12,952 square foot parcel into two residential lots in accordance with R1 zone development standards;

WHEREAS, a duly noticed public hearing held by the Planning Commission on July 11, 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** Parcel Map 2015-185.

PASSED AND ADOPTED this 11th day of July, 2016

_____

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

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, _____, 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 July 11, 2016, by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

_____
Secretary
Costa Mesa Planning Commission

EXHIBIT A

FINDINGS (PM-2015-185 -- DENIAL)

A. The proposed project does not comply with Costa Mesa Municipal Code Section 13-29(g)(13) because:

The creation of the subdivision and related improvements is not consistent with the General Plan and the Zoning Code.

The proposed use of the subdivision is not compatible with the General Plan.

The subject property is not physically suitable to accommodate the subdivision in terms of type, design, and density of development, and will result in substantial environmental damage or public health problems, based on compliance with the Zoning Code and General Plan, and consideration of appropriate environmental information.

The design of the subdivision does not provide, 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.

The subdivision and development of the property will 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.

The discharge of sewage from this subdivision into the public sewer system will violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000 of the Water Code).

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

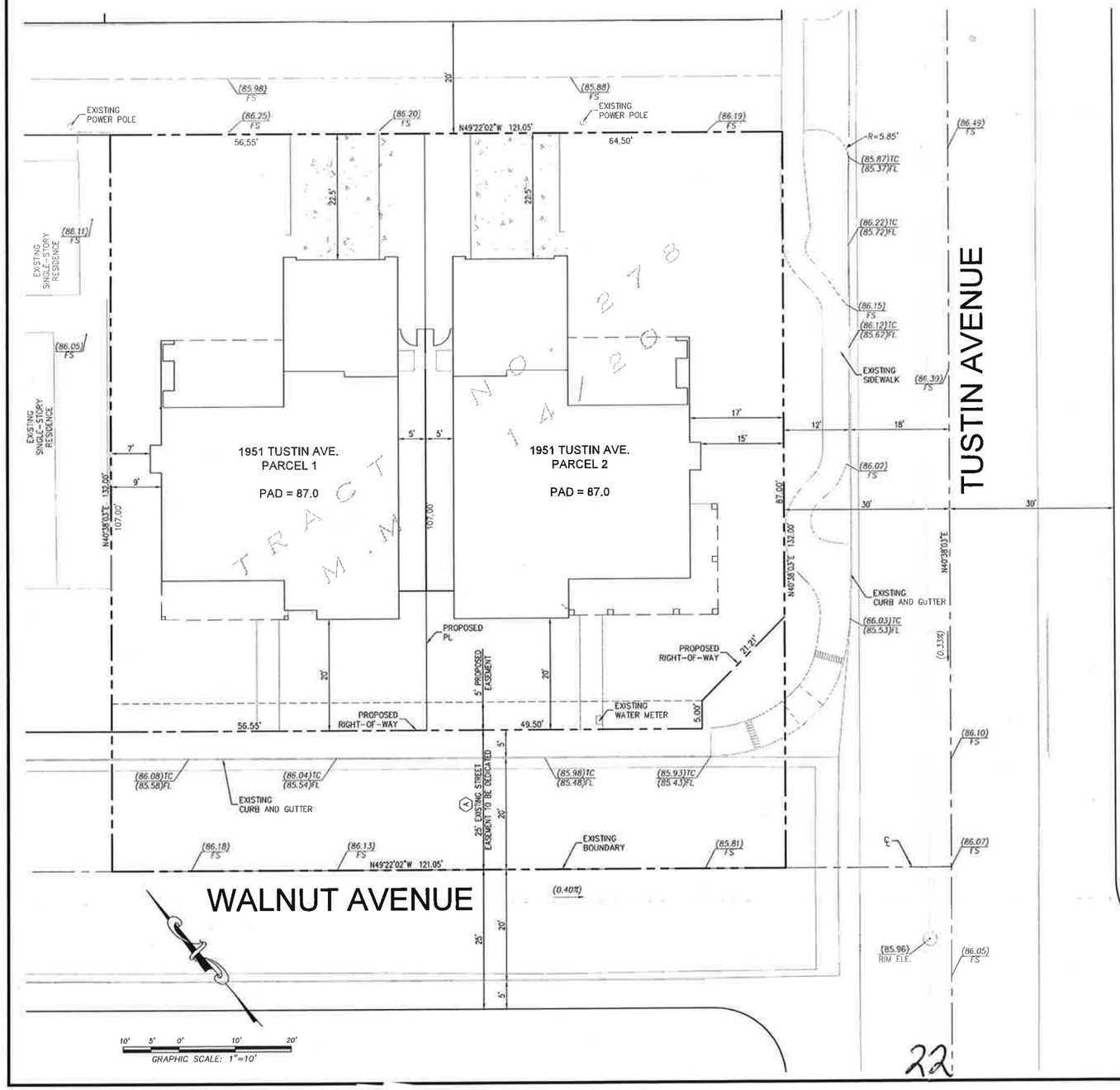
C. The Costa Mesa Planning Commission has denied Tentative Tract Map 17972. Pursuant to Public Resources Code Section 21080(b)(5) and CEQA Guidelines Section 15270(a) CEQA does not apply to this project because it has been rejected and will not be carried out.

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

ATTACHMENT 4

TENTATIVE PARCEL MAP 2015-185

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



EXISTING EASEMENTS

PER TITLE REPORT PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY, ORDER NO. 5036906, DATED OCTOBER 27, 2015

SYMBOL ON PLAN	DESCRIPTION
(A)	AN EASEMENT FOR PERPETUAL EASEMENT AND RIGHT OF WAY FOR STREET AND HIGHWAY PURPOSE AND INCIDENTAL PURPOSES IN FAVOR OF THE CITY OF COSTA MESA RECORDED APRIL 8, 1959 IN BOOK 4662, PAGE 156 OF OFFICIAL RECORDS.

AREA:

GROSS AREA:	15,979 SF = 0.37 AC
STREET DEDICATION:	3,214 SF = 0.07 AC
NET AREA:	12,765 SF = 0.30 AC

GENERAL NOTES

1. EXISTING ZONING: R1
2. PROPOSED ZONING R1
3. PROPOSED LAND USE: SINGLE FAMILY RESIDENTIAL
4. AREA IS NOT SUBJECT TO OVERFLOW OR FLOOD HAZARD; ZONE "X", FIRM MAP 06059C0269J, DECEMBER 3, 2009

PARCEL SUMMARY

PARCEL	PARCEL AREA	DESCRIPTION
1	6,051 S.F. = 0.14 AC	2-STORY BUILDING & ATTACHED 2-CAR GARAGE
2	6,714 S.F. = 0.15 AC	2-STORY BUILDING & ATTACHED 2-CAR GARAGE

LOT COVERAGES

PARCEL 1

STRUCTURE:	2,016 SQ. FT.	33.3%
PORCH:	400 SQ. FT.	6.6%
DRIVEWAY:	364 SQ. FT.	6.0%
OPEN SPACE:	3,271 SQ. FT.	54.1%
TOTAL:	6,051 SQ. FT.	100%

PARCEL 2

STRUCTURE:	2,026 SQ. FT.	30.2%
PORCH:	491 SQ. FT.	7.3%
DRIVEWAY:	363 SQ. FT.	5.4%
OPEN SPACE:	3,834 SQ. FT.	57.1%
TOTAL:	6,714 SQ. FT.	100%

LEGEND

- CENTER LINE
- EXISTING P/L
- PROPOSED RIGHT-OF-WAY
- PROPOSED P/L
- EXISTING EASEMENT
- EXISTING SEWER LINE
- EXISTING WATER LINE
- EXISTING FIRE HYDRANT
- EXISTING POWER POLES
- EXISTING WATER METER
- PROPOSED WATER METER
- PROPOSED SEWER LATERAL
- EXISTING SEWER LATERAL
- EXISTING CURB & GUTTER
- PROPOSED CURB & GUTTER
- PROPOSED CONCRETE WALK

ABBREVIATION

EX.	EXISTING
FL	FLOW LINE
FG	FINISH GRADE
FS	FINISH SURFACE
P/L	PROPERTY LINE
S	SEWER
R/W	RIGHT OF WAY
TC	TOP OF CURB
W	WATER

VICINITY MAP
NTS

OWNER/SUBDIVIDER

1951 TUSTIN PARTNERS, LLC
20201 SW BIRCH ST. #100
NEWPORT BEACH, CA 92660
CONTACT: RAY DORAME
PHONE: 949.252.1122

ENGINEER

ADAMS STREETER
Civil Engineers
15 Corporate Park, Irvine, CA 92606 | 949.474.2399 | adams-streeter.com

LEGAL DESCRIPTION

PARCEL ONE: THE SOUTHWEST 107.00 FEET OF LOT 20 OF TRACT NO. 278, IN THE CITY OF COSTA MESA, IN THE COUNTY OF ORANGE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 14, PAGE 20 OF MISCELLANEOUS MAPS, RECORDS OF SAID COUNTY. PARCEL TWO: THE PORTION OF WALNUT PLACE 25.00 FEET WIDE, IN THE CITY OF COSTA MESA, IN THE COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON MAP OF TRACT NO. 278 RECORDED IN BLOCK 14 PAGE 20 OF MISCELLANEOUS MAPS OF RECORD OF SAID ORANGE COUNTY. ABANDON AND VACATED BY ORDER OF THE BOARD OF SUPERVISORS OF SAID COUNTY, A CERTIFIED COPY OF WHICH WAS RECORDED MARCH 7, 1923 IN BOOK 20 PAGE 229 OF MISCELLANEOUS MAPS, LYING BETWEEN THE SOUTHWEST PROLONGATION OF THE NORTHWEST AND SOUTHEAST LINES OF LOT 2 OF SAID TRACT.

ASSESSOR PARCEL NUMBER:

APN: 426-303-13

BENCHMARK

CM-16-71
ELEV. = 84.189 (NAVD88)

BASIS OF BEARINGS NOTE

THE BEARINGS SHOWN HEREON ARE BASED ON THE BEARING BETWEEN O.C.S. HORIZONTAL CONTROL STATION OCS GPS NO. 6228 AND STATION OCS GPS NO. 6255R2, BEING NORTH 40°38'32" EAST PER RECORDS ON FILE IN THE OFFICE OF THE ORANGE COUNTY SURVEYOR.

PROJECT ADDRESS

1951 TUSTIN AVE., COSTA MESA, CALIFORNIA 92627

REVISIONS:

REVISION	DESCRIPTION	DATE

THIS MAP WAS PREPARED UNDER THE SUPERVISION OF:

N.Streeter 4/22/16
NICHOLAS A. STREETER DATE
RCE 70862 EXP. 06/30/17

REGISTERED PROFESSIONAL ENGINEER NICHOLAS A. STREETER No. 70862 EXP. 06/30/17 CIVIL STATE OF CALIFORNIA

PLAN PREPARATION DATE	J.N. 15-2090
APRIL 22, 2016	
CITY OF COSTA MESA	SHEET 1 OF 1
TENTATIVE PARCEL MAP NO. 2015-185	

22

PH-1

Received
City of Costa Mesa
Development Services Department

JUL 11 2016

Costa Mesa Planning Commission
77 Fair Drive
Costa Mesa CA 92628

7/11/2016

Re: Application PM-2015-185
Located at: 1951 Tustin Avenue, Costa Mesa CA 92627

Dear Planning Commission,

On behalf of my family, I am Hereby lodging my objection to the proposed subdivision of the .29 acre lot located at 1951 Tustin Ave. My family has lived on Walnut Place since 1977, and we have enjoyed the low density nature of this completely unique neighborhood for almost 4 decades. It is peaceful, friendly and exemplifies the best of the East Side.

The subdivision of this lot will change the nature of this neighborhood by placing 2 homes on this current parcel. This part of the East Side has so far escaped the brunt of the over-development and crowding that has degraded the charm and character of much of Costa Mesa. With the loss of the mature trees on the current parcel and the expected maximum footprint of the new homes, a huge portion of the greenery in our neighborhood will be lost. There will of course be more on-street parking resulting as well.

We do not want this to become a high-density neighborhood, and we fear that the subdivision of this lot will be an unwanted step in that direction. As you are probably aware, there is a strong undercurrent of resistance to, and dissatisfaction with, the current trend in the city toward over-development. Almost every resident I speak with in the city is tired of the "urbanization" of our city, and they are weary of the seemingly continual march toward that end. We love our little corner of this city, and we ask that our neighborhood be spared from this march.

If the owner wishes to build a new home on the existing single lot, we would support that, as a single would be more in keeping with the present character and charm of this area. It is certainly his/her right to do so, and he/she may even find that they can obtain a higher value for the property if it is built as a custom home on a coveted oversized lot. There has been a trend in the Newport Heights and Cliffhaven neighborhoods in Newport Beach to this end- owners are buying contiguous lots and building mini-estates that not only result in less congestion and crowding, but add immensely to the value of the neighborhood by making it more and more of an exclusive enclave that is departing from the trend of subdividing and over-building.

Thank you very much for your consideration, and for presenting the opportunity to comment on this proposed subdivision.

Sincerely,

David Williams
428 Walnut Place
Costa Mesa CA 92627
949 646-1532

PH-1

INLOES, DANIEL

From: Kimberly S Jurczyk <Kimberly.S.Jurczyk@aexp.com>
Sent: Monday, July 11, 2016 2:14 PM
To: INLOES, DANIEL
Cc: 'rdickson.cmpc@gmail.com'; 'aventrue@ca.rr.com'; 'sandranian@yahoo.com'; 'colinkmccarthy@yahoo.com'; 'twsesler@gmail.com'; FLYNN, CLAIRE; ARMSTRONG, GARY
Subject: RE: Application PM-2015-185 1951 Tustin Avenue, Costa Mesa

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Dan:

Please see my email below regarding my objection to 1951 Tustin Avenue.

Thank you,
Kim Jurczyk
433 Walnut Pl
Costa Mesa, Ca 92627
949-278-1717

From: Kimberly S Jurczyk
Sent: Monday, July 11, 2016 1:17 PM
To: 'rdickson.cmpc@gmail.com'; 'aventrue@ca.rr.com'; 'sandranian@yahoo.com'; 'colinkmccarthy@yahoo.com'; 'twsesler@gmail.com'; 'claire.flynn@costamesaca.gov'; 'gary.armstrong@costamesaca.gov'
Cc: Murrell, Richard R; Kimberly S Jurczyk
Subject: Application PM-2015-185 1951 Tustin Avenue, Costa Mesa
Importance: High

Good Afternoon Planning Commission:

I am writing on behalf of my family to object to the proposed subdivision of the.29 acre lot located at 1951 Tustin Ave. My family has lived in Eastside Costa Mesa for 15 years and have enjoyed the low density of this charming and unique neighborhood. A primary reason that I have chosen to raise my 3 elementary age children in this neighborhood is because of its charm and true neighborhood feel. It has been noticed by myself & many residents that we are trending in the wrong direction with overcrowding of lots and "tract" style homes popping up everywhere.

The overdevelopment and parceling of lots to crowd more houses onto one lot is trending in the wrong direction in the Eastside. Residents are unhappy that our neighborhood is becoming a developers money maker by choosing to fit as many houses as possible into a small lot sizes. I support the builder to build a single new home on the existing lot & it is

certainly their right to do so. However, please consider the residents that have to live here and walk/run/bike/drive with our families in our neighborhood. We would like to keep the charm of our neighborhood and put a stop to overcrowding lots.

Thank you for your consideration.

Kimberly Jurczyk & Richard Murrell (Jake- 11 years old, London 8 years old, Rocky 8 years old)
433 Walnut Pl
Costa Mesa, Ca 92627
949-278-1717

American Express made the following annotations

"This message and any attachments are solely for the intended recipient and may contain confidential or privileged information. If you are not the intended recipient, any disclosure, copying, use, or distribution of the information included in this message and any attachments is prohibited. If you have received this communication in error, please notify us by reply e-mail and immediately and permanently delete this message and any attachments. Thank you."

American Express a ajouté le commentaire suivant le
Ce courrier et toute pièce jointe qu'il contient sont réservés au seul destinataire indiqué et peuvent renfermer des renseignements confidentiels et privilégiés. Si vous n'êtes pas le destinataire prévu, toute divulgation, duplication, utilisation ou distribution du courrier ou de toute pièce jointe est interdite. Si vous avez reçu cette communication par erreur, veuillez nous en aviser par courrier et détruire immédiatement le courrier et les pièces jointes. Merci.