



# **PLANNING COMMISSION**

## **AGENDA REPORT**

MEETING DATE: NOVEMBER 14, 2016

ITEM NUMBER: PH-12

**SUBJECT: GENERAL PLAN AMENDMENT GP-16-01/ REZONE R-16-01/ MASTER PLAN PA-16-46 AND TENTATIVE TRACT MAP TT-18064 FOR CONDOMINIUM PURPOSES FOR A 28-UNIT RESIDENTIAL COMMON INTEREST DEVELOPMENT LOCATED AT 440 FAIR DRIVE**

**DATE: NOVEMBER 4, 2016**

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

**PRESENTATION BY: RYAN LOOMIS, ASSOCIATE PLANNER**

**FOR FURTHER INFORMATION CONTACT: RYAN LOOMIS, AICP, ASSOCIATE PLANNER  
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### **DESCRIPTION**

The project involves the demolition of an existing 20,750 square-foot two-story retail/office center, and construction of eight new three-story detached residential units and 20 four-story (includes rooftop deck) duplex units. The project also includes approximately 26,643 SF of private and communal open space. The proposed project involves the following discretionary requests:

- 1) ***Adoption of an Initial Study/Mitigated Negative Declaration (IS/MND)***
- 2) ***General Plan Amendment GP-16-01*** to change the land use designation from Neighborhood Commercial (NC) to High Density Residential (HDR).
- 3) ***Rezone 16-01*** to change the zoning classification from C1 (Local Business District) to PDR-HD (Planned Development Residential – High Density).
- 4) ***Planning Application PA-16-46*** to implement a Master Plan for the 28-unit residential project with specified deviations from the PDR-HD development standards, including the following:
  - Variance to allow deviation from required open space requirements (42% required; 36.8% proposed);
  - Variance for encroachment of block walls into required perimeter open space area (20 feet required; 6 feet on Fair Drive and 4.7 feet on Carnegie Ave proposed);
  - Variance to allow deviation from required landscaped parkway requirements (10 feet with no dimension less than 5 feet on house side of private street required; 10 feet/3.6 feet proposed);
  - Administrative Adjustment for encroachment of building into required perimeter open space area along Fair Drive (20 feet

- required; 15 feet proposed).
- Minor Modification for encroachment of building into required perimeter open space area along Carnegie (20 feet required; 18 feet proposed).
- Deviation from Residential Design Guidelines for multi-story to first floor ratio (100% multi-story to first floor ratio recommended; 150% for 4-story units and 114% for 3-story units proposed).

5) ***Tentative Tract Map 18064 for Condominium Purposes:*** Tentative Tract Map 18064 for residential subdivision for condominium purposes.

### **APPLICANT OR AUTHORIZED AGENT**

Steve Sheldon is the authorized agent for Dalessio Investments, the property owner.

### **ENVIRONMENTAL DETERMINATION**

An Initial Study-Mitigated Negative Declaration (IS-MND) has been prepared for the project in accordance with the California Environmental Quality Act (CEQA). In accordance with CEQA Guidelines Section 15073, the Mitigated Negative Declaration was made available for a 20-day public review and comment period beginning on October 4, 2016, and remained available for comment until October 24, 2016.

### **RECOMMENDATION**

Recommend that the City Council take the following actions, by adoption of the resolutions described below.

1. Adopt IS/MND and adopt General Plan Amendment GP-16-01 by resolution.
2. Approve and give first reading to the Ordinances for Rezone R-16-01.
3. Approve Master Plan PA-16-46 and Tentative Tract Map 18064 for Condominium Purposes, subject to conditions of approval (and mitigation measures contained in the IS/MND).

## **BACKGROUND**

### ***History***

The project site is currently occupied by a 20,750 square-foot two-story commercial building and a large, asphalt paved parking lot. The current structures were constructed at the site around 1962, originally as medical buildings. Today, the two-story building is used for commercial retail and general and medical office uses.

### ***General Plan Screening GPS-14-04***

On October 6, 2015, City Council considered General Plan screening request GPS-14-04 to amend the land use designation from Neighborhood Commercial to High Density Residential (HDR) related to the development of a 28-unit residential development at 440 Fair Drive (see General Plan Screening Minutes, Attachment 8). A link to the General Plan Screening staff report is found below:

<http://www.costamesaca.gov/ftp/council/agenda/2015/2015-10-06/NB-3.pdf>

Prior to the General Plan Screening, the applicant held a community meeting to address concerns. According to the applicant, neighborhood concerns included the following:

- Adequate sewer capacity for residential development
- Water capacity and usage
- Loss of commercial zoning
- Re-design entrance to minimize headlights
- Cut-through traffic
- Three-story structures and loss of privacy because of roof decks
- Parking on Carnegie Avenue

The neighborhood concerns and City Council comments from the General Plan Screening, along with applicant's response, are highlighted in below table.

<b><i>City Council Comments</i></b>	<b><i>Neighborhood Concerns</i></b>	<b><i>Applicants Response</i></b>
Re-design entrance to minimize headlights	Re-design entrance to minimize headlights	Plan were modified to show project entrance to align with Bucknell Road.
Line of sight from rooftop decks along Carnegie Avenue	Line of sight from rooftop decks along Carnegie Avenue	Development Plans were modified and removes roof top decks on detached homes along Carnegie Avenue
Setback from units to gas station		Plan were modified and adjusted Unit 13 from 15 feet to 17.8 feet from property line next to gas station. Unit 14 remains 12 feet.
Medium density more		The project density is proposed

appropriate		at 16.25 du/acre, which is less than 20 du/acre minimum permitted by PDR-HD.
Setbacks need to conform to 20-foot setback per Code		The setback was increased setback from 16 feet to 18 feet along Carnegie Avenue. Portion of homes along Carnegie meet 20-foot setback.
	Adequate sewer capacity	Project will be required to construct sewers at own expense meeting approval of CMSD.
	Parking	Plan modified and added 5 open guest parking  Parking on Carnegie Avenue will continue to be resident parking only
	Water Quality	<ul style="list-style-type: none"> <li>• Pending will-serve letter from Mesa Consolidated Water District</li> <li>• Will comply with local and state standards for stormwater run-off</li> </ul>
	Water Usage	Landscape Plans refer to use of drought tolerant landscaping, and water efficient appliances
	Loss of commercial zoning	Property taxes are estimated to increase with new community.

### Second Community Meeting on October 19, 2016

On Wednesday, October 19, 2016, the applicant held a second community meeting to showcase the changes of the project from the first meeting, as well as to listen to the concerns from the residents. The following are concerns addressed by the neighbors:

<b>Neighborhood Concerns</b>	<b>Applicants Response</b>
Traffic will increase along neighborhood streets, including Bucknell Rd., Carnegie Ave, Princeton Dr., etc.	Proposal to have Traffic Impact Report analyze the impact on traffic on these streets
Carnegie Avenue backs up due to traffic along Fair Drive.	Proposal to place "Keep Clear" street markers at intersection of Fair Drive and Carnegie Avenue
Don't want high density project. The project should be 2-story low-density to match with neighborhood.	Low density project would be unfeasible
Do not support rooftop decks	Development Plans were previously

	modified to remove roof top decks on detached homes along Carnegie Avenue. Rooftop decks for duplexes look west toward commercial properties and not visible from Carnegie Avenue
The project adds no value to College Park neighborhood	The project is high quality and removes a commercial building that is blighted

***Project Site/Environs***

The 1.66-acre project site is located at the northwest corner of Fair Drive and Carnegie Way (see Attachment 1). Surrounding land uses generally consist of residential and commercial uses. Land uses immediately adjacent to the project site consist of the following:

- **North:** Commercial uses (Orange Coast Fiat) are zoned C1 (Local Business District) and are located directly north of the site.
- **East:** Single-story residences are located east of the site across Carnegie Ave, and are zoned R1.
- **South:** An auto dealership (South Coast Mitsubishi) is located southwest of the site across Fair Drive, and is zoned C1 and CL (Commercial Limited). Also, a two-story apartment complex (Mediterranean Village) is located southeast of the site across Fair Drive and is zoned R3.
- **West:** Commercial uses (US Gas) within the C1 zone are located west of the site.

**ANALYSIS**

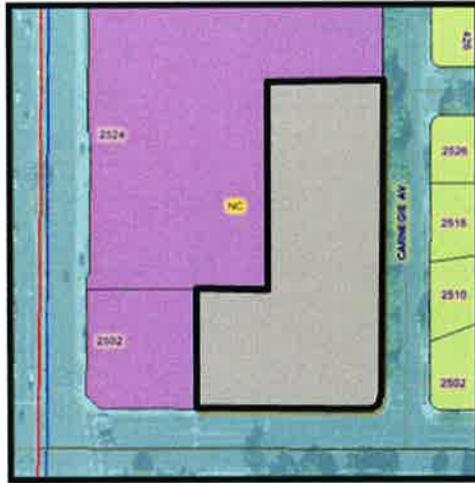
***General Plan Amendment GP-16-01***

The proposed project involves an amendment to the City’s General Plan to change the existing land use designation from Neighborhood Commercial to High-Density Residential. The HDR designation would allow a maximum density of 20 dwelling units per acre, or 33 units. The proposed project includes the development of 28 units, which creates a density of 16.25 dwelling units per acre.

**Existing General Plan Land Use- NC**



**Proposed General Plan Land Use- HDR**



The Zoning Code does not specify a maximum building height for the PDR-HD zone; however, the General Plan limits building height to a maximum four stories for buildings south of the San Diego (I-405) Freeway (Policy LU-2.8). Because the subject property for the proposed development is south of the I-405 Freeway, the four-story maximum height would apply to the project. The project proposes 8 three-story units, with building height of 33 feet, and 20 four-story units, with a building height of 37.5 feet. As discussed below, a shade and shadow analysis indicates no shade or shadow impacts to sensitive land uses.

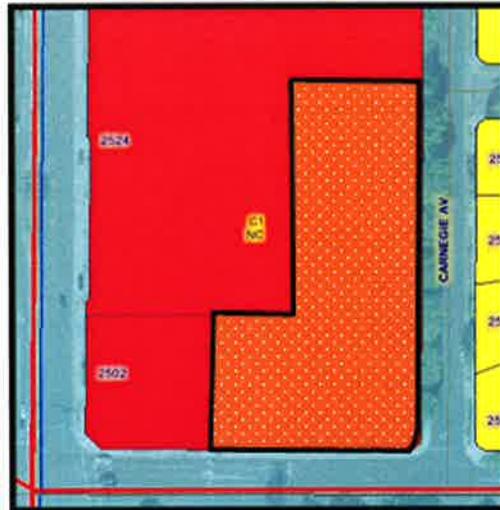
**Rezone R-16-01**

A rezone of the 1.66-acre development site from Local Business District (C1) to Planned Development Residential – High Density (PDR-HD) is proposed. The rezone to PDR-HD would be consistent with the High Density Residential General Plan designation proposed for the project site.

**Existing Zone- C1**



**Proposed Zone- PDR-HD**



## ***Project Site Plan***

The proposed plan includes construction of eight new three-story detached single-family units and 20 four-story (includes rooftop deck) attached duplex units within a residential common interest development. The site is accessed from Carnegie Avenue with one individual private street 24-foot right-of way. Although the project is a tentative tract map for condominium purposes, the development functions partially as a traditional subdivision with eight detached residential units facing Carnegie Avenue. These eight units are located closest to the single-family residences on the east side of Carnegie Avenue. The 20 four-story attached units are located within the interior portion of the project site and along Fair Drive. The project proposes a density of 16.25 dwellings per acre, which is below the maximum 20 dwelling units allowed by the PDR-HD zone. The project provides 117 spaces total within the project site, including garage, driveway, and open guest parking.

Table 1 below provides a development summary showing the various Code deviation requests. The project requests a variance from required perimeter open space requirements; a variance to allow a perimeter wall located along Fair Drive (behind Units 8-13) and a combination four-foot retaining wall/three-foot open fence along Carnegie Avenue (in front of Units 1-8), which are both considered structures, to be located within the perimeter open space; an administrative adjustment to allow buildings to be minimum 15 feet from property line along Fair Drive; and a minor modification to allow portion of buildings to be 18 feet from side property line along Carnegie Avenue. The PDR-HD standards do not include minimum interior side or rear setbacks; however, the project proposes a minimum of 10 feet for interior side setbacks (westerly property line), and minimum 11-foot rear setback (northerly property line). To reduce potential noise and odor issues with the neighboring gas station to the west, Unit 13 (closest unit to gas station) proposes a 17-foot- 8-inch setback from westerly property line.

**Table 1. Planning Application Summary**

Location:	440 Fair Drive APN: 141-421-23	Application Number:	GP-16-01/R-16-01/PA-16-46
Request:	General Plan Amendment; Rezone; and Master Plan for development of 28 units		

**SUBJECT PROPERTY:**

**SURROUNDING PROPERTY:**

Zone:	C1 (Current); PDR-HD (Proposed)	North:	C1 Local Business District (retail)
General Plan:	NC (Current); HDR (Proposed)	South:	C1 Local Business District (retail); CL Commercial Limited District; R3 Multiple Family Residential District (apartments)
Lot Dimensions:	216 FT x 398 FT	West: (across Harbor)	I&R Institutional and Recreation District (golf course); PDR-MD, Planned Development-Medium Density
Lot Area:	72,310 SF (1.66 ac)	East:	R1 Single-Family Residential District
Existing Development:	Commercial retail use and surface parking		

**DEVELOPMENT STANDARD COMPARISON (Based on PDR-HD Zoning)**

Development Standard	Required/Allowed PDR-HD zone	Proposed/Provided
Development Lot Area	43,560 SF (1.0 ac)	72,310 SF (1.66 ac)
Density	Max. 20 du/ac (33 Units Max)	16.25 du/ac (28 Units Proposed)
Maximum Site Coverage (Overall Project):		
Buildings	NA	NA
Open space	42% (30,370 SF) of total lot area	26,643 SF – 38% <sup>1</sup>
Perimeter Open Space	20 feet abutting all public ROW	Perimeter wall located 6 feet from PL (Fair Dr) <sup>1</sup> Front Courtyard retaining wall located 4.7 feet from PL (Carnegie Ave) <sup>1</sup>
Landscape Parkway	10FT/No dimension less than 5FT on house side of private streets	10 FT/3.5FT <sup>1</sup>
Building Height	N/A Four-Stories per General Plan	Plan 1-- 4-stories/ 37 FT -6 IN Plan 2-- 3-stories/ 33 FT
Building Setbacks (Overall Project):		
Front (Fair Drive)	20 FT	15 FT <sup>2</sup> (Unit 8)
Side (Carnegie Ave)	20 FT	18 FT <sup>3</sup>
Side (west side)	NA	10 FT
Rear (North side)	NA	11 FT
% ratio of 2nd floor to 1st floor	100%	Plan 1      149.7% 2 <sup>nd</sup> Floor 148.8% 3 <sup>rd</sup> Floor 59.5% 4th Floor  Plan 2      114.1% 2 <sup>nd</sup> Floor 23.4% 3 <sup>rd</sup> Floor
On-Site Parking:	112 SPACES	117 SPACES
Driveway Width	16 FT	18FT
Back up Distance	25 FT	24 FT <sup>4</sup>
NA = Not Applicable or No Requirement. (1) Requires a Variance (2) Requires Administrative Adjustment (3) Requires a Minor Modification (4) 24-foot back okay with 18-foot wide driveway per Transportation Division.		
CEQA Status	Initial Study- Mitigated Negative Declaration (IS-MND #)	
Final Action	City Council	

**Master Plan PA-16-46- 28-Unit Common Interest Development Project**

The project involves the construction of eight new three-story detached single-family units and 20 four-story (includes rooftop deck) duplex units (total 28-units). The unit types are summarized in the following table:

**Table 2. Unit Type Summary**

	<b>Plan 1 (20 units)</b>	<b>Plan 2 (8 units)</b>
Unit Size (Not Including Garage)	1,975 Sq. Ft.	2,050 Sq. Ft.
Garage size	448 Sq. Ft.	439 Sq. Ft.
Balcony	54 Sq. Ft.	N/A
Roof Deck	362 Sq. Ft.	N/A
Total Unit Size w/garage	2,839 Sq. Ft.	2,489 Sq. Ft.
No. of Bedrooms/Baths	4Beds/3 Bath +Den	3Beds/2.5 Bath+ Den
No. of Stories/ Height	4 Stories/37.5 ft.	3 Stories/33 ft.
No. of Garage Spaces	2 spaces	2 spaces
No. of Open Spaces	2 spaces	2 spaces
No. of Guest Spaces	5 space	
Total On-Site Spaces	<b>117 parking spaces</b>	

The overall architectural design promotes excellence and compatibility. The project includes a contemporary architecture style for the two Plan types. Plan 1 units are four-story attached structures designed with articulating roofs, including combination of gable and hipped roofs; combination of wall treatments, including stucco, shingle siding, board and batten siding, and stone veneer; decorative window treatments; and concrete tile roofing. Plan 2 units are three-story detached structures also designed with articulating roofs, including combination of gable and hipped roofs; combination of wall treatments, including stucco, shingle siding, board and batten siding, and stone veneer; decorative window treatments; and concrete tile roofing. Plan 2 units also provide a third story den, which includes dormer windows and appears as attic space. Although no balcony or roof decks are proposed for Plan 2, the 8 detached units provide front courtyards and decorative entryways along Carnegie Avenue.

**Open Space**

The project site is a 72,310 square-foot (1.66-acre) development lot. According to the residential common interest development standards, 42% minimum open space, or 30,370 square feet, would be required for open space. The project requests a variance to allow less than 42% open space, or 26,643 square feet (38%) of open space at ground level. The project is designed as a traditional subdivision with private yards for all units, including private courtyards along the entryways for the eight detached units, and private backyards for the 20 attached units. In addition, roof decks and second-story balconies are proposed for the 20 attached four-story units; the roof decks would provide 21 percent of private open space.

## Access/Traffic/ Parking

Access to the site is currently from Fair Drive. The proposed development will eliminate access off of Fair Drive and create a new private street entrance off of Carnegie Avenue, which will align with Bucknell Road. No on-street parking opportunity is available to the site; parking on both sides of Carnegie Avenue is resident only parking. The proposed plan provides for a small pedestrian only access gate to Fair Drive from the private street.

Based on the current mix of office, medical, retail and service uses within the 20,750 SF building, it is anticipated that the new proposal will reduce the number of average daily trips by approximately 484 trips. A full trip generation analysis including AM and PM peak hours is discussed in more detail within the Initial Study/Mitigated Negative Declaration.

The 28-unit development is required to provide 107 parking spaces, including 28 covered spaces and 65 open parking spaces (includes 14 open guest spaces). The proposed project will be providing 56 enclosed garage spaces, 56 open spaces on driveways, and five exclusive guest spaces within the development lot, for a total of 117 parking spaces. The proposed project meets the overall parking requirement due to the two-car garages provided for each unit and open driveway parking (56 enclosed garage spaces, 56 open spaces along each driveway); however, only five separate open guest parking spaces are provided instead of 14 guest spaces. Although the number of guest open spaces is deficient by nine space, overall the proposed project provides ten additional parking spaces than required. Driveway lengths are proposed to be 19 feet in length. The project proposes 18-foot wide driveways to allow for adequate maneuvering in and out of the driveways and due to the private roads being 24 feet.

**Table 3. Parking**

Unit Type	Required Tenant Covered	Required Tenant Open	Required Guest Parking	Required Parking	Provided Parking
Plan 1	1-car garage	2.25 tenant open /unit <sup>1</sup>	0.5/unit	20 tenant covered 45 tenant open <u>10 guest</u> <b>75 total</b>	40 garage 40 carport  <b>80 total</b>
Plan 2	1-car garage	2.5 tenant open/unit	0.5/unit	8 tenant covered 20 tenant open <u>4 guest</u> <b>32 total</b>	16 garage 16 open  <b>32 total</b>
					<b>5 separate open guest parking</b>
<b>Total</b>				<b>107</b>	<b>117</b>

<sup>1</sup>Open parking can be reduced by 0.25 space per unit if covered parking provided in carport.

## Landscaping

The project provides for enhanced landscaping along Fair Drive and Carnegie Avenue. In addition, trees, shrubs, and groundcover are proposed throughout the common open space areas and along building front landscaped areas. The remaining side and private

rear homeowner areas will be landscaped and maintained by each homeowner. The property is currently separated from Carnegie Avenue with a block wall and a row of mature trees along Carnegie Avenue that have intrusive root systems and will be removed with this development. The landscape plan includes replacement trees along Carnegie Avenue and Fair Drive.

### ***Trash Pickup***

The 28-unit development will require sanitary disposal services from Costa Mesa Sanitary District (CMSD). The project includes trash can storage area within each garage. Trash pick-up will be provided along the new private streets. A Will Serve letter will be provided by CMSD.

### ***Shade and Shadow***

A shade and shadow study was prepared (see Attachment 7) to determine the shadowing effects of the eight three-story units and 20 four-story units on neighboring properties. General Plan Land Use Policy LU-2.7 states that development of buildings over 30 feet in height should be permitted only if it can be shown that the structure will not adversely impact surrounding developments in terms of light, air, privacy and solar access. The City has not adopted a threshold for shade and shadow impacts; however, referring to other local jurisdictions, the threshold could range from two to three hours during winter months. The closest residential uses, or sensitive land uses, are located east of the project site across Carnegie Avenue, which is a 60-foot right-of-way. Assuming each existing residential use along the east side of Carnegie Avenue is developed with a 20-foot front setback, the proposed project is more than 80 feet from existing nearby residences. As shown in Attachment 7, no nearby residences will be affected by shade and shadowing during either the summer solstice (June 21) or the winter solstice (December 21<sup>st</sup>). The only areas potentially affected by shade and shadowing during the winter months are the commercial uses located north and west of the site.

### ***Hazardous Materials***

A Phase I Environmental Site Assessments (Phase I ESA) was prepared by AEI Consultants for the Initial Study/Mitigated Negative Declaration for 440 Fair Drive project. The Phase I ESA conforms with the scope and limitations of ASTM Standard Practice E1527-13 and the EPA Standards and Practices for All Appropriate Inquiries (40 CFR Part 312). The Phase I did not identify evidence of Recognized Environment Condition (REC), Controlled Recognized Environmental Condition (CREC) in connection with the subject property during the course of their assessment.

The property located west of the project site (2502 Harbor Boulevard) is a gasoline station that has operated at this site at least since 1963. The site is listed in the Cleanup Program Site database with Closed Status. A release of diesel and a mixture of waste oils impacted groundwater. According to the most recent groundwater monitoring report for the site prepared by KCE Matrix and dated June 2013, one 4,000-gallon diesel underground storage tank (UST) and one 280-gallon waste oil UST were

removed from the site during December 1991. Using the groundwater data for the closest sampling point to the subject property with the highest concentrations detected, the results of this screening tool indicated that the potential for vapor-phase migration is not expected to be significant. The leaking underground storage tank (LUST) case received regulatory closure on June 2014 from the OCHCA. Based on the remediation work completed at the site, the low residual concentrations remaining onsite, and the closed regulatory status of the site, this site is not expected to represent a REC at this time.

Buildings that were constructed prior to 1978 are likely to contain asbestos-containing material (ACM) and lead-based paint (LBP). Based on the age of the existing two-story multi-tenant commercial office building that was first constructed circa 1962-63, ACM and LBP are likely to be present at the site. All such materials would be removed by properly licensed abatement contractors. Compliance with applicable rules and regulations would ensure impacts related to accidental release of hazardous materials into the environment during project construction would be less than significant.

### **Noise**

The Initial Study/Mitigated Negative Declaration provided a Noise Study to determine the noise impacts associated with the project. According to the Noise Study, the two monitoring sites exceeded the City exterior residential noise standard of 65 dBA CNEL. As a result, the IS/MND provides the following mitigation measures to reduce exterior noise levels:

1. The project applicant shall construct a minimum 5.0-foot high solid wall on the south side of the proposed private backyards for Units 8 through 13. The sound walls shall be required to be constructed of a solid material (e.g., concrete block or plaster) that are free of any cutouts or openings.
2. The project applicant shall provide a "windows closed" condition for each proposed home. A "windows closed" condition requires a means of mechanical ventilation per Chapter 12, Section 1205 of the Uniform Building Code. This shall be achieved with a standard forced air conditioning and heating system for each residential unit.) rating 26, or if necessary STC 28-30 windows, which typically provide 25-30 dB of noise reduction, would reduce interior noise levels to below General Plan thresholds.
3. The project applicant shall construct a minimum 8.0-foot high solid wall along the west property line that is adjacent to the carwash. This sound wall should connect to the sound wall described in Mitigation Measure 1, with no openings or gaps permitted along Fair Drive. The sound walls shall be required to be constructed of a solid material (e.g., concrete block or plaster) that are free of any cutouts or openings.
4. The project applicant shall provide windows with a minimum Sound Transmission Class rating of 29 STC for all west facing windows on the proposed Units 13 and 14.

The PDR standards require an acoustical analysis be required with a development is located in a noisy environment. Staff recommends a condition of approval requiring an acoustical analysis to ensure the roof decks do not exceed 65 CNEL.

### **Residential Design Guidelines**

The Residential Design Guidelines recommend buildings be designed with articulation and off-sets, including a 100 percent second floor to first floor ratio for better massing and improved aesthetics of the elevations. This is to avoid a boxy appearance from the street and neighboring views. Also, long, unbroken building facades should be avoided and offsets and architectural projections should be made an integral part of residential design to enhance variety and interest. Varying roof forms and identifiable entries to units is also encouraged to add interest and variety to the street scene. Since there are carports on the ground floor which are not included in the building footprint the proposed ratio is higher than recommended; however, the proposed units meet the intent of the Residential Design Guidelines by providing a combination of materials, varying roof forms, and architectural projections.

### **Subdivision**

The proposed subdivision is an air-space subdivision, so there are no individual lots. Since the applicant is proposing a common interest development, Code requires establishment of a homeowner's association and recordation of CC&Rs.

### **GENERAL PLAN CONFORMANCE**

The proposed General Plan land use designation for the project site is High Density Residential. Per the General Plan, High Density Residential is intended for residential development with a density up to 20 units to the acre (maximum 33 units). Because the density of the proposed project is 16.25 units to the acre (proposed 28 units), it is consistent with the General Plan land use designation.

The following analysis evaluates the proposed project's consistency with specific goals, and objectives of the 2015-2035 General Plan.

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

**Consistency:** The project is an infill residential project within the allowable density for high-density residential development. According to the IS/MND prepared for the project, the project will create a decrease in average daily trips compared to the existing development, and would result in a less than significant increase in water demand. In addition, the project would result in a decrease in impervious surface areas on the site (by as much as 13.9 percent). The project would also be subject to compliance with the CMMC provisions, and thus, would result in less than significant impacts on drainage patterns and flooding. Therefore, adequate

infrastructure would be available to serve the proposed project and the project is consistent with this General Plan objective.

2. **Objective LU-1.3:** *Strongly encourage the development of...owner-occupied housing where feasible to improve the balance between rental and ownership housing opportunities.*

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

3. **Goal CD-6: Image:** *It is the goal of the City of Costa Mesa to enhance opportunities for new development and redevelopment to contribute to a positive visual image for the City of Costa Mesa and consistent with district image.*

4. **Goal CD-7: Quality Residential:**

*Objective CD-7.1: Encourage excellence in architectural design.*

*Policy CD-7.A: Ensure that new and remodeled structures are designed in architectural styles that reflect the City's eclectic quality, yet are compatible in scale and character with existing buildings and the natural surroundings within residential neighborhoods. Continue to update and maintain the Costa Mesa Residential Guidelines.*

**Consistency:** The project is consistent with Goal CD-6, CD-7, Objective CD.7.1, and Policy CD-7.A because the project would allow for the redevelopment of property containing an aging commercial building and parking lot with residential units that exhibit quality architecture and enhanced landscaping. A standard condition of approval recommends that perimeter wall treatments consist of decorative materials, and ornamental site landscaping will be provided throughout the project. As a result, the proposed project is supportive of these General Plan goals, policies, and objectives.

5. **Goal LU-4: New Development that Is Sensitive to Costa Mesa's Environmental Resources**

*Objective LU-4: Encourage new development and redevelopment that protects and improves the quality of Costa Mesa's natural environment and resources.*

*Policy LU-4.1: Ensure that appropriate watershed protection activities are applied to all new development and significant redevelopment projects that are subject to the NPDES Stormwater Permit during the planning, project review, and permitting processes.*

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

**Consistency:** Because the project is an infill development, it would not result in the loss of any habitat, or require extensive infrastructure improvements to provide

service to the site. According to the project's IS/MND, the project would result in a decrease in impervious surface areas on the site (by as much as 13.9 percent). Less than significant impacts will occur to on- or off-site erosion and/or siltation. The project would also be subject to compliance with the CMMC provisions, and thus, would result in less than significant impacts on drainage patterns and flooding. The project is consistent with this objective.

7. **Policy LU-2.7:** *Permit the construction of buildings over two stories or 30 feet only when it can be shown that the construction of such structures will not adversely impact surrounding developments and deprive existing land uses of adequate light, air, privacy, and solar access.*
8. **Policy LU-2.8:** *Limit building height to four stories above grade south of the I-405 Freeway, except for special purpose housing such as elderly, affordable, or student housing, unless otherwise approved by a General Plan amendment. (A four-story/five-level parking structure with roof deck parking on the fifth level is considered a four-story structure.)*

**Consistency:** The project proposes a maximum of four stories, which is permitted by the PDR-HD zone, and per the General Plan policy for areas south of I-405. Plan 1 units include three stories and a rooftop deck, which is considered a fourth story. A shade and shadow graphic (s) illustrates no impact to surrounding sensitive land uses. The project is bound by a commercial parking lot used by Orange Coast Fiat to the north, and single-family residences are located across a 60-foot right-of-way to the east (Carnegie Avenue). As such, the project would be compatible with Policy LU-2.7 and LU-2.8.

## **JUSTIFICATIONS FOR APPROVAL**

### **Rezone R-16-01 Findings**

Pursuant to Title 13, Section 13-29(g)(11), *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 proposed project, based on the following assessment of facts and findings which are also reflected in the draft resolution.

- Rezone to Planned Development Residential – High Density (PDR-HD) is consistent with the proposed General Plan. On October 6, 2015, City Council approved General Plan screening GPS-14-04 requesting to amend the land use designation from Neighborhood Commercial to High Density Residential to accommodate a proposed 28-unit residential development at 440 Fair Drive. The HDR General Plan land use designation allows densities between 12 dwelling units per acre to a maximum density of 20 dwelling units per acre. The applicant is seeking a rezone to PDR-HD zone, which is consistent with the HDR land use (max 20 dwelling units per acre). The proposed density of the project is 16.25 du/acre, which is slightly less than permitted under HDR land use. Per Sec. 13-59 of Zoning Code, density increments up to maximum shown in Table

13-58 may be approved in order to provide an incentive for design excellence. The project is requesting 4.25 more dwelling units per acre above medium density's 12 du/acre. Incentives provided include: 1) location within ¼ mile of public transit along Harbor Blvd; 2) distinctive high quality design and architecture; and 3) removal of an older marginal commercial building. The project is also consistent with many of the goals, policies, and objectives set forth in the General Plan Update adopted in 2016, as stated above. According to the IS/MND, it is anticipated that the new proposal will reduce the number of average daily trips by approximately 484 trips compared to the current mix of office, medical, retail and service uses within the existing 20,750 square-foot building. The City of Costa Mesa considers a significant traffic impact when project-generated trips causes the peak hour level of service of the study intersection to change from acceptable operation (Level of Service A, B, C, or D) to deficient operation (LOS E or F). Currently the Harbor Boulevard/Fair Drive intersection is operating at LOS A during the a.m. peak hour, and LOS C during p.m. peak hour. In addition, the Carnegie Avenue/Fair Drive intersection is operating at LOS B during the a.m. peak hour, and LOS C during p.m. peak hour. With the proposed project, these level of service are forecasted to continue at these levels during both peak hours.

#### Master Plan PA-16-46 Findings

The following are justifications for approval of the Master Plan request per Title 13, Section 13-29 (g)(5):

- The project meets the broader goals of the General Plan and Zoning Code. As discussed above, the project meets goals of the General Plan, including Objective CD-7.1 which encourages excellence in architectural design for new projects. The overall architectural design promotes excellence and compatibility. The project includes a contemporary architectural style for the two Plan types. Plan 1 units are four-story attached structures designed with articulating roofs and wall treatments including stucco, shingle siding, board and batten siding, and stone veneer. Each unit provides for a second-story balcony and roof decks. Plan 2 units are three-story detached structures also designed with articulated roofs, including combination of gable and hipped roofs and combination of wall treatments. Plan 2 units also provide a third story den with dormer windows so that the structure appears as a two-story building from Carnegie Avenue.

Enhanced architectural treatments, including window treatments and combination of materials are proposed to provide visual interest along the public right-of-ways. The developer will also be required to build a minimum 5-foot high block wall along Fair Drive to mitigate noise issues. In addition, enhanced landscaping will be located along the perimeter open space, and the units along Carnegie Avenue will include private courtyards and entryways.



- The project meets the purpose and intent of the Residential Design Guidelines, which are intended to promote design excellence in new residential construction, with the exception to the second-story design standards (second story shall not exceed 100% of first story). Both plan types exceed the second floor to first floor ratio requirement, as the footprint of the second floor is larger than the first floor (149% for Plan One and 114% for Plan Two). For Plan One, the 149% second floor to first floor ratio is to accommodate a carport. For Plan Two, the 114% second floor to first floor ratio is to provide articulation and to create a more prominent front façade and less prominent garage. Although the second floor to first floor ratio exceed design guidelines, the buildings enhanced features, articulation, and unique design meets the intent of the guidelines. The visual prominence associated with the construction of the units has been reduced through appropriate transitions between the first and second floors. The building elevations incorporate variation in surface planes to create interest and visual relief from off-site. The images below indicate these unique characteristics for both plan types.

## Plan 1



## Plan 2



- The landscape concept plan is consistent with the City's standards. The proposed project includes landscaping within the setbacks abutting the public right-of-ways (Carnegie Avenue and Fair Drive), within the private open space areas, and along the driveway and parking areas for each unit. The concept plan shows large trees along the perimeter of the development lot along Fair Drive and Carnegie Avenue. Street trees in the landscape parkway will be consistent with requirements of Appendix D of the City's Streetscape and Median Development Standards and appropriately sized and spaced. In addition, drought-tolerant shrubs and groundcover will be located along Fair Drive and Carnegie Avenue, and along the front portion of each unit to provide softening and interest. The enhanced private street entryway along Carnegie Avenue also includes a sign feature in the development site.

As stated in the conditions of approval, two sets of detailed landscape and irrigation plans, which meet the requirements set forth in Costa Mesa Municipal Code Sections 13-101 through 13-108 and the City's Water Efficient Landscape Guidelines, shall be required as part of the project plan check review and approval process. Plans shall be forwarded to the Planning Division for final approval prior to issuance of building permits.

- The project will provide on-site parking spaces exceeding the current parking standards (107 required; 117 spaces proposed). To comply with the parking standards, the project will require a total of 107 parking

spaces total (four spaces per unit for eight detached three bedroom units; three and three-quarter spaces per unit for twenty attached four-bedroom units with carports; 14 open guest parking spaces at a rate of half space per unit). The proposed project meets the overall parking requirement due to the two-car garages provided for each unit and open driveway parking (56 enclosed garage spaces, 56 open spaces along each driveway); however, only five exclusive guest spaces are provided within the development lot. Although the number of guest open spaces is deficient by nine spaces, overall the proposed project provides 10 additional parking spaces than required. Also, although not counted towards parking requirements, street parking would be available along Carnegie Avenue with a residential parking permit only.

- The Initial Study/Mitigated Negative Declaration complies with CEQA requirements. The environmental analysis indicates that there are no significant, unmitigated environmental impacts associated with the proposed project. Mitigation measures are primarily required noise issues related to nearby commercial uses. A minimum eight-foot high wall is required along the westerly property line near the existing car wash, as well as a minimum five-foot wall along Fair Drive.

#### Tentative Tract Map Findings

The following are justifications for approval of the Tentative Tract Map request per Title 13, Section 13-29 (g)(13):

- The creation of the subdivision and related improvements is consistent with the General Plan and the Zoning Code, is physically suitable to accommodate the subdivision in terms of type, design, and density of development, and is consistent with the State Subdivision Map Act. The proposed subdivision is consistent with General Plan Land Use Element in that the project complies with Policy LU-1.3 by developing owner-occupied housing to improve the balance between rental and ownership housing opportunities. The property is physically suitable to accommodate the subdivision for condominium purposes. Engineering staff has confirmed that there are no interferences with the City's or other utility right-of-way areas and/or easements within the tract.

### Variance Findings

Pursuant to Title 13, Section 13-29(g)(1)(2), Findings, of the Costa Mesa Municipal Code, the Planning Commission shall find that the evidence presented in the administrative record substantially meets specified findings. Staff recommends approval of the proposed project based on the following:

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

- a. 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 under identical zoning classifications.
- b. The deviation granted shall be subject to such conditions as will assure that the deviation authorized shall not constitute a grant of special privileges inconsistent with the limitation upon other properties in the vicinity and zone in which the property is situated.
- c. 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.

The project includes variance requests from open space requirements, encroachment of walls into required perimeter open space area, and variance to allow deviation from required landscaped parkway requirements; however, staff believes that approval of the variances is justified based on the following:

- The strict application of development standards deprives the property of privileges enjoyed by others in the vicinity and does not constitute a grant of special privileges. According to the PDR-HD standards, 42% minimum open space, or 30,370 square feet, would be required for open space, which includes areas not occupied by buildings, structures, parking driveways, or streets. The project's overall open space at ground level is 36.8% (42% required). These open space areas include private courtyards for the eight detached units, and private backyards for the 20 attached duplex units. The project also proposes roof decks for the 20 attached four-story units to address the shortfall. With these roof decks, the overall open space will be raised to 46.9%. The Planned Development Residential open space criteria generally does not allow roof decks to be counted toward open space if units provide ground floor access, unless, "where for other reasons, the Planning Commission finds that the provision of all or part of the required open space is impractical or undesirable. In such cases, each dwelling unit above the first floor shall be provided with patio or deck area of not less than 100 square feet". Each of the 20 duplex units propose a 362 square-foot roof deck, which exceeds the 100 square foot requirement. Many similar product types found throughout the City (i.e. multi-level live/work units in Urban Plans), are permitted to use roof decks as open space. Staff believes the 20 duplex units are similar to the live/work product found throughout the Urban Plan areas. Also, the duplex units do provide for private backyard spaces.

Therefore, staff recommends allowance of deck space to be counted toward open space. Conditions of approval require an acoustical analysis be prepared by a licensed acoustical engineer prior to issuance of building permits, to ensure the noise levels in common and private open spaces areas, including roof top decks, is 65 CNEL or less.

The Code requires the perimeter open space for Planned Development Residential be land areas that are not occupied by buildings, structures, parking areas, driveways, streets, or alleys. The project proposes walls and stoops along the perimeter open space areas along Fair Drive and Carnegie Avenue. As such, the project requests a variance to allow these features within the perimeter open space areas. The Initial Study/Mitigated Negative Declaration includes mitigation measures requiring a minimum five-foot high solid wall on the south side of the proposed private backyards for Units eight through 13 to address noise issues. The project proposes approximately 10 feet of enhanced landscaping between the sidewalk and walls along Fair Drive to soften the appearance. Currently, the site has an existing wall approximately eight feet behind the existing sidewalk, as shown below. Also, existing walls along the north side of Fair Drive, east of Carnegie Avenue, are adjacent to the sidewalk with no landscape buffer. As such, the proposed walls will be an improvement to existing conditions seen along Fair Drive.

**Proposed walls**



**Existing walls east of Carnegie**



**Existing wall on project site**



The eight detached residential units along Carnegie Avenue provide unique courtyard and stoop designs along the entryways of Units one through Unit eight. The proposed stoops are elevated from the Carnegie Avenue sidewalk behind a combination four-foot retaining wall and three-foot open decorative fencing. This design follows the Residential Guidelines, which recommend elevations to incorporate multiple building planes and offsets, including porches. These walls are buffered by landscaping to help soften the appearance along Carnegies. As shown in second picture below, the streetscape currently includes overgrown trees, a cracking wall, and razor wiring along the top of the wall. Staff believes these stoops and courtyards will provide a unique and visually interesting pedestrian experience along Carnegie Avenue, and be a vast improvement to existing conditions. Conditions of approval require a provision in the CC&R's that prohibit future solid walls or fencing along these courtyards above the existing three-foot open fencing.

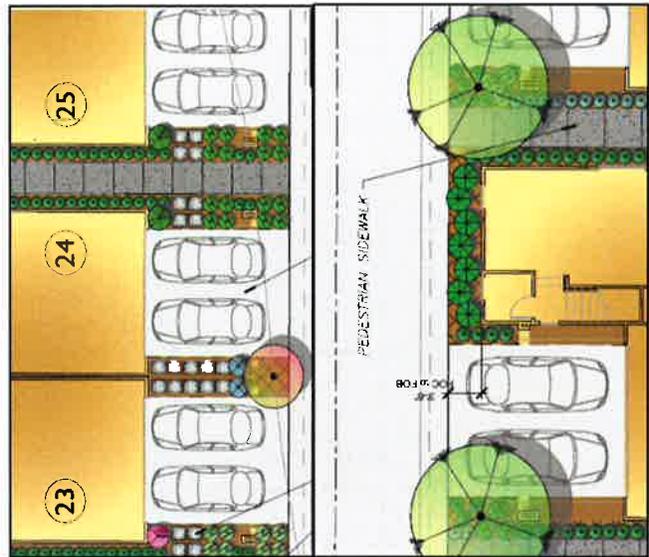
**Stoops proposed along Carnegie Ave**



**Existing view along Carnegie Ave**



Regarding the landscape parkway variance, the Code requires landscaped parkways with a combined width of 10 feet, but not less than three feet on one side; the parkway on the house side of private streets shall be minimum of five feet in width. The project proposes a landscaped parkway of three and one half feet along the eight detached homes instead of the required five feet. The



project, however, does provide for 19 feet of landscaping and hardscape along the private driveways of each attached duplex unit. As such, more than 10 feet of combined parkway is proposed along the private streets. It should be noted that these parkways are only visible within the interior of the project site. The parkway visible from public right-of-way (Carnegie Avenue) includes the private street entrance off of Carnegie Avenue. This street entrance exceeds parkway standards by providing for a 20-foot combined parkway, with no width less than 10 feet. This parkway will be heavily landscaped with a column entry sign to provide for interest and relief. With these enhanced features, staff supports a variance to allow a three and one-half-foot minimum parkway along the front of the detached units.

- The granting of the variances for the open space and landscaped parkway requirements 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 variances for open space and parkway widths would not increase the intensity or density of the project. The project proposes a density below the maximum allowable density set forth by the HDR land use designation. 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.

Administrative Adjustment Findings

The appropriate findings can be made for the requested code deviations. Code Section 13-29(g)(1) requires the following findings for the administrative adjustment, as described at the beginning of this report:

1. 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 under identical zoning classifications.
2. The deviation shall not constitute a grant of special privileges inconsistent with other properties in the vicinity.
3. 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.

- Administrative adjustment for encroachment of building into required perimeter open space area along Fair Drive would be justified by the fact that the strict application of the development standard deprives the property of privileges enjoyed by others in the vicinity and does not grant special privileges enjoyed by others in the vicinity (20 feet required; 15 feet proposed). The Code requires a 20-foot perimeter open space for Planned Development Residential zones. This includes land areas that are not occupied by buildings, structures, parking areas, driveways, streets, or alleys. The project proposes buildings to be between 15 feet (Unit eight) and 16 feet (Units nine through thirteen) from the front property line along Fair Drive. A five-foot high wall is also proposed, through a variance request, which would be built six-feet from the front property line along Fair Drive; this is required per the mitigation measures highlighted in the Initial Study/Mitigated Negative Declaration. Enhanced landscaping will occur between the sidewalk and walls along Fair Drive to soften the appearance. Currently, residential units along north side of Fair Drive, east of Carnegie Avenue, have walls adjacent to the sidewalk with no landscape buffer; in addition, many of these residences are less than 10 feet from the ultimate right-of-way, as indicated in the photo below. As such, the proposed project would be considered an improvement to existing conditions as the increased building and wall setbacks, and enhanced landscaping, would improve existing conditions seen along the north side of Fair Drive. In addition, increasing the setback along Fair Drive would result in changes to the site plan which are not preferred, including causing a possible reduction



of open guest parking along then north side of the east-west private street, and reducing the rear setbacks of the units along the north property line. As such, the administrative adjustment request is justified and is not considered granting special privilege.

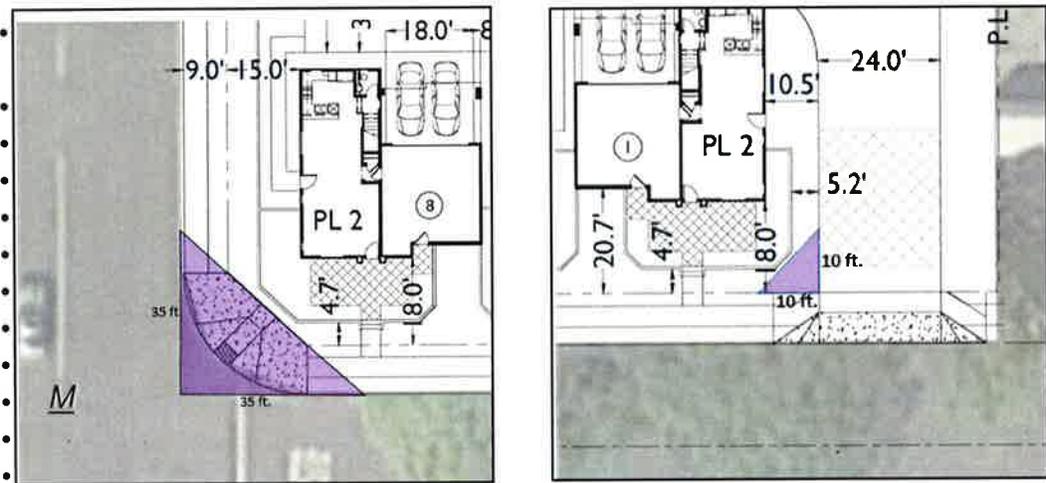
- Granting of the deviation will not allow a use, density, or intensity which is not in accordance with the general plan designation for the property (33 units allowed; 28 units proposed). The project proposes a general plan amendment from Neighborhood Commercial to High Density Residential, which would allow up to 20 units per acre. The project site is 1.66 acres and, therefore, would allow for a maximum of 33 units. The request to allow encroachment into the front setback for the buildings does not increase the density or intensity of the common interest development, as the proposed development requests only 16.25 dwelling units per acre. Requiring the 20-foot setback may require a complete redesign of the project that would possibly reduce open guest parking and rear setbacks for units along the north property line. The project does propose enhanced landscaping along Fair Drive, which will be an improvement to the existing conditions. This will provide visual enhancement for surrounding neighbors. As such, granting the deviation will not allow a use, density, or intensity which is not in accordance with the general plan designation for the property.

#### Minor Modification Findings

The appropriate findings can be made for the requested code deviations. Code Section 13-29(g)(6) requires the following findings for a minor modification, as described at the beginning of this report:

1. The improvement will not be detrimental to the health, safety and general welfare of persons residing or working within the immediate vicinity of the project or to property and improvements within the neighborhood.
  2. The improvement is compatible and enhances the architecture and design of the existing and anticipated development in the vicinity. This includes the site planning, land coverage, landscaping, appearance, scale of structures, open space and any other applicable features relative to a compatible and attractive development.
- Minor Modification for encroachment of building into required perimeter open space area along Carnegie Avenue would be justified by the fact that improvement will not be detrimental to the health, safety and general welfare of persons residing or working within the immediate vicinity of the project or to property and improvements within the neighborhood (20 feet required; 18 feet proposed). The Code requires a 20-foot perimeter open space for Planned Development Residential zones. This includes land areas that are not occupied by buildings, structures, parking areas, driveways, streets, or alleys. The project proposes a portion of the detached residential buildings to be 18 feet from the side property line along Carnegie Avenue; however, a portion of each building's façade will remain behind the 20-foot setback. This configuration provides offsets and a horizontal plane break in the

building's façades to enhance variety and interest. A combination four-foot block retaining wall with three-foot open fence is also proposed within the 20-foot setback through a variance request, which will allow for a private courtyard area along each unit facing Carnegie Avenue. Enhanced landscaping will occur between the sidewalk and private courtyards along Carnegie Avenue to soften the appearance. As shown in the exhibits below, the 18-foot setback will not encroach into the required 35-foot visibility triangle along the corner of Fair Drive and Carnegie Avenue, nor will it affect the 10-foot visibility triangle at the driveway entrance to the project site. As such, allowing the buildings to encroach two-feet into the required 20-foot setback would not be detrimental to the health, safety, and general welfare of persons residing or working within the immediate vicinity of the project.



- Minor Modification for encroachment of building into required perimeter open space area along Carnegie Avenue would be justified by the fact that is compatible and enhances the architecture and design of the existing and anticipated development in the vicinity (20 feet required; 18 feet proposed). As discussed, the project proposes a portion of the detached unit's façade to be 18 feet from the side property line along Carnegie Avenue. A portion of each building's façade will remain behind the 20-foot setback. A combination four-foot block retaining wall with three-foot open fence is also proposed within the 20-foot setback (through a variance request) to allow for a private courtyard area along each unit facing Carnegie Avenue. This courtyard will provide for an enhanced entryway and provide an area for residents to congregate within the front yards. Also enhanced landscaping will occur between the sidewalk and private courtyards along Carnegie Avenue to soften the appearance. The architecture, building layout, courtyards and landscaping are a unique design that will provide interest for pedestrians strolling along Carnegie Avenue. Currently, the site is developed with a sidewalk, overgrown landscaping, and a six-foot wall behind the property line. Conditions of approval require a provision in the CC&R's that prohibit future solid walls or fencing along these courtyards above the

existing three-foot open fencing. As such, the proposed project will enhance the neighborhood. Finally, increasing the setback along Carnegie Avenue would cause changes to the site plan which are not preferred, including causing a possible reduction of open guest parking along then north side of the east-west private street, and reducing the side setbacks of the units along the west property line.



## **ENIRONMENTAL DETERMINATION**

An Initial Study-Mitigated Negative Declaration (IS-MND) has been prepared for the project in accordance with the California Environmental Quality Act (CEQA). In accordance with CEQA Guidelines Section 15073, the Mitigated Negative Declaration was made available for a 20-day public review and comment period beginning on October 4, 2016, and remained available for comment until October 24, 2016. The Mitigated Negative Declaration document can be found on the City's website at the below link:

<http://www.costamesaca.gov/index.aspx?page=151>

CD copies can also be obtained from the Planning Division at no charge. Hardcopies are also available for review at the following locations:

City of Costa Mesa  
Planning Division/Development Services Department  
77 Fair Drive  
Costa Mesa, CA 92628

The Costa Mesa/Donald Dungan Library  
1855 Park Avenue  
Costa Mesa, CA 92627

Mesa Verde Library  
2969 Mesa Verde Drive East  
Costa Mesa, CA 92626

**PUBLIC NOTICE**

Pursuant to Title 13, Section 13-29(d), of the Costa Mesa Municipal Code, three types of public notification have been completed no less than 10 days prior to the date of the public hearing:

1. Mailed notice. A public notice was mailed to all property owners within a 500-foot radius of the project site. The required notice radius is measured from the external boundaries of the property. (See attached Notification Radius Map.)
2. On-site posting. A public notice was posted on each street frontage of the project site.
3. Newspaper publication. A public notice was published once in the Daily Pilot newspaper.

***Response to Comments***

As of November 4, 2016, there has been 6 public comment letters received regarding the project. Any additional public comments received will be incorporated, where appropriate, as a supplemental memo.

***Brief Summary of Significant Environmental Impacts and Mitigation Measures***

Under CEQA, a “significant impact” represents a substantial or potentially substantial adverse physical change to the environment. In evaluating specific effects of the project on the environment, the IS/MND identifies thresholds of significance for each effect, evaluates the potential environmental change associated with each effect, and then characterizes the effects as impacts. With the implementation of the mitigation measures identified in the IS/MND for the proposed project, all potentially significant impacts have been reduced to less than significant levels, as briefly summarized in the table below:

<b>Summary of Significant Environmental Impacts</b>		
<b>Potentially Significant Environmental Effects</b>	<b>Mitigation Measure Summary<sup>1</sup></b>	<b>Level of Significance After Mitigation</b>
Noise	<ul style="list-style-type: none"> <li>• The project applicant shall construct a minimum 5.0-foot high solid wall on the south side of the proposed private backyards for Units 8 through 13. The sound walls shall be required to be constructed of a solid material (e.g., concrete block or plaster) that are free of any cutouts or openings.</li> <li>• The project applicant shall provide a “windows closed” condition for each proposed home. A “windows closed” condition requires a means of mechanical ventilation per Chapter 12, Section 1205 of the Uniform Building Code. This shall be achieved with a standard forced air conditioning and heating system for each residential unit.) rating 26, or if necessary STC 28-30 windows, which typically provide 25-30 dB of noise reduction, would reduce interior noise levels to below General Plan thresholds.</li> </ul>	Less than significant

	<ul style="list-style-type: none"> <li>• The project applicant shall construct a minimum 8.0-foot high solid wall along the west property line that is adjacent to the carwash. This sound wall should connect to the sound wall described in Mitigation Measure 1, with no openings or gaps permitted along Fair Drive. The sound walls shall be required to be constructed of a solid material (e.g., concrete block or plaster) that are free of any cutouts or openings.</li> <li>• The project applicant shall provide windows with a minimum Sound Transmission Class rating of 29 STC for all west facing windows on the proposed Units 13 and 14.</li> <li>• Implementation of the following multi-part mitigation measure is required to reduce potential construction period noise impacts: <ul style="list-style-type: none"> <li>• The construction contractor shall ensure that all equipment driven by internal combustion engines shall be equipped with mufflers, which are in good condition and appropriate for the equipment.</li> <li>• The construction contractor shall ensure that unnecessary idling of internal combustion engines (i.e., idling in excess of 5 minutes) is prohibited.</li> <li>• The construction contractor shall utilize “quiet” models of air compressors and other stationary noise sources where technology exists.</li> <li>• At all times during project grading and construction, the construction contractor shall ensure that stationary noise-generating equipment shall be located as far as practicable from sensitive receptors and placed so that emitted noise is directed away from adjacent residences.</li> <li>• The construction contractor shall ensure that the construction staging areas shall be located to create the greatest feasible distance between the staging area and noise-sensitive receptors nearest the project site.</li> </ul> </li> </ul>	
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(1) Refer to the IS/MND document for detailed descriptions of each mitigation measure.

## **LEGAL REVIEW**

The IS/MND and draft resolutions have been reviewed and approved as to form by the City Attorney’s Office.

## **CONCLUSION**

With implementation of the mitigation measures identified in the Mitigated Negative Declaration for the proposed project, all potentially significant impacts have been reduced to less than significant levels. With the implementation of the recommended conditions of approval, the proposed project will be compatible and harmonious with uses that exist within the general neighborhood. The project features quality construction and materials. The project will provide for adequate parking spaces required per Table 13-85 of the City’s residential parking standards. Therefore, staff recommends that the Planning Commission approve a resolution recommending that the City Council adopt the Mitigated Negative Declaration prepared for the project; adopt General Plan Amendment GP-16-01; approve and give first reading to the Ordinances for Rezone R-16-01; and approve of Master Plan PA-46-46 and Tentative Tract Map 18064 for Condominium Purposes, subject to Conditions of Approval and mitigation measures.

## ALTERNATIVES

The Planning Commission has the following alternatives:

1. Recommend approve of 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. Recommend denial of 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. If the project were denied, the applicant could not submit substantially the same type of application for six months.



RYAN LOOMIS, AICP  
Associate Planner



JAY TREVINO, AICP  
Economic Development & Development  
Services Director/ Consultant

- Attachments:
1. Vicinity Map, Zoning Map, General Plan Land Use Map and 500' Radius Map
  2. Existing Color Site Photos
  3. Applicant's Project Description
  4. Draft Planning Commission Resolution for Design Review
  5. Public Correspondence/Emails
  6. Plans and Color Elevations/Renderings
  7. Shade and Shadow Exhibit
  8. General Plan Screening Minutes
  9. IS/MND (Provided Separately) Also available on City Website at <http://www.costamesaca.gov/index.aspx?page=151>

cc: Economic Development & Development Services Director/  
Consultant  
Sr. Deputy City Attorney  
Public Services Director  
City Engineer  
Transportation Services Manager  
Fire Protection Analyst  
File (2)

Authorized Agent: Sheldon Development, LLC  
Attn: Steve Sheldon, Project Manager  
901 Dove Street, Suite 230  
Newport Beach, CA 92660

Property Owner: Dalessio Investments  
1777 Newport Blvd  
Costa Mesa, CA 92627

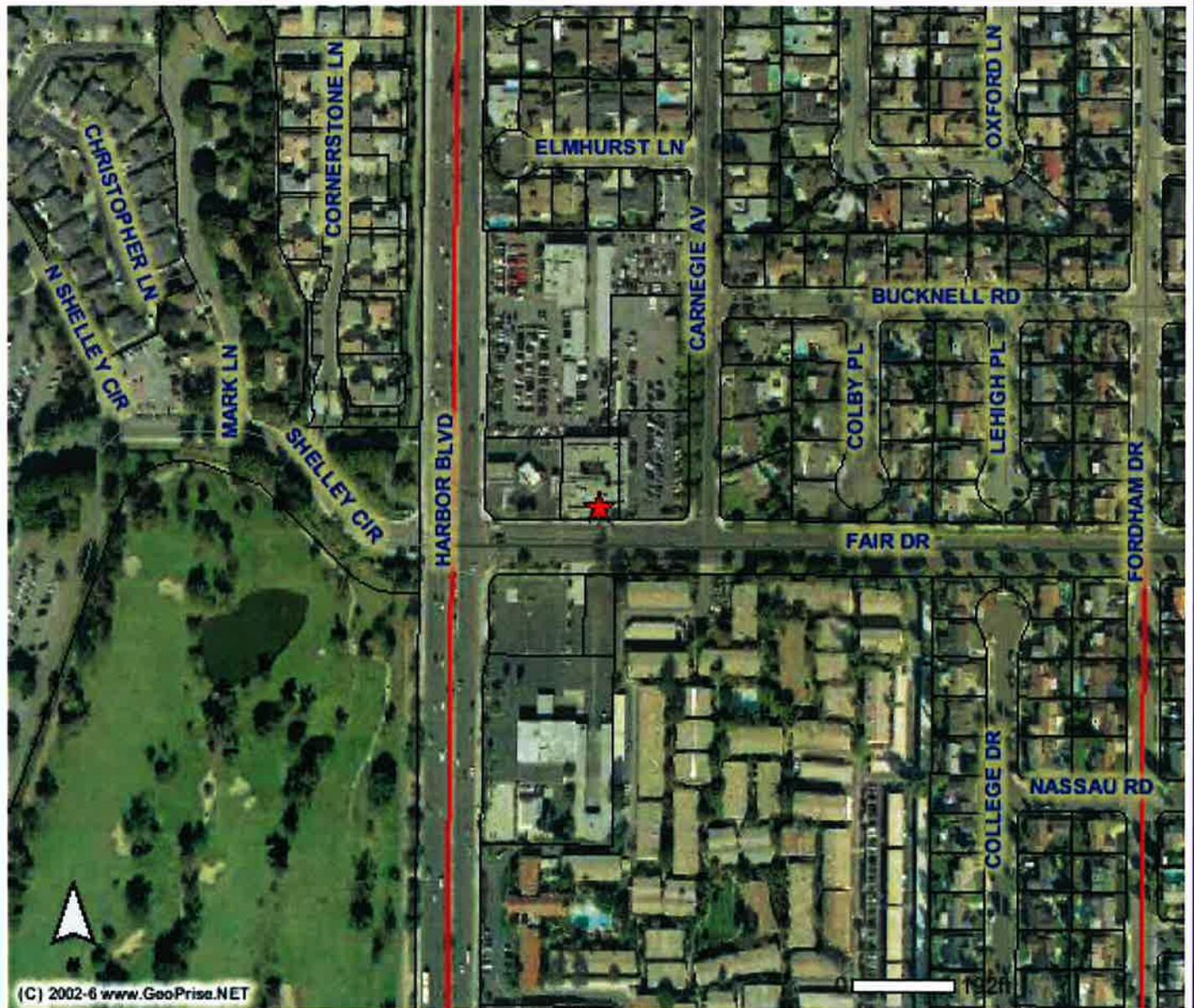
**Overview Map**



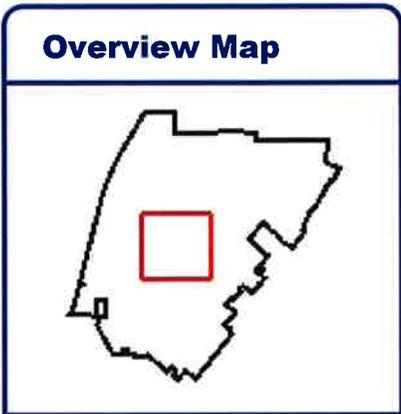
**Legend**

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

**Map Display**

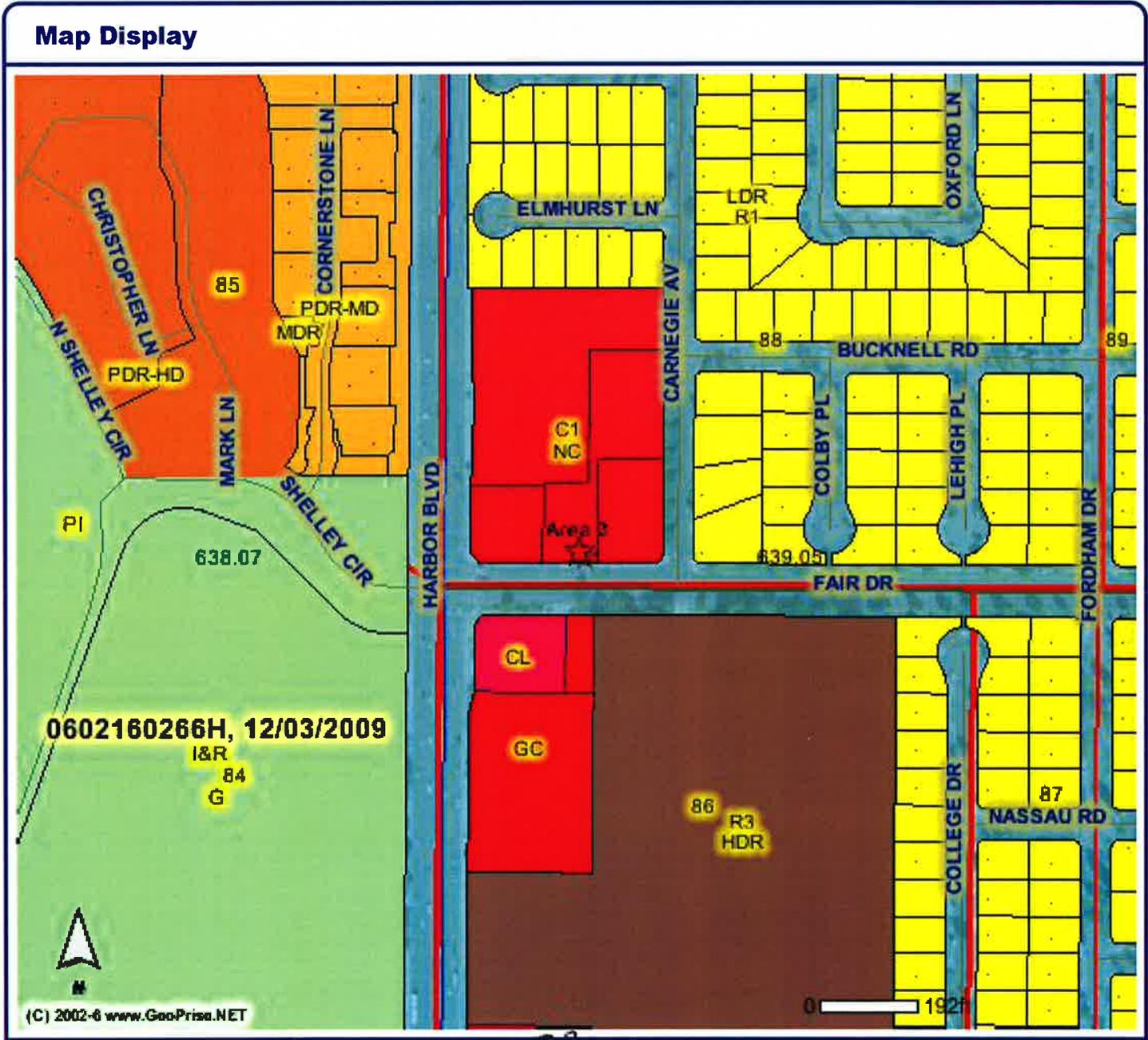


(C) 2002-6 www.GeoPrize.NET

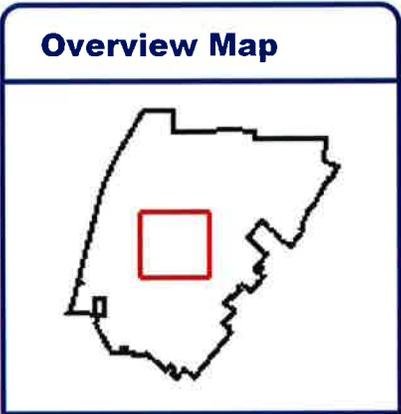


### Legend

Address Points	Newport BLVD Primary	Parcel Lines	C1-S
Freeway	SECONDARY Hydrology Channels	City Boundary	C2
Roads	Water Ways	Zoning	CL
Collector Freeway	AP	C1 (cont)	I&R
Major (cont)	Street Names	P	I&R-S
	Street Centerlines	PDC (cont)	MG
			MP
			PDC (cont)

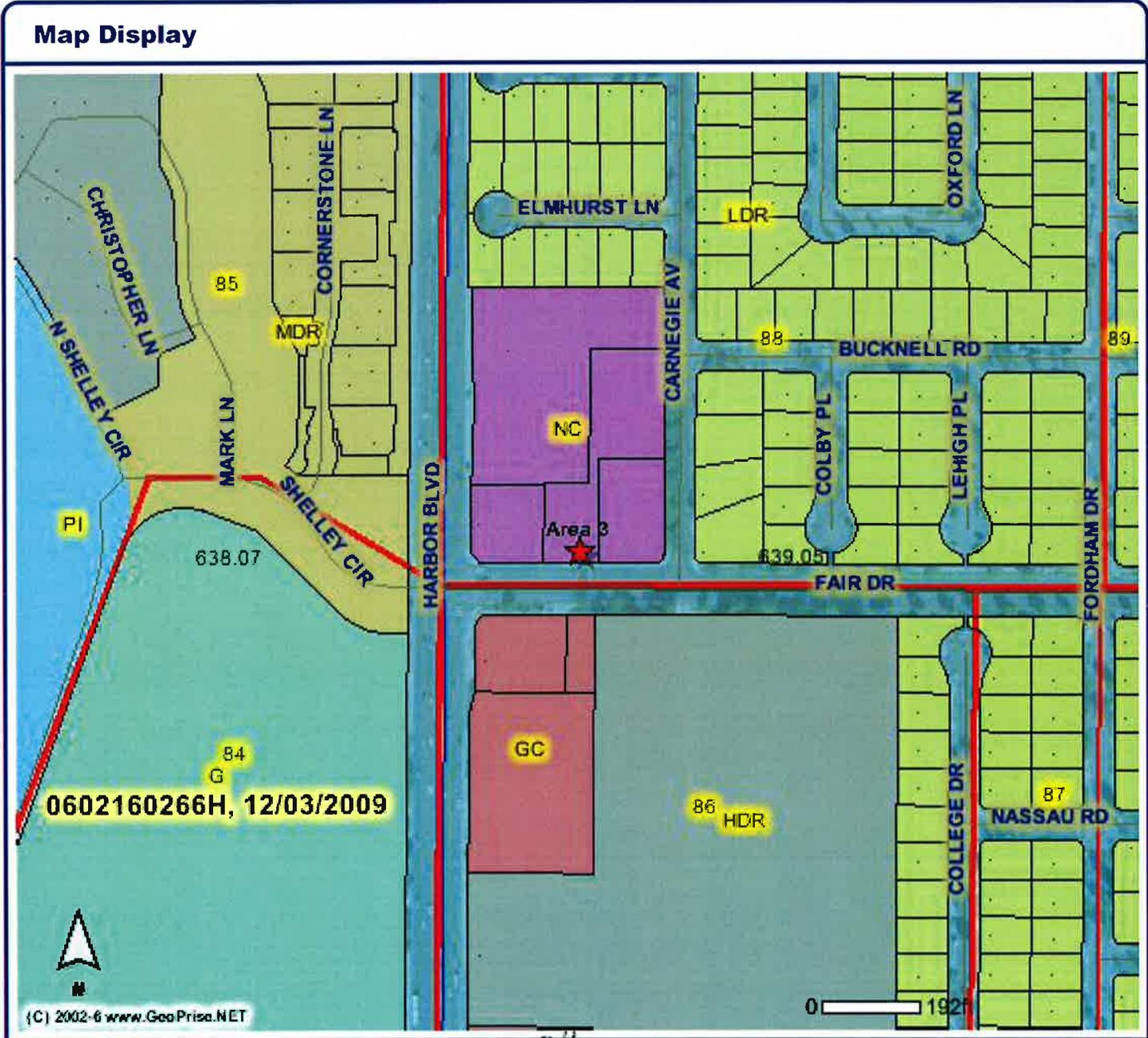


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### Legend

Address Points	Major Newport BLVD	Street Names	Water Ways
Freeway	Primary	Street Centerlines	Census Tracts
Roads	SECONDARY	Parcel Lines	Traffic Analysis Zones
Collector	Hydrology	City Boundary	
Freeway (cont)	Channels		





440 FULCRUM DR  
 33 COSTA MESA  
 57 9-29-16  
 FILE # 163531

420-06

96

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P.M.

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 12-16 175.15'  
 13-58'  
 31-16'  
 0.189 AC.  
 PAR. B  
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 AN-20

216.23'  
 227.46'  
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55

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121

16

9

170

PRINCETON

LANE

LANE

DRIVE

DRIVE

TRAIL

TRACT

NO. 727

NO. 422

NO. 421

NO. 420

NO. 419

NO. 418

NO. 417

NO. 416

NO. 415

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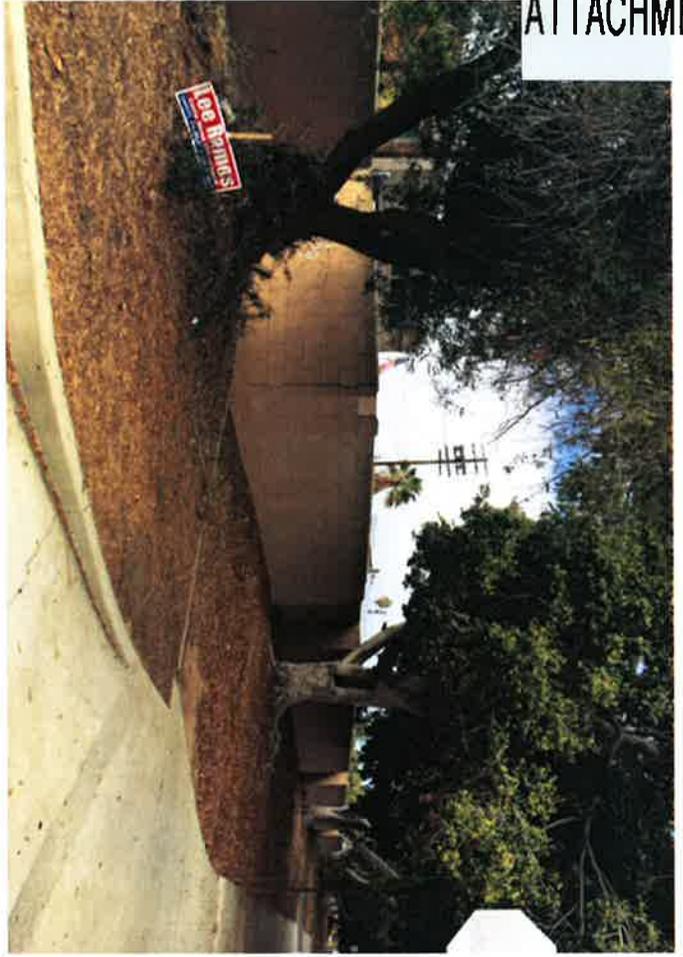
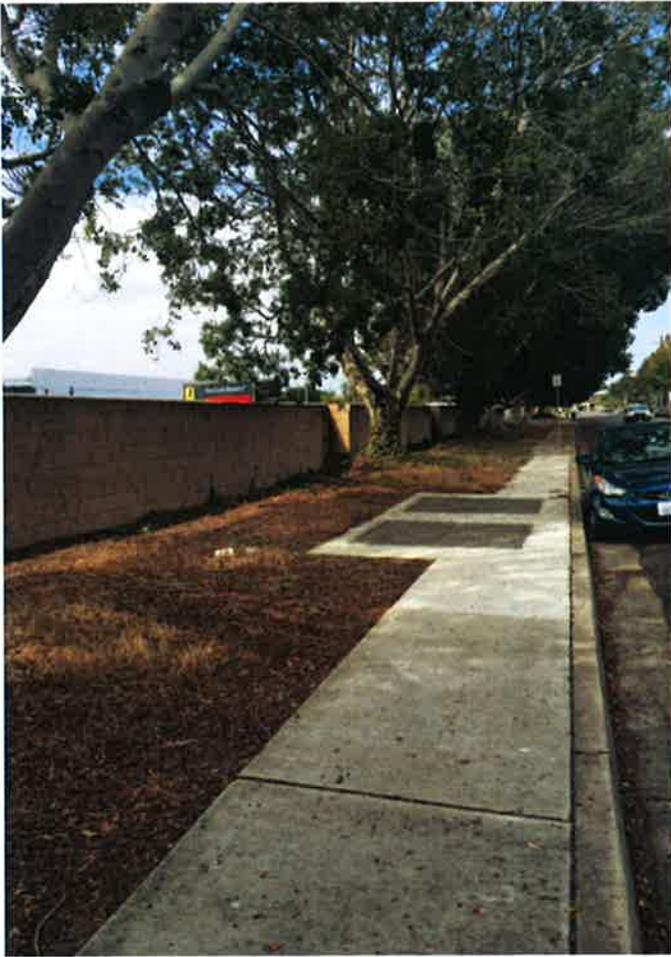
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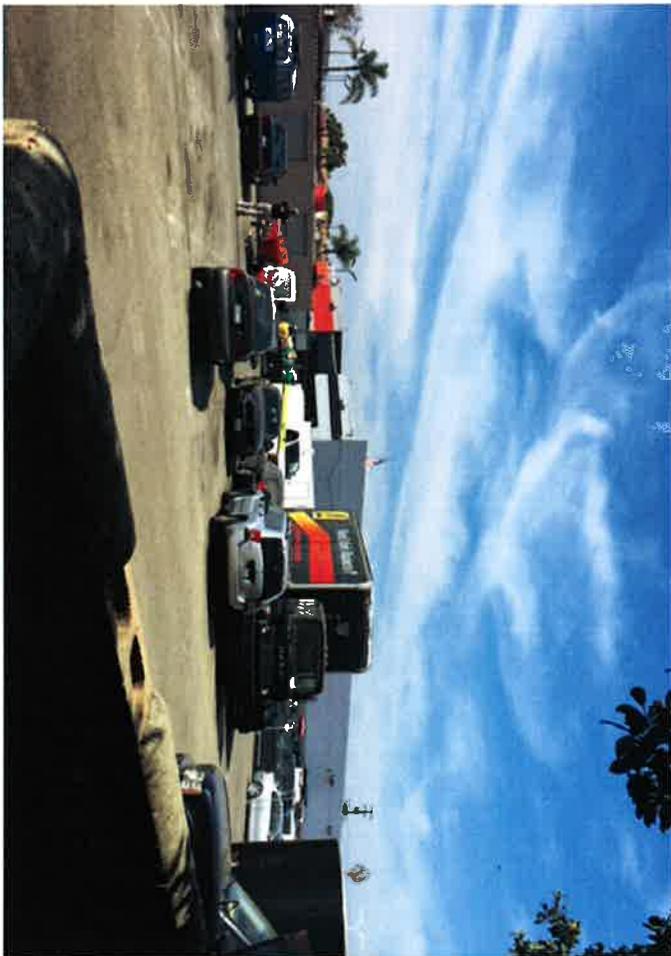
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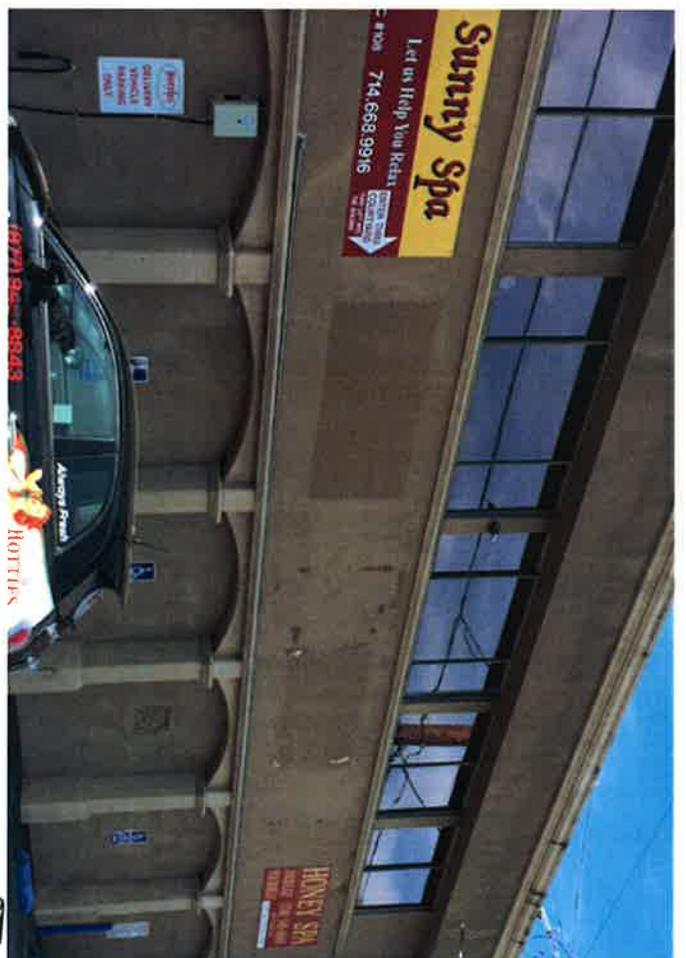
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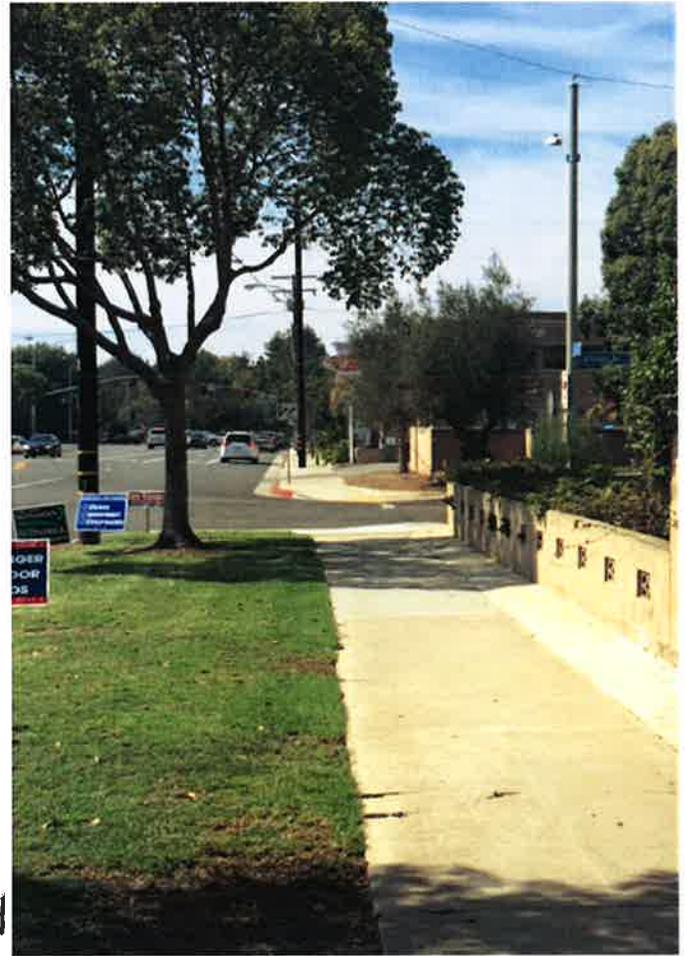












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## PROJECT DESCRIPTION

May 19, 2016

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**Project Name:** Carnegie Avenue

**Project Location:** 440 Fair Drive  
Costa Mesa, CA 92626

**Assessors Parcel  
Number(s):** APN 141-421-23

**Developer:** Sheldon Development, LLC.  
Stephen R. Sheldon, Managing Member  
901 Dove Street, Suite 230  
Newport Beach, CA 92660  
(949) 777-9400

**Entitlements  
Requested:**

The developer is proposing a 28-unit residential development on the site of an existing 72,310 square foot mixed use building. If the General Plan Screening is accepted for processing, the proposal would require approval of the following:

- General Plan Amendment to change the land use designation from Neighborhood Commercial to High Density Residential;
- Rezone to change zoning from C1 (Neighborhood Commercial) to PDR-HD (Planned Development Residential High Density);
- Master plan/site plan; and,
- Tentative Tract Map

**Project Setting:**

The existing property is a 1.66-acre site located at 440 Fair Drive corner of Fair Drive and Carnegie Ave. To the west is the south-west corner of Fair Dr. & Harbor Blvd. Currently, the property is zoned as C1 Neighborhood Commercial. The property is surrounded by existing single-family homes to the east designated as low density residential; an apartment complex to the south designated as high density residential; a car dealership to the south; a gas station with car wash to the west; and a used car dealership and parking lot to the north all designated as commercial. The site is rectangular configuration and is relatively flat (see attached project aerial).

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**Project Description:**

The proposed project submitted involves a General Plan amendment to change the to High Density Residential, which allows up to 20 dwelling units/acre. The site would be rezoned from C1 (Neighborhood Commercial) to a corresponding zoning that would allow up to 20 dwelling units per acre. The 28-unit residential development on the 1.66 acre site results in a density of 16.86 dwelling units per acre. The proposed product type consists of two story detached homes that front on Carnegie with garages in the rear and three story homes that front on Fair Drive and the commercial side of the property with garages in the rear. Other entitlement applications include a tentative tract map and a master plan/site plan.

The developer is proposing to demolish the existing two-story commercial building to accommodate the future, proposed development. The proposal is to construct a total of twenty-eight (28), detached single family homes. Eight (8) units are 2-story units and twenty (20) units are three-story on a portion of a 1.66-acre parcel (72,310 s.f.).

The proposed units are an average of 1,786 and 1,811 square feet in area and include a roof deck (pending) and a two-car garage as follows:

Unity type	Unit Number	Total SF	Garage (SF)	Roof Deck (SF)
3-story - 4 bedroom unit + den (Duplex)	20	1,975 SF	448 SF	362 SF
2-story – 3 bedroom unit + den	8	2,050 SF	439 SF	No roof deck
Total	28			

**Setting**

The project site contains one parcel (APN 141-421-23) is developed with a two-story office building that contains 13,500 square feet of medical office, 600 square feet of storage and 6,650 square feet of office and retail space. The project site has a Neighborhood Commercial land use designation that allows for convenience shopping and service needs of local residents. The current building and the neighboring dealerships have been in place since 1960s.

**Parking / Access**

Access to the site is currently from Fair Drive. The proposed development will eliminate that access and create a new one on Carnegie Avenue; this access is across from low density residential development. No on-street parking opportunity is available to the commerical site; parking on both sides of Carnegie Avenue is resident only parking. The proposed plan provides for a required fire department access on Fair Drive that will be restricted for emergencies. Based on the current mix of office, medical, retail and service uses within the 20,750 SF building, it is anticipated that the new proposal will

reduce the number of average daily trips by approximately 484 trips. A full trip generation analysis including AM and PM peak hours will be required for the general plan amendment.

The proposed project provides a total of 117 parking stalls (a two-car garage and two open parking spaces in driveways); and five open guest parking spaces are provided.

Unit Type	Garage	Tenant / Guest Parking	Required parking	Provided parking
Plan 1	Two-car garage	2 guest stalls	20 Units x 4 Stalls /Unit = 80	2 Car Attached Garage x 20 Units 40 Stalls
Plan 2	Two-car garage	2 guest stalls	8 units x 4 Stalls /Unit = 32 total	2 Car Attached Garage x 8 Units 16 Stalls
Guest	Private Drive Stalls in Driveways			56 Stalls
Guest	Open Guest Spaces			5 Stalls
			<b>Total Required 112</b>	<b>Total Provided 117</b>

### Building Design and Setbacks

The proposed site plan provides 18-20 foot building setbacks along Fair Drive and Carnegie Avenue. The minimum front setback for corner lots is 20 feet on both street frontages in Planned Development zoning districts and the proposal will be subject to approval of a minor modification, administrative adjustment or a variance depending on the provided landscape open space. The site design allows for installation of a perimeter wall along Fair Drive to enclose the private open spaces for those units and mitigate any potential noise from Harbor Boulevard. The units along Carnegie Avenue are designed with front facing yards that are visible and accessible from that street frontage. This configuration allows a good interface with the single family residences on the east side of Carnegie Avenue.

The residential property to the south and east of the project site are two-story and single story structure. Since the single family residences on east side of the Carnegie will be mostly impacted by visual effects of the new development, the units along Carnegie Avenue are designed with two stories. The three-story units are positioned along the commercial properties and Fair Drive frontage.

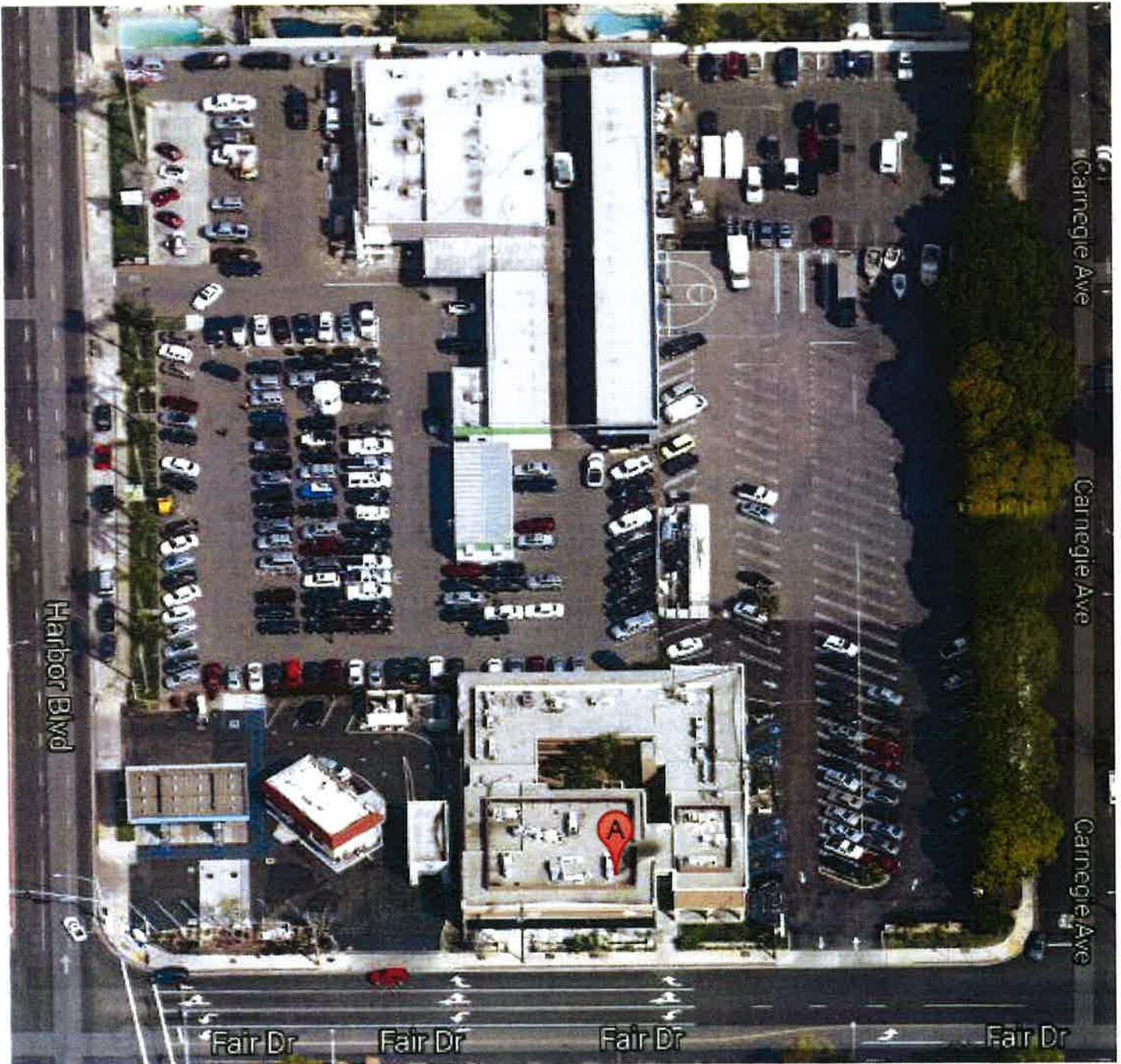
The site is currently bounded by a concrete block wall along Carnegie Avenue and mature Ficus trees (on private property) that will be replaced with other tree species with less-intrusive root system and landscaping complementing the proposed front yards and the building designs.

The following is a list of proposed setbacks in comparison with the development standards of the Planned Development Residential zoning:

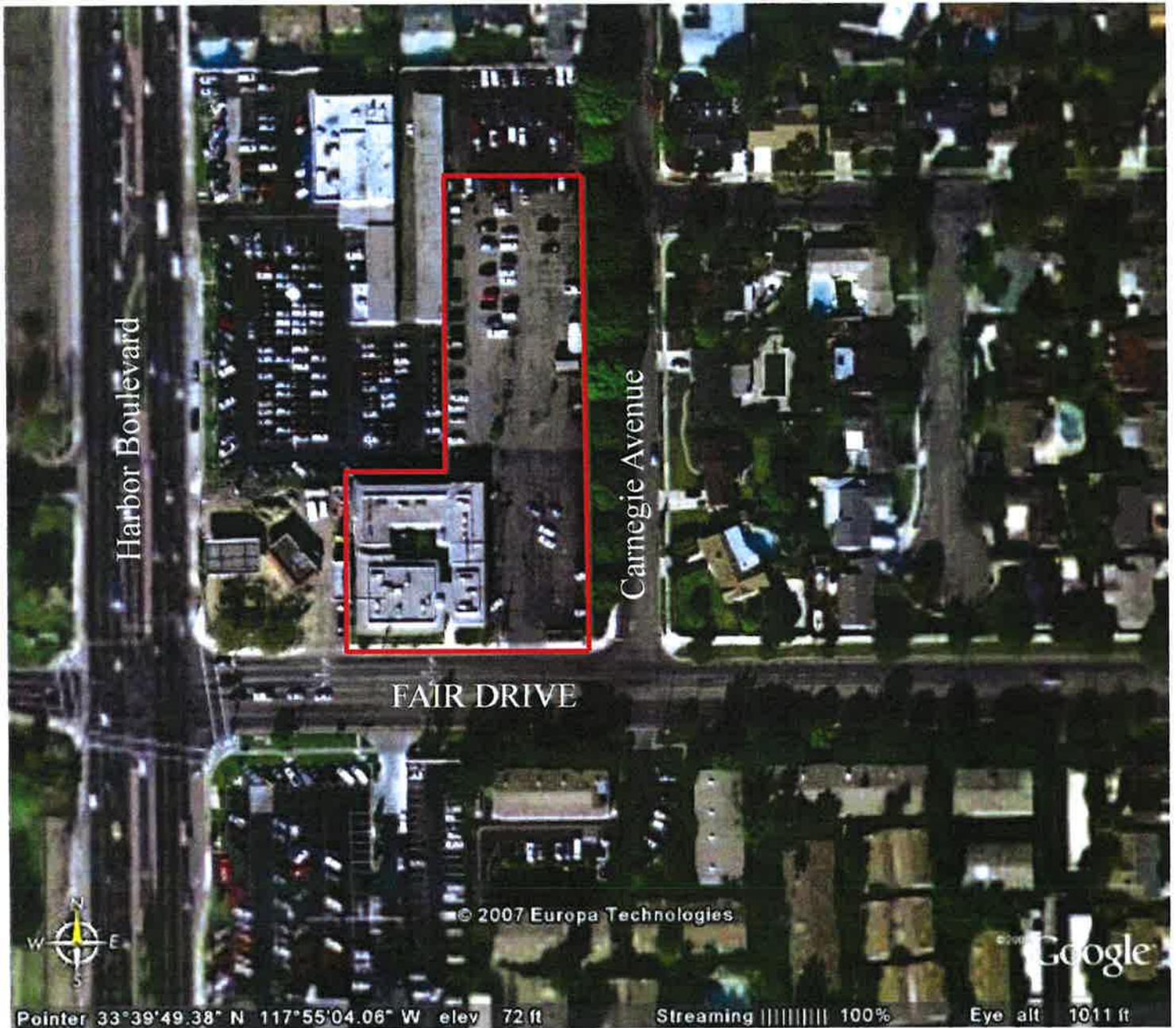
<b>Criteria</b>	<b>PDR-HD requirement</b>	<b>Proposed</b>
Perimeter Open Space	20 feet - along Fair Drive and Carnegie Avenue	18-20 feet on Carnegie Drive- includes front yard hardscape and stoops (1 <sup>st</sup> floor at 18ft) 5-feet on Fair Drive
Open Space	42% inclusive of perimeter open space	38.2% at grade Balconies – 1080 SF Roof Decks – 7,240 SF Total Proposed – 49.7%
Interior Setbacks	N/A	10 ft. and 11 ft. – north 10ft. – 17ft. – west
Max. Height	Four stories	Three-stories and a roof deck Plan 1 – 38 feet Plan 2 - 33 feet
Minimum lot size	1.0 acre	1.66 acre
Maximum density	20 du/acre	17 du/acre
Distance between Buildings	<u>N/A</u>	8 -10 ft.

# 440 Fair

## Harbor Blvd & Fair Drive



**Carnegie Avenue  
440 Fair Drive/2507 Carnegie Avenue**



**Aerial view of subject property**



# 1

Westerly view of subject site, across Carnegie Avenue



# 2

Westerly view of subject site, across Carnegie Avenue



# 3

Westerly view of subject site, across Carnegie Avenue



# 4

Westerly view of subject site, across Carnegie Avenue



View of the existing 6-foot wall on the west of the subject site



Looking south toward Fair Drive on subject site  
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Looking east toward subject property





Looking north across Fair Drive at subject site from existing car dealership

# 440 Fair Drive



View from the corner of Fair Drive and Harbor Boulevard



Looking west at existing commercial building



Property parking at entrance off Harbor Blvd.



Property parking at entrance



Existing High Density Residential across Fair Drive, south of the subject site



Existing car dealership across Fair Drive, south-west of subject site



Looking west at Fair Drive toward the existing gas station



Existing single-family home across Carnegie, east of the subject property



Westerly view of subject site, across Carnegie Avenue



Westerly view of subject site, across Carnegie Avenue

56a



Westerly view of subject site, across Carnegie Avenue



Looking north down Carnegie Avenue (Subject site to west) 57



View of the existing 6-foot wall on the west of the subject site



Looking south toward Fair Drive on subject site  
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Looking east toward subject property



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Looking east toward subject site

# ATTACHMENT 4

## RESOLUTION NO. PC-16-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF COSTA MESA TAKE THE FOLLOWING ACTIONS: (1) ADOPT THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION; (2) ADOPT GENERAL PLAN AMENDMENT GP-16-01 CHANGING THE LAND USE DESIGNATION OF A 1.66-ACRE SITE FROM NEIGHBORHOOD COMMERCIAL (NC) TO HIGH DENSITY RESIDENTIAL (HDR); (3) APPROVE AND GIVE FIRST READING TO REZONE R-16-01 FOR A REZONE OF THE ZONING CLASSIFICATION OF A 1.66-ACRE DEVELOPMENT SITE FROM C1 (LOCAL BUSINESS DISTRICT) TO PDR-HD (PLANNED DEVELOPMENT RESIDENTIAL- HIGH DENSITY); AND (4) APPROVE MASTER PLAN PA-16-46 AND TENTATIVE TRACT MAP FOR CONDOMINIUM PURPOSES FOR THE PROPOSED DEVELOPMENT OF A 28-UNIT RESIDENTIAL COMMON INTEREST DEVELOPMENT PROJECT LOCATED AT 440 FAIR DRIVE.**

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

WHEREAS, the City Council of the City of Costa Mesa adopted the 2015-2035 General Plan on June 21, 2016;

WHEREAS, California Government Code Section 65358(a) authorizes the City Council to amend the General Plan if it deemed to be in the public interest;

WHEREAS, the General Plan is a long-range, comprehensive document that serves as a guide for the orderly development of the City of Costa Mesa;

WHEREAS, by its very nature, the General Plan is subject to update and revision to account for current and future community needs;

WHEREAS, an application was filed by Sheldon Development, LLC, on behalf of owner of real properties located at 440 Fair Drive, requesting approval of the following:

1. **Initial Study/Mitigated Negative Declaration (IS/MND).** Certification of the Initial Study - Mitigated Negative Declaration (IS-MND) for the project.
2. **General Plan Amendment GP-16-01.** Change the land use designation from Neighborhood Commercial to High Density Residential to allow for a maximum density of 20 du/acre.
3. **Rezone R-16-01.** A rezone to change the zoning classification from C1 (Local Business District) to PDR-HD (Planned Development Residential – High Density).

4. **Planning Application PA-16-46.** Master Plan for the 28-unit residential common interest development project with specified deviations from the PDR-HD development standards, including the following:
- i. Variance to allow deviation from required open space requirements (42% required; 36.8% proposed);
  - ii. Variance for encroachment of block walls into required perimeter open space area (20 feet required; 6 feet (Fair Drive) and 4.7 feet (Carnegie Ave) proposed);
  - iii. Variance to allow deviation from required landscaped parkway requirements (10 feet with no dimension less than 5 feet on house side of private street required; 10 feet/3.6 feet proposed);
  - iv. Administrative Adjustment for encroachment of building into required perimeter open space area along Fair Drive (20 feet required; 15 feet proposed).
  - v. Minor Modification for encroachment of building into required perimeter open space area along Carnegie (20 feet required; 18 feet proposed).
  - vi. Deviation from Residential Design Guidelines for multi-story to first floor ratio (100% multi-story to first floor ratio recommended; 150% for 4-story units and 114% for 3-story units proposed).
5. **Tentative Tract Map 18064 for Condominium Purposes:** Tentative Tract Map 18064 for residential subdivision for condominium purposes.

WHEREAS, an amendment to the General Plan Land Use Element is proposed to change the land use designation of the site for the development of the project as described above;

WHEREAS, the General Plan Amendment involves an amendment to the Land Use Map of the City of Costa Mesa (Exhibit 1) and a text amendment to the Land Use Element of the City's General Plan (Exhibit 2);

WHEREAS, the General Plan Amendment approval is pending the adoption of Ordinance No. 16-\_\_\_ for Rezone R-16-01 (Exhibit 3);

WHEREAS, a duly noticed public hearing was held by the Planning Commission on November 14, 2016, with all persons having the opportunity to speak for and against the proposal;

WHEREAS, the Planning Commission recommended to the City Council approval of the abovementioned land use entitlements;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), and Initial Study/Mitigated Negative Declaration (IS/MND) was prepared and circulated, and the required 20-day public review period was specified from October 4, 2016 to October 24, 2016 for public review and comment.

WHEREAS, the final adoption of the Initial Study/Negative Declaration shall be considered by the City Council as the final approval authority, after evaluation of the environmental document and all comments on the IS/MND received during the public review period;

WHEREAS, written comments received from the general public, government entities, and other interested parties were responded to, where appropriate, in the manner prescribed in California Code of Regulations Section 15073;

WHEREAS, no significant new information has been added to the Initial Study/Mitigated Negative Declaration and no changes to the proposed project have occurred which would require recirculation of the Initial Study/Mitigated Negative Declaration under CEQA Guidelines Section 15073.5;

WHEREAS, the Planning Commission has reviewed the environmental documentation comprising the Initial Study/Mitigated Negative Declaration and has found that the Initial Study/Mitigated Negative Declaration considers all environmental impacts of the proposed project and a reasonable range of alternatives, and the Initial Study/Mitigated Negative Declaration is complete, adequate, and fully complies with all requirements of CEQA, the CEQA Guidelines, and the City of Costa Mesa Environmental Guidelines;

WHEREAS, the Initial Study/Mitigated Negative Declaration (IS/MND) was prepared and identified potentially significant impacts related to noise;

WHEREAS, the IS/MND identified appropriate measures that will mitigate the identified impacts to a level that is less than significant;

WHEREAS the Planning Commission hereby recommends that the City Council find that proposed residential project will not have a significant negative impact on the environment with the incorporation of the mitigation measures identified in the IS/MND;

WHEREAS, the Planning Commission has found that the Initial Study/Negative Declaration 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, the conditions of approval contained in Exhibit B and Exhibit B1, the Planning Commission hereby **RECOMMENDS THAT CITY COUNCIL** take the following actions:

- (1) **ADOPT** the Initial Study/Mitigated Negative Declaration;
- (2) **ADOPT** General Plan Amendment GP-16-01, as shown in Exhibit 1 and Exhibit 2;
- (3) **GIVE FIRST READING** to Rezone R-16-01, as shown in Exhibit 3;
- (4) **APPROVE** Master Plan PA-16-46 and Tentative Tract Map 18064 for Condominium Purposes,

BE IT FURTHER RESOLVED that the 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 General Plan Amendment GP-16-01 and Rezone R-16-01, and upon the applicant's compliance with each and all of the conditions in Exhibit B and Exhibit B1, and compliance of all applicable federal, state, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval and/or mitigation measures.

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

**PASSED AND ADOPTED this 14th day of November, 2016.**

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

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## EXHIBIT A

### FINDINGS

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

**Finding:** A compatible and harmonious relationship exists between the proposed use and existing buildings, site development, and uses that exist or have been approved for the general neighborhoods.

**Facts in Support of Findings:** With implementation of the mitigation measures identified in the IS/MND for the proposed project, all potentially significant environmental impacts have been reduced to less than significant levels. With the implementation of the recommended conditions of approval, the proposed project will be compatible and harmonious with uses that exist within the general neighborhood. The project features quality construction and materials. The proposed parking is adequate to meet the demand for this project.

**Finding:** Safety and compatibility of the design of the parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.

**Facts in Support of Findings:** The proposed on-site parking will be sufficient to accommodate the proposed mix of units within this project. The project will provide adequate sight distance for vehicles at all project drive approaches. A surplus of parking will be provided throughout the project. Prior to issuance of building permits, the project shall submit a Lighting Plan and Photometric Study. The project has been conditioned to comply with these conditions; as a result, the safety and compatibility of the project has been insured.

**Finding:** The use is consistent with the General Plan.

**Facts in Support of Findings:** The project proposes 28 dwelling units; the existing General Plan and zoning designations would allow up to 33 dwelling units. Therefore, the proposed project is consistent with the General Plan.

**Finding:** The cumulative effect of all the planning applications have been considered.

**Facts in Support of Findings:** The cumulative effects of General Plan Amendment GP-16-01, Rezone R-16-01, and Master Plan PA-16-46 have all been considered. The project required the preparation of an Initial Study/Mitigated Negative Declaration, which discovered potential noise impacts. As a result, the IS/MND provides mitigation measures to reduce exterior noise levels for this project. Otherwise, no significant impacts were identified.

- B. The proposed project complies with Costa Mesa Municipal Code Section 13-29(g)(11) because:

**Finding:** The proposed rezone is consistent with the Zoning Code and the General Plan.

**Facts in Support of Findings:** On October 6, 2015, City Council approved General Plan screening GPS-14-04, which requested to amend the land use designation from Neighborhood Commercial to High Density Residential to accommodate a proposed 28-unit residential development at 440 Fair Drive. The HDR General Plan land use designation allows maximum density of 20 dwelling units per acre. The applicant is seeking a rezone to PDR-HD zone, which is consistent with the HDR land use and allows a density of up to 20 dwelling units per acre. The proposed density of the project is 16.25 du/acre, which is slightly less than permitted under HDR land use. Per Sec. 13-59 of Zoning Code, density increments up to maximum shown in Table 13-58 may be approved in order to provide an incentive for design excellence. The project is requesting 4.25 more dwelling units per acre above medium density's 12 du/acre. Incentives provided include: 1) location within ¼ mile of public transit along Harbor Blvd; 2) distinctive high quality design and architecture; and 3) removal of an older marginal commercial building. The project is also consistent with many of the goals, policies, and objectives set forth in the General Plan Update adopted in 2016. According to the IS/MND, it is anticipated that the new proposal will reduce the number of average daily trips by approximately 484 trips compared to the current mix of office, medical, retail and service uses within the existing 20,750 square-foot building. The City of Costa Mesa considers a significant traffic impact when project-generated trips causes the peak hour level of service of the study intersection to change from acceptable operation (Level of Service A, B, C, or D) to deficient operation (LOS E or F). Currently the Harbor Boulevard/Fair Drive intersection is operating at LOS A during the a.m. peak hour, and LOS C during p.m. peak hour. In addition, the Carnegie Avenue/Fair Drive intersection is operating at LOS B during the a.m. peak hour, and LOS C during p.m. peak hour. With the proposed project, these level of service are forecasted to continue at these levels during both peak hours.

- C. The proposed project complies with Costa Mesa Municipal Code Section 13-29 (g)(5):

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

**Facts in Support of Findings:** The Master Plan application is for the proposed development of 28-unit residential common interest development with two plan types, including 20 four-story units (Plan 1) and eight three-story units (Plan 2), 117 parking spaces throughout the site, and enhanced landscaping. With regard to the master plan, the following is noted:

lcl

The project features quality construction and materials. The overall architectural design promotes excellence and compatibility. The project includes a contemporary architecture style for the two Plan types. Plan 1 units are four-story attached structures designed with articulating roofs, including combination of gable and hipped roofs; combination of wall treatments, including stucco, shingle siding, board and batten siding, and stone veneer; decorative window treatments; and concrete tile roofing. Each unit provides for a second-story balcony and roof decks. Plan 2 units are three-story detached structures also designed with articulating roofs, including combination of gable and hipped roofs; combination of wall treatments, including stucco, shingle siding, board and batten siding, and stone veneer; decorative window treatments; and concrete tile roofing. Plan 2 units also provide a third story den.

Enhanced architectural treatments, including window treatments and combination of materials are proposed to provide visual interest along the public right-of-ways. The developer will also be required to build a minimum 5-foot high block wall along Fair Drive to mitigate noise issues. In addition, enhanced landscaping will be located along the perimeter open space, and the units along Carnegie Avenue will include private courtyards and entryways.

The project meets the purpose and intent of the Residential Design Guidelines, which are intended to promote design excellence in new residential construction, with the exception to the second-story design standards (second story shall not exceed 100% of first story). This master plan includes preservation of overall open space, landscaping, appearance, mass and scale of structures, location of windows, varied roof forms and roof plan breaks, and any other applicable design features. Both plan types exceed the second floor to first floor ratio requirement, as the footprint of the second floor is larger than the first floor (149% for Plan One and 114% for Plan Two). For Plan One, the 149% second floor to first floor ratio is to accommodate a carport. For Plan Two, the 114% second floor to first floor ratio is to provide articulation and to create a more prominent front façade and less prominent garage. Although the second floor to first floor ratio exceed design guidelines, the buildings enhanced features, articulation, and unique design meets the intent of the guidelines. The visual prominence associated with the construction of the units has been reduced through appropriate transitions between the first and second floors. The building elevations incorporate variation in surface planes to create interest and visual relief from off-site. Architectural elements include stucco with accents, horizontal lap siding, and board and batten. Roof materials include concrete tile. The eight detached units include a front entry porch that will enhance the front elevations and views from Carnegie Avenue.

The landscape concept plan is consistent with the City's standards. The proposed project includes landscaping within the setbacks abutting the public right-of-ways (Carnegie Avenue and Fair Drive), within the private open space areas, and along the driveway and parking areas for each unit. The concept

plan shows large trees along the perimeter of the development lot along Fair Drive and Carnegie Avenue. Street trees in the landscape parkway will be consistent with requirements of Appendix D of the Streetscape and Median Development Standards and appropriately sized and spaced. In addition, drought-tolerant shrubs and groundcover will be located along Fair Drive and Carnegie Avenue, and along the front portion of each unit to provide softening and interest. The enhanced private street entryway along Carnegie Avenue also includes a sign feature into the development site.

The proposed project meets the parking requirements per the Zoning Code.

The project proposes a new 5-level parking structure for 503 covered parking spaces. The parking structure provides for subterranean parking for a portion of guest spaces, and includes privacy gates for added security. The 5-level structure will be wrapped around on three sides (excluding south elevation) by the proposed apartment building, and a welded wire mesh grid system that supports the growth of landscape vines, and woven metal wire cloth will be used for screening the 5-level parking structure.

The project will provide on-site parking spaces exceeding the current parking standards (107 required; 117 spaces proposed).

To comply with the parking standards, the project will require a total of 107 parking spaces total (4 spaces per unit for eight detached 3 bedroom units; 3.75 spaces per unit for twenty attached four-bedroom units with carports), which includes the 14 open guest parking spaces at a rate of 0.5 per unit. The proposed project meets the overall parking requirement due to the two-car garages provided for each unit and open driveway parking (56 enclosed garage spaces, 56 open spaces along each driveway); however, only five exclusive guest spaces are provided within the development lot. Although the number of guest open spaces is deficient by nine spaces, overall the proposed project provides ten additional parking spaces than required.

The project has been designed to be compatible with the surrounding uses in the area and future apartment tenants will be notified of the existing uses in the vicinity of this project.

The project has been designed as a self-contained residential community. The project includes a contemporary architecture style for the two Plan types. The overall architectural design promotes excellence and compatibility with the surrounding area.

- D. The proposed project complies with Costa Mesa Municipal Code Section 13-29(g)(1) because:

Variance

**Finding:** Because of special circumstances applicable to the property, the strict application of development standards deprives such property of privileges enjoyed by others in the vicinity under identical zoning classifications.

**Finding:** The deviation granted shall be subject to such conditions as will assure

that the deviation authorized shall not constitute a grant of special privileges inconsistent with the limitation upon other properties in the vicinity and zone in which the property is situated.

a&b) **Facts in Support of Finding:** The strict application of development standards deprives the property of privileges enjoyed by others in the vicinity and does not constitute a grant of special privileges. According to the PDR-HD standards, 42% minimum open space, or 30,370 square feet, would be required for open space, which includes areas not occupied by buildings, structures, parking driveways or streets. The project's overall open space at ground level is 36.8 percent (42% required). These open space areas include private courtyards for the eight detached units, and private backyards for the 20 attached duplex units. The project also proposes roof decks for the 20 attached four-story units to address the shortfall. With these roof decks, the overall open space will be raised to 46.9 percent. The Planned Development Residential open space criteria generally does not allow roof decks to be counted toward open space if units provide ground floor access, unless, "where for other reasons, the Planning Commission finds that the provision of all or part of the required open space is impractical or undesirable. In such cases, each dwelling unit above the first floor shall be provided with patio or deck area of not less than 100 square feet". Each of the 20 duplex units propose a 362 square-foot roof deck, which exceeds the 100 square foot requirement. Many similar product types found throughout the City (i.e. multi-level live/work units in Urban Plans), are permitted to use roof decks as open space. Therefore, staff recommends allowance of deck space to be counted toward open space.

The Code requires open space for Planned Development Residential be land areas that are not occupied by buildings, structures, parking areas, driveways, streets or alleys. The perimeter open space areas along Fair Drive and Carnegie Avenue includes walls and stoops, which are considered structures. As such, the project requests a variance to allow these features within the perimeter open space areas. The Initial Study/Mitigated Negative Declaration includes mitigation measures requiring a minimum 5.0-foot high solid wall on the south side of the proposed private backyards for Units 8 through 13 to address noise issues. The project proposes enhanced landscaping between the sidewalk and walls along Fair Drive to soften the appearance. Currently, existing walls along north side of Fair Drive have walls adjacent to the sidewalk with no landscape buffer. As such, the proposed walls are similar and are an improvement to existing conditions seen along Fair Drive.

Regarding the stoops along Carnegie, the proposed stoops include combination four-foot retaining wall and three-foot open decorative fencing. The stoops provide private courtyards along the entryway of Units 1 through Unit 8. This design follows the Residential Guidelines, which recommend elevations to incorporate multiple building planes and offsets, including porches. These walls are buffered by landscaping to help soften the

appearance along Carnegies.

Code requires landscaped parkways with a combined width of 10 feet, but not less than 3 feet on one side; the parkway on the house side of private streets shall be minimum of 5 feet in width. The project proposes a landscaped parkway of 3.5 feet along the eight detached homes instead of the required 5 feet. The project, however, does provide for 19 feet of landscaping and hardscape along the private driveways of each attached unit. As such, more than 10 feet of combined parkway is proposed along the private streets. It should be noted that these parkways are only visible within the project site. The private street entrance off of Carnegie Avenue into the project site provides for a 20-foot combined parkway, with no width less than 10 feet. This parkway will be heavily landscaped with a column entry sign to provide for interest and relief. With these enhanced features, staff supports a variance to allow a 5-foot minimum parkway along the front of the detached units.

**Finding:** The granting of the deviation will not allow a use, density, or intensity which is not in accordance with the general plan designation and any applicable specific plan for the property.

- c) **Facts in Support of Finding:** The granting of the variances for the open space and landscaped parkway requirements 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 variances 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.

#### Administrative Adjustment

**Finding:** Because of special circumstances applicable to the property, the strict application of development standards deprives such property of privileges enjoyed by others in the vicinity under identical zoning classifications.

**Finding:** The deviation granted shall be subject to such conditions as will assure that the deviation authorized shall not constitute a grant of special privileges inconsistent with the limitation upon other properties in the vicinity and zone in which the property is situated.

- a&b) **Facts in Support of Finding:** Administrative adjustment for encroachment of building into required perimeter open space area along Fair Drive would be justified by the fact that the strict application of the development standard deprives the property of privileges enjoyed by others in the vicinity and does

not grant special privileges enjoyed by others in the vicinity (20 feet required; 15 feet proposed). The Code requires a 20-foot perimeter open space for Planned Development Residential zones. This includes land areas that are not occupied by buildings, structures, parking areas, driveways, streets or alleys. The project proposes buildings to be between 15 feet (Unit 8) and 16 feet (Units 9-13) from the front property line along Fair Drive. A 5-foot high wall is also proposed, through a variance request, which would be built six-feet from the front property line along Fair Drive; this is required per the mitigation measures highlighted in the Initial Study/Mitigated Negative Declaration. Enhanced landscaping will occur between the sidewalk and walls along Fair Drive to soften the appearance. Currently, residential units along north side of Fair Drive, east of Carnegie Avenue, have walls adjacent to the sidewalk with no landscape buffer; in addition, many of these residences are less than 10 feet from the ultimate right-of-way, as indicated in the photo below. As such, the proposed project would be considered an improvement to existing conditions as the increased building and wall setbacks, and enhanced landscaping, would improve existing conditions seen along the north side of Fair Drive. In addition, increasing the setback along Fair Drive would cause changes to the site plan which are not preferred, including causing a possible reduction of open guest parking along then north side of the east-west private street, and reducing the rear setbacks of the units along the north property line. As such, the administrative adjustment request is justified and is not considered granting special privilege.

**Finding:** The granting of the deviation will not allow a use, density, or intensity which is not in accordance with the general plan designation and any applicable specific plan for the property.

c) **Facts in Support of Finding:** 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 (33 units allowed; 28 units proposed). The project proposes a general plan amendment from Neighborhood Commercial to High Density Residential, which would allow up to 20 units per acre. The project site is 1.66 acres and, therefore, would allow for a maximum of 33 units. The request to allow encroachment into the front setback for the buildings does not increase the density or intensity of the common interest development, as the proposed development requests only 16.25 dwelling units per acre. Requiring the 20-foot setback may require a complete redesign of the project that would possibly reduce open guest parking and rear setbacks for units along the north property line. The project does propose enhanced landscaping along Fair Drive, which will be an improvement to the existing conditions. This will provide visual enhancement for surrounding neighbors. As such, granting the deviation will not allow a use, density, or intensity which is not in accordance with the general plan designation for the property.

E. The proposed project complies with Costa Mesa Municipal Code Section 13-29(g)(6) because:

**Finding:** The improvement will not be detrimental to the health, safety and general welfare of persons residing or working within the immediate vicinity of the project or to property and improvements within the neighborhood.

**Facts in Support of Finding:** Minor Modification for encroachment of building into required perimeter open space area along Carnegie Avenue would be justified by the fact that improvement will not be detrimental to the health, safety and general welfare of persons residing or working within the immediate vicinity of the project or to property and improvements within the neighborhood (20 feet required; 18 feet proposed). The Code requires a 20-foot perimeter open space for Planned Development Residential zones. This includes land areas that are not occupied by buildings, structures, parking areas, driveways, streets, or alleys. The project proposes a portion of the detached residential buildings to be 18 feet from the side property line along Carnegie Avenue; however, a portion of each building's façade will remain behind the 20-foot setback. This configuration provides offsets and a horizontal plane break in the building's façades to enhance variety and interest. A combination four-foot block retaining wall with three-foot open fence is also proposed within the 20-foot setback through a variance request, which will allow for a private courtyard area along each unit facing Carnegie Avenue. Enhanced landscaping will occur between the sidewalk and private courtyards along Carnegie Avenue to soften the appearance. As shown in the exhibits below, the 18-foot setback will not encroach into the required 35-foot visibility triangle along the corner of Fair Drive and Carnegie Avenue, nor will it affect the 10-foot visibility triangle at the driveway entrance to the project site. As such, allowing the buildings to encroach two-feet into the required 20-foot setback would not be detrimental to the health, safety, and general welfare of persons residing or working within the immediate vicinity of the project.

**Finding:** The improvement is compatible and enhances the architecture and design of the existing and anticipated development in the vicinity. This includes the site planning, land coverage, landscaping, appearance, scale of structures, open space and any other applicable features relative to a compatible and attractive development.

**Facts in Support of Finding:** Minor Modification for encroachment of building into required perimeter open space area along Carnegie Avenue would be justified by the fact that is compatible and enhances the architecture and design of the existing and anticipated development in the vicinity (20 feet required; 18 feet proposed). As discussed, the project proposes a portion of the detached unit's façade to be 18 feet from the side property line along Carnegie Avenue. A portion of each building's façade will remain behind the 20-foot setback. A combination four-foot block retaining wall with three-foot open fence is also proposed within the 20-foot setback (through a variance request) to allow for a private courtyard area along each unit facing Carnegie Avenue. This courtyard will provide for an enhanced entryway and provide an area for residents to congregate within the front

yards. Also enhanced landscaping will occur between the sidewalk and private courtyards along Carnegie Avenue to soften the appearance. The architecture, building layout, courtyards and landscaping are a unique design that will provide interest for pedestrians strolling along Carnegie Avenue. Currently, the site is developed with a sidewalk, overgrown landscaping, and a six-foot wall behind the property line. As such, the proposed project will enhance the neighborhood. Finally, increasing the setback along Carnegie Avenue would cause changes to the site plan which are not preferred, including causing a possible reduction of open guest parking along then north side of the east-west private street, and reducing the side setbacks of the units along the west property line.

- F. 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 Objectives adequate infrastructure exists to serve the proposed project; the project promotes homeownership opportunities to improve the balance between renter and owner occupied housing in the City; and the project would not result in the loss of any habitat, or require extensive infrastructure improvements to provide service to the site. The project design complies with development standards for residential common interest developments, however the project is requesting a variance from open space requirements, and an administrative adjustment and minor modification from building setback requirements.

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

**Facts in Support of Finding:** The project proposes residential uses on the property. The project has a density of 16.25 units per acre, consistent with the General Plan designation of High Density Residential, which allows 20 dwelling units per acre.

**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 City of Costa Mesa prepared an Initial Study/Mitigated Negative Declaration (Final IS/MND), which was conducted pursuant to the requirements of the California Environmental Quality Act (CEQA). With implementation of the mitigation measures identified in the Final Mitigated Negative Declaration for the proposed project, all potentially significant impacts have been reduced to less than significant levels. The

project complies with the maximum allowed density for the site and provides adequate open space, parking and setbacks from adjacent properties.

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

**Facts in Support of Finding:** The project provides private open space areas under partial roof canopies and incorporates landscaping, such as trees, to ensure natural and passive heating and cooling from the sun exposure. Approximately 70% of the units are designed in a north-south position allowing for narrow portion of homes along the southern elevation to minimize sun exposure. The project also provides private open space areas under entry canopies.

**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. Per the Public Services Division, the project will require easements along the front property line abutting Fair Drive right-of-ways for a future bike path. The project will also require undergrounding of existing utility poles along the frontage and within the property.

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

**Facts in Support of 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.

- G. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City's environmental procedures. An Initial Study/Mitigated Negative Declaration was prepared for the proposed project, pursuant to the California Environmental Quality Act. Although the proposed project could have a significant effect on the environment, mitigation measures have been included as conditions of approval that reduce impacts to the fullest extent reasonable and practicable.
- H. Mitigation Measures from the Final IS/MND have been included as conditions of approval. If any of these conditions are removed, the Planning Commission must make a finding that the project will not result in significant environmental impacts, that the condition(s) are within the responsibility and jurisdiction of another public agency, or that specific economic, social, or other considerations make the mitigation measures infeasible.

- I. 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 date of the Final Master Plan PA-16-46 shall coincide with the expiration date of the tentative tract map for condominium purposes, which is valid for two years. An extension request is required to be approved by the Planning Commission to extend the expiration for each additional year.
  2. Final Master Plan PA-16-46/TT-18064 shall comply with the conditions of approval, code requirements, special district requirements, and mitigation measures of the IS/MND for this project. Mitigation measures from the IS/MND for this project have been included below. If any of these conditions are removed, the City Council must make a finding that the project will not result in significant environmental impacts, that the conditions are within the responsibility of another public agency, or that specific economic, social, or other considerations make the mitigation measures infeasible.
  3. The conditions of approval including Mitigation Measures incorporated by reference in these Conditions of Approval, code requirements, and special district requirements of PA-16-46 shall be blueprinted on the face of the site plan as part of the building plan check submittal package.
  4. Prior to issuance of building permits, applicant shall provide a Buyer's Notice for review/approval to the Development Services Director. It will serve as written notice of the then-existing noise environment and commercial operations of neighboring properties. Buyers must sign a disclosure to acknowledge that they have read and understand the existing land use conditions. The disclosure notice shall be kept on file by the developer and shall be approved in form and substance by the City Attorney's office.
  5. A residential parking management plan shall be submitted to the Development Services Director and the Transportation Services Manager prior to issuance of first certificate of occupancy. The parking management plan shall denote the following:
    - a. Method of allocation of assigned parking, as applicable.
    - b. Location of visitor parking, including appropriate signage.
    - c. Location of security gates, if any, and how gates will be operated.
    - d. Provide proof of a contract with a towing service to enforce the parking regulations if parking problems arise.
  6. No modification(s) of the approved building elevations including, but not limited to, changes that increase the building height, removal of building articulation, or a change of the finish material(s), shall be made during construction without prior Planning Division written approval. Failure to obtain prior Planning Division approval of the modification could result in the requirement of the applicant to (re)process the modification through a discretionary review process, or in the requirement to modify the construction to reflect the approved plans.
  7. 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.

8. The developer shall contact the Planning Division to arrange a Planning inspection of the site prior to the release of occupancy. This inspection is to confirm that the Planning Division conditions of approval and code requirements have been satisfied.
9. Prior to issuance of Certificate of Occupancy (C of O) the applicant shall provide a scaled and dimensioned digital site plan(s) for the project site, on either a CD or thumb drive, to the Planning Division. All site plans shall include an accurate and precise drawing of all building footprints and property line locations for the entire project site. All buildings shall be annotated with its corresponding address and suites if applicable.
10. 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.
11. The project shall incorporate green building design and construction techniques where feasible; CAL Green Code or higher as determined by applicant. The applicant may contact the Building Safety Division at (714) 754-5273 for additional information.
12. No exterior roof access ladders, roof drain scuppers, or roof drain downspouts are permitted. This condition relates to visually prominent features of scuppers or downspouts that not only detract from the architecture but may be spilling water from overhead without an integrated gutter system which would typically channel the rainwater from the scupper/downspout to the ground. An integrated downspout/gutter system which is painted to match the building would comply with the condition. This condition shall be completed under the direction of the Planning Division.
13. All proposed signage must conform to residential sign regulations per Zoning Code.
14. Demolition permits for existing structures shall be obtained and all work and inspections completed prior to final building inspections. Developer is notified that written notice to the Air Quality Management District may be required ten (10) days prior to demolition.
15. The private, interior fences between the proposed home shall be a minimum of 6 feet in height. 77

16. Developer shall submit a detailed Landscape Plan for the public and private open spaces, for review and approval by the Development Services Department, prior to any construction landscape improvements. The plan shall include all decorative hardscape and landscape improvements as shown on the conceptual plans to provide visual relief for the project from the street. Final materials shall be subject to approval by the Planning Division.

Perimeter landscaping shall be planted with trees and vegetation. The landscape plan shall be approved prior to issuance of building permits and shall contain additional 24-inch box trees above the minimum Code requirements to the satisfaction of the Development Services Director. Compliance with this requirement may include upgrading smaller sized trees to 24-inch box trees or providing additional 24-inch box trees. Existing mature trees shall be retained wherever possible. Should it be necessary to remove existing trees, the applicant shall submit a written request and justification to the Planning Division. A report from a California licensed arborist may be required as part of the justification. Replacement trees shall be of a size consistent with trees to be removed and may be required on a 1:1 basis, unless otherwise approved by the Planning Division. This requirement shall be completed under the direction of the Planning Division.

17. Street trees in the landscape parkway shall be selected from Appendix D of the Streetscape and Median Development Standards and appropriately sized and spaced (e.g. 15-gallon size planted at 30' on centers), or as determined by the Development Services Director once the determination of parkway size is made. The final landscape concept plan shall indicate the design and material of these areas, and the landscape/hardscape plan shall be approved by the Planning Division prior to issuance of building permits.
18. Developer shall provide to add "Keep Clear" marking on Fair Drive at Carnegie Avenue.
19. To avoid an alley-like appearance, the private street shall not be entirely paved with asphalt nor be developed with a center concrete swale. The private street shall be complemented by stamped concrete or pervious pavers. The final landscape concept plan shall indicate the landscape palette and the design/material of paved areas.
20. Prior to issuance of grading permits, developer shall identify to the Development Services Director a construction relations officer to act as a community liaison concerning on-site activity, including resolution of issues related to dust generation from grading/paving activities.
21. 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 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 businesses 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.

22. Design, grading, and construction shall be performed in accordance with the requirements of the California Building Code applicable at the time of grading as well as the appropriate local grading regulations, and the recommendations of the project geotechnical consultant as summarized in a final written report, subject to review by the City of Costa Mesa Building official prior to issuance of grading permits.
23. Developer 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.
24. Transformers, backflow preventers, and any other approved aboveground utility improvement shall be located outside of the required street setback area and shall be screened upon view, under direction of Planning staff. Any deviation from this requirement shall be subject to review and approval of the Development Services Director.
25. Prior to issuance of building permits, the building plans shall demonstrate that all residences are equipped with a mechanical ventilation system that will properly filter the indoor air. The ventilation system can be a component of the air conditioning system, with the distinction being that clean, ventilated air flow does not necessarily need coolant. The ventilation system shall be effective with all doors and windows closed. It shall be required to have a filtration efficiency of at least 90 percent and the ability to remove particulate matter with diameters equal to or greater than 0.5 micron.
26. Prior to the issuance of building permits, the applicant shall submit a Lighting Plan and Photometric Study for the approval of the City's Development Services Department. The Lighting Plan shall demonstrate compliance with the following:
  - The mounting height of lights on light standards shall not exceed 18 ft. in any location on the project site unless approved by the Development Services Director;
  - The intensity and location of lights on buildings shall be subject to the Development Services Director's approval;
  - All site lighting fixtures shall be provided with a flat glass lens.

- Photometric calculations shall indicate the effect of the flat glass lens fixture efficiency;
- Lighting design and layout shall limit spill light to no more than 0.5 foot-candle at the property line of the surrounding neighbors, consistent with the level of lighting that is deemed necessary for safety and security purposes on site; and,
  - Glare shields may be required for select light standards.
27. Trash facilities shall be screened from view, and designed and located appropriately to minimize potential noise and odor impacts to residential areas.
  28. In the event that archaeological resources are encountered during grading and construction, all construction activities shall be temporarily halted or redirected to permit the sampling, identification, and evaluation of archaeological materials as determined by the City, who shall establish, in cooperation with the project applicant and a certified archaeologist, the appropriate procedures for exploration and/or salvage of the artifacts.
  29. In the event that paleontological resources are unearthed during subsurface construction activities, all earth-disturbing work within a 100-ft radius of the find shall be temporarily suspended or redirected until a paleontologist has evaluated the nature and significance of the find.
  30. If human remains are unearthed, State Health and Safety Code Section 7050.5 require that no further disturbance shall occur until the County coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC will then contact the most likely descendant of the deceased Native American, who will then serve as consultant on how to proceed with the remains.
  31. 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. The CC&R's shall contain restrictions on street parking, stating interior road is limited to access only. No parking allowed along private streets.
    - c. The CC&R's shall include a provision that prohibits front entry courtyards for Units 1 through 8 along Carnegie Avenue to be enclosed by a solid wall or fence above and beyond the proposed retaining wall. Any fencing over and above the proposed retaining

wall shall be of an open design, such as decorative wrought-iron fencing, under the direction of the Development Services Department.

- d. 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.
32. The Homeowner's 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.

33. Applicant shall provide proof of establishment of a homeowner's association prior to release of any utilities.
34. 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. If the project is constructed in phases, the-perimeter wall, landscaping along the frontages, and irrigation shall be installed prior to the release of utilities for the first phase.
35. Prior to demolition activities, removal and/or abatement of asbestos containing building materials, lead based paints, and hazardous materials associated with the existing building materials shall be conducted by a qualified environmental professional in consultation with the Costa Mesa Fire Department. An asbestos and hazardous materials abatement specification shall be developed by the qualified environmental professional, in order to clearly define the scope and objective of the abatement activities.
36. 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.
37. 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.

38. Visual inspections for areas of impact to soil shall be conducted during site grading. If unknown or suspect materials are discovered during construction by the contractor that are believed to involve hazardous wastes or materials, the contractor shall:
- Immediately stop work in the vicinity of the suspected contaminant, removing workers and the public from the area;
  - Notify the City Engineer and Costa Mesa Fire Department;
  - Secure the area(s) in question;

Implement required corrective actions, including remediation if applicable.

39. Prior to investigations, demolition, or renovation, all activities shall be coordinated with Dig Alert (811).
40. An acoustical evaluation of the working drawings of the proposed residential project shall be submitted to the Planning Division by a licensed acoustical engineer prior to the issuance of building permits. The engineer shall certify that the construction will reduce residential interior noise levels to 45 CNEL or less and residential exterior noise levels in common and private open spaces areas to 65 CNEL or less.
41. Design of the perimeter wall along Fair Drive shall incorporate landscape elements to soften the appearance of the block wall and incorporate material, color, and texture that will be compatible with the surrounding community. A wall treatment plan shall be prepared that includes wall location, height, and landscaping in the final landscape plan. The block wall shall be Orco Block, La Paz color, with a brick cap, or other similar design as approved by the Development Services Director prior to issuance of building permits. The location of proposed perimeter walls along Fair Drive shall be a minimum of 6-feet from the property line.
- Bldg. 42. Submit grading plans including a hydrology report and soils report.
43. Provide an erosion control plan.
- Eng. 44. Comply with requirements contained in the letter prepared by the City Engineer (Exhibit B1).
- Trnsp. 45. Close unused drive approaches per City Standards.
46. Construct commercial drive approach per City Standards at the proposed location on the site plan.
- Fire 47. Provide (2) Class A Fire Hydrants. Location to be determined by the Fire Department.
- IS/MND Mitig. 48. Implementation of the following multi-part mitigation measure is required to reduce potential construction period noise impacts:
- The construction contractor shall ensure that all equipment driven by internal combustion engines shall be equipped with mufflers, which are in good condition and appropriate for the equipment.
  - The construction contractor shall ensure that unnecessary idling of internal combustion engines (i.e., idling in excess of 5 minutes) is prohibited.
  - The construction contractor shall utilize "quiet" models of air

compressors and other stationary noise sources where technology exists.

- At all times during project grading and construction, the construction contractor shall ensure that stationary noise-generating equipment shall be located as far as practicable from sensitive receptors and placed so that emitted noise is directed away from adjacent residences.
- The construction contractor shall ensure that the construction staging areas shall be located to create the greatest feasible distance between the staging area and noise-sensitive receptors nearest the project site.

IS/MND 49. Mitig. The project applicant shall construct a minimum 5.0-foot high solid wall on the south side of the proposed private backyards for Units 8 through 13. The sound walls shall be required to be constructed of a solid material (e.g., concrete block or plaster) that are free of any cutouts or openings.

IS/MND 50. Mitig. The project applicant shall provide a “windows closed” condition for each proposed home. A “windows closed” condition requires a means of mechanical ventilation per Chapter 12, Section 1205 of the Uniform Building Code. This shall be achieved with a standard forced air conditioning and heating system for each residential unit.) rating 26, or if necessary STC 28-30 windows, which typically provide 25-30 dB of noise reduction, would reduce interior noise levels to below General Plan thresholds.

IS/MND 51. Mitig. The project applicant shall construct a minimum 8.0-foot high solid wall along the west property line that is adjacent to the carwash. This sound wall should connect to the sound wall described in Condition 44, with no openings or gaps permitted along Fair Drive. The sound walls shall be required to be constructed of a solid material (e.g., concrete block or plaster) that are free of any cutouts or openings.

IS/MND 52. Mitig. The project applicant shall provide windows with a minimum Sound Transmission Class rating of 29 STC for all west facing windows on the proposed Units 13 and 14.

## **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 Article 1, Chapter 5, and Article 9, Chapter 5 of Title 13 of the Costa Mesa Municipal Code relating to development standards for multi-family residential projects.
  4. Developer shall pay any applicable park impact fee or dedicate parkland to meet the demands of the proposed development. As of November 30, 2015, the new park impact fee is calculated at \$13,829 per new multi-family dwelling unit. The project applicant shall pay park impact fees prior to the issuance of the Occupancy Permit. The total park impact fee is \$387,212.
  5. Street address shall be visible from the public street and shall be displayed on the complex identification sign. If there is no complex identification sign, the street address may be displayed on the fascia adjacent to the main entrance or on another prominent location. Street address 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. Identification of individual units shall be provided adjacent to the unit entrances. Letters or numerals shall be four (4) inches in height with not less than one-fourth-inch stroke and shall contrast sharply with the background.
  6. Parking stalls shall be double-striped in accordance with City standards.
  7. Driveway ramp slope shall comply with the standards contained in the City's parking ordinance.
  8. All new on-site utility services shall be installed underground.
  9. All existing utilities shall be installed underground on the building site in accordance with the serving utilities' rules, regulations and tariffs on file with the State Public Utilities Commission.
  10. 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.
  11. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.
  12. The project shall be subject to the submission of legal instruments setting forth a plan or manner of permanent care and maintenance of all common open space and other facilities provided in the final development plan.
  13. All landscaped areas shall be separated from paved vehicular areas by 6-inch high continuous Portland Cement Concrete curbing.
  14. The parking structure shall be landscaped per the provisions of Costa Mesa Municipal Code Section 13-105(4) - Parking Structure Landscape Requirements.
  15. 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. The two (2) sets of landscape and irrigation plans shall be attached to two of the final building plan sets.

16. Landscaping and irrigation shall be installed in accordance with the approved plans prior to final inspection or occupancy clearance.
17. Trash enclosure(s) or other acceptable means of trash disposal shall be provided. Design of trash enclosure(s) shall conform to City standards. Standard drawings are available from the Planning Division.
18. 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 unopenable 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.
19. In compliance with the City's mitigation monitoring program, the applicant shall submit a compliance report to the Planning Division along with plans for plan check or prior to commencement of the project's activity if no construction is involved, that lists each mitigation measure and states when and how the mitigation measures are to be met.
20. Proof of recordation of the final parcel map/tract map/lot line adjustment shall be submitted prior to issuance of building permits.
- Bldg. 21. Comply with the requirements of the 2013 California Building Code, 2013 California Residential Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards Code and 2013 California Energy Code (or the applicable adopted California Building Code, California Residential Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards and California Energy Code at the time of plan submittal or permit issuance) and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa.
22. Projections, including eaves, shall be one-hour fire resistive construction, heavy timber or of noncombustible material if they project into a 5-foot setback area from the property line. They may project a maximum of 12 inches beyond the 3-foot setback. CRC Tables R302.1(1) and R302.1(2).
23. Submit a soils report for this project. Soil's Report recommendations shall be blueprinted on both the architectural and the precise grading plans.
24. Show compliance with Chapter 11A and 11B of the 2013 California Building Code.
25. 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 device a minimum of 12 inches plus 2 percent. 2013 California Building Code CRC 403.1.7.3.
26. 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

27. Submit a precise grading plans, an erosion control plan and a hydrology study.
28. Prior to or concurrent with the submittal of plans for plan check, the applicant shall prepare and submit documentation for compliance with the State Water Resources Control Board (SWRCB) Water Quality Order 99-08-DWQ; National Pollutant Discharge Elimination System (NPDES) Permit No. CAS000002 for Storm Water Discharges Associated with Construction Activity (General Permit); the California Regional Water Quality Control Board (RWQCB) Santa Ana Region Order No. R8-2002-0010 and NPDES Permit No. CAS618030; and, the City of Costa Mesa Ordinance No. 97-20 for compliance with NPDES Permit for the City of Costa Mesa. Such documentation shall include a Water Quality Management Plan (WQMP) identifying and detailing the implementation of the applicable Best Management Practices (BMPs).
29. Prior to issuing the Building permit the conditions of approval shall be required to be incorporated on the approved Architectural plans.
30. Prior to the issuance of grading permits, the project applicant shall provide the City of Costa Mesa Department of Building Safety with a geotechnical investigation of the project site detailing recommendations for remedial grading in order to reduce the potential of on-site soils to cause unstable conditions.
31. Construction General Permit Notice of Intent (NOI) Design: Prior to the issuance of preliminary or precise grading permits, the project applicant shall provide the City Engineer with evidence that an NOI has been filed with the State Water Resources Control Board (SWRCB). Such evidence shall consist of a copy of the NOI stamped by the SWRCB or Regional Water Quality Control Board (RWQCB), or a letter from either agency stating that the NOI has been filed.
- Eng. 32. For demolition, grading, or building permits involving projects with a valuation of \$10,000 or more, the contractor shall use a City-permitted hauler(s) to haul any debris or solid waste from the job site (refer to Section 8-83(h), Regulations, of Title 8 of the Costa Mesa Municipal Code). Use of a City-permitted hauler for such projects is the responsibility of the designated contractor. Non-compliance is subject to an administrative penalty as follows: \$1,000 or 3% of the total project value, whichever is greater.
33. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then construct P.C.C. driveway approaches per City of Costa Mesa Standards as shown on the Offsite Plan. Location and dimensions are subject to the approval of the Transportation Services Manager. ADA compliance required for all new driveway approaches.
34. 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 applicants expense.
35. 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.C. as approved by City Engineer. Cash deposit or surety bond amount to be determined by City Engineer. In order to comply with the 2003 Drainage Area Management Plan (DAMP), the proposed Project shall prepare a Water Quality Management Plan conforming to the Current National Pollution Discharge Elimination System (NPDES) and the Model WQMP, prepared by a Licensed Civil Engineer or Environmental Engineer, which shall be submitted to the Department of Public Works for review and approval.

a) A WQMP (Priority or Non-Priority) shall be maintained and updated as needed to satisfy the requirements of the adopted NPDES program. The plan shall ensure that the existing water quality measures for all improved phases of the project are adhered to.

b) Location of BMPs shall not be within the public right-of-way.

36. Prior to the issuance of grading permits, the applicant shall prepare a SWPPP that complies with the Construction General Permit and will include at a minimum the following:

- Discuss in detail the BMPs planned for the project related to control of sediment and erosion, nonsediment pollutants, and potential pollutants in non-storm water discharges;
- Describe post-construction BMPs for the project;
- Explain the maintenance program for the project's BMPs;
- List the parties responsible for SWPPP implementation and BMP maintenance during and after grading. The project applicant shall implement the SWPPP and modify the SWPPP as directed by the Construction General Permit.

37. In order to comply with the 2003 DAMP, the proposed project shall prepare a Storm Drain Plan, Stormwater Pollution Prevention Plan (SWPPP), and Water Quality Management Plan (WQMP) conforming to the current National Pollution Discharge Elimination System (NPDES) requirements, prepared by a Licensed Civil Engineer or Environmental Engineer, which shall be submitted to the Department of Public Works for review and approval.

• The SWPPP shall be prepared and updated as needed during the course of construction to satisfy the requirements of each phase of development. The plan shall incorporate all necessary Best Management Practices (BMPs) and other City requirements to eliminate polluted runoff until all construction work for the project is completed. The SWPPP shall include treatment and disposal of all dewatering operation flows, and for nuisance flows during construction.

• A WQMP shall be maintained updated as needed to satisfy the requirements of the adopted NPDES program. The plan shall ensure that the existing water quality measures for all improved phases of the project are adhered to.

• Location of the BMPs shall not be within the public right-of-way.

Transp 38. The project Applicant shall be responsible for the payment of fees in accordance with Costa Mesa's traffic impact fee program to mitigate

- project-generated traffic impacts (including regional traffic).
- Fire 39. 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.
40. Project construction shall comply with Chapter 33, California Fire Code, 2013. Please review carefully.
41. The project shall provide an automatic fire sprinkler system according to NFPA 13D.
42. The project shall provide approved smoke detectors to be installed in accordance with the 2007 Edition of the Uniform Fire Code.
43. 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.
44. Provide on-site Fire Hydrants and Access per approved Fire Master Plan.

#### **SPECIAL DISTRICT REQUIREMENTS FOR PA-16-46**

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

- Sani 1. It is recommended that the developer contact the Costa Mesa Sanitary District at (949) 645-8400 to obtain Sanitary District requirements.
- AQMD 2. Prior to demolition contact South Coast Air Quality Management District located at:
- 21865 Copley Dr.  
Diamond Bar, CA 91765-4178  
Tel: 909- 396-2000
- AQMD 3. 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:
- 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.
  - 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.
  - Water excavated soil piles hourly or covered with temporary coverings.
  - 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.

- Wash mud-covered tires and under-carriages of trucks leaving construction sites.
  - 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.
  - Securely cover loads with a tight fitting tarp on any truck leaving the construction sites to dispose of debris.
  - Cease grading during period when winds exceed 25 miles per hour.
4. SCAQMD Rule 445 prohibits permanently installed wood burning devices into any new development. A wood burning device means any fireplace, wood burning heater, or pellet-fueled wood heater, or a similarly enclosed, permanently installed, indoor or outdoor device burning any solid fuel for aesthetic or space-heating purposes, which has a heat input of less than one million British thermal units per hour.
- School 5. Pay applicable Newport Mesa Unified School District fees to the Building Division prior to issuance of building permits.
- State 6. 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 7. 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.



## CITY OF COSTA MESA

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

FROM THE DEPARTMENT OF PUBLIC SERVICES/ENGINEERING DIVISION

November 3, 2016

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

**SUBJECT:** Tentative Tract No. 18064  
**LOCATION:** 440 Fair Drive

Dear Commissioners:

Tentative Tract Map No. 18064 as furnished by the Planning Division for review by the Public Services Department consists of subdividing one lot to construct 28-units for condominium purposes. Tentative Tract Map No. 18064 meets with the approval of the Public Services Department, subject to the following conditions:

1. The Tract shall be developed in full compliance with the State Map Act and the City of Costa Mesa Municipal Code (C.C.M.M.C.), except as authorized by the Costa Mesa City Council and/or Planning Commission. The attention of the Subdivider and his engineer is directed to Sections 13-208 through 13-261 inclusive, of the Municipal Code.
2. The Subdivider shall conduct soil investigations and provide the results to the City of Costa Mesa Engineering and Building Divisions pursuant to Ordinance 97-11.
3. Two (2) copies of the Final Tract Map shall be submitted to the Engineering Division for checking. The Map check fee shall be paid per C.C.M.M.C. Section 13-231.
4. A current copy of the title search shall be submitted to the Engineering Division with the first submittal of the Final Tract Map.
5. Dedicate an ingress/egress easement to the City for emergency and public security vehicles purposes only. The maintenance of the easement shall be the sole responsibility of a Homeowners Association formed to conform to Section 13-41 (e) of the C.C.M.M.C.
6. Vehicular and pedestrian access rights to Fair Drive and Carnegie Avenue shall be released and relinquished to the City of Costa Mesa except at approved access locations.
7. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then remove any existing driveways and/or curb depressions that will not be used and replace with full height curb and sidewalk.
8. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then construct a P.C.C. driveway approach as per City of Costa Mesa Standards as shown on the Offsite Plan. The location and dimensions are subject to the approval of the Transportation Services Manager.

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9. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then construct P.C.C. sidewalk. The final design of the sidewalk and parkway shall be subject to the approval of the Public Services Director.
10. Submit for approval to the City of Costa Mesa, Engineering Division, Street Improvement and Storm Drain Plans, that show Sewer and Water Improvements, prepared by a Civil Engineer.
11. Submit for approval to the City of Costa Mesa preliminary plans that show the undergrounding of the utility poles along Fair Drive to the extent practical or feasible.
12. The Subdivider shall submit a cash deposit of \$730 for street sweeping at the time of issuance of a Construction Access permit. The full amount of the deposit shall be maintained on a monthly basis prior to and during construction until completion of project.
13. Fulfill the City of Costa Mesa Drainage Ordinance No. 06-19 requirements prior to approval of the Final Tract Map.
14. The Subdivider's engineers shall furnish the Engineering Division a storm runoff study to the City of Costa Mesa showing existing and proposed facilities and the method of draining this area and tributary areas without exceeding the capacity of any street or drainage facility on-site or off-site. This study is to be furnished with the first submittal of the Final Tract Map. Cross lot drainage shall not occur.
15. In order to comply with the latest DAMP, the proposed Project shall prepare a Water Quality Management Plan conforming to the Current National Pollution Discharge Elimination System (NPDES) and the Model WQMP, prepared by a Licensed Civil Engineer or Environmental Engineer, which shall be submitted to the City of Costa Mesa Engineering Division for review and approval.
  - A WQMP (Priority or Non-Priority) shall be maintained and updated as needed to satisfy the requirements of the adopted NPDES Program. The plan shall ensure that the existing water quality measures for all improved phases of the project are adhered to.
  - The location of BMPs shall not be within the public right-of-way.
16. Ownership and maintenance of the private on-site drainage facilities, BMPs, parkway culverts, and other common areas shall be transferred by the owner to the Homeowner Association to be formed pursuant to C.C.M.M.C. Section 13-41 (e) and said association shall indemnify and hold harmless the City of Costa Mesa for any liability arising out of or in any way associated with the connection of the private drainage system with the City's drainage system and shall execute and deliver to the City of Costa Mesa the standard (indemnity) Hold Harmless Agreement required for such conditions prior to the issuance of permits.
17. Sewer improvements shall meet the approval of the Costa Mesa Sanitary District; call (949) 631-1731 for information.
18. Water system improvements shall meet the approval of Mesa Water District; call (949) 631-1200 for information.
19. Dedicate easements as needed for public utilities.

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

Sincerely,



Baltazar Mejia, P. E.  
City Engineer

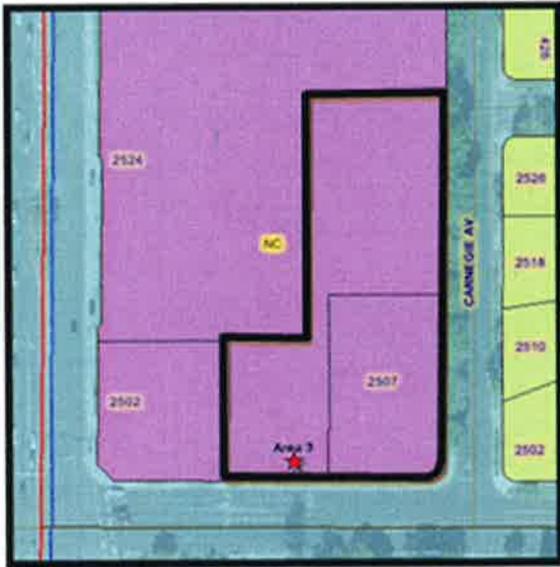
(Engr. 2016/Planning Commission Tract 18064)

EXHIBIT "1"

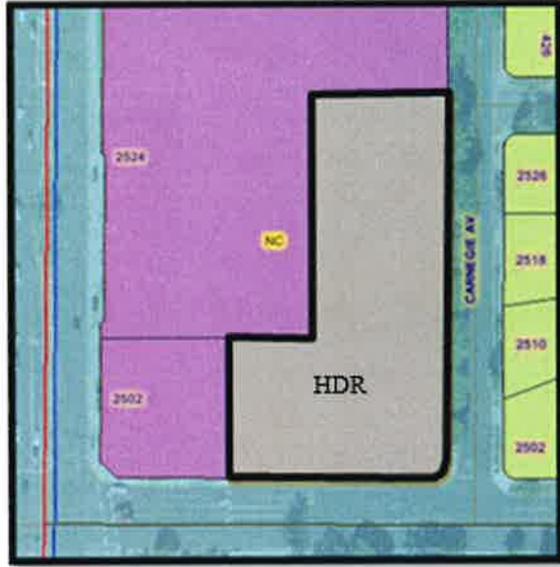
Map Amendment to the Land Use Map

Change the land use designation of the 1.66-acre development site at 440 Fair Drive from Neighborhood Commercial (NC) to High Density Residential (HDR)

*Existing General Plan Land Use- NC*



*Proposed General Plan Land Use- HDR*



## **EXHIBIT "2"**

### **Text Amendment to Land Use Element**

The proposed General Plan Amendment GP-16-01 would amend Table LU-3: Land Use Designations (2015), of the Land Use Element as indicated by ~~strikeout~~ and **bolded** numbers below:

Land Use Designations	Residential Density	Floor-Area Ratio	Acres Developed	Acres Undeveloped	Total Acres	% of Acres
<b>Residential</b>						
Low-Density Residential	≤8 du/ac	0.15/High Traffic	2,087.4	0.8	2,088.2	25.7%
Medium-Density Residential	≤12 du/ac	0.30/Moderate Traffic 0.40/Low Traffic	858.1	1.1	859.1	10.6%
High-Density Residential <sup>1,2</sup>	≤20 du/ac	0.75/Very Low Traffic	<del>842.9</del> 844.5	<del>2.9</del> 4.5	<del>845.8</del> 847.4	<del>10.4%</del> 10.5%
<b>Non-Residential</b>						
Commercial-Residential	≤17.4 du/ac	0.20/High Traffic 0.30/Moderate Traffic 0.40/Low Traffic	47.9	0.0	47.9	0.6%
Neighborhood Commercial	≤20 du/ac	0.15/High Traffic 0.25/Moderate Traffic 0.35/Low Traffic 0.75/Very Low Traffic	<del>40.3</del> 38.7	0.2	<del>40.5</del> 38.9	0.5%
General Commercial	≤20 du/ac	0.20/High Traffic 0.30/Moderate Traffic 0.40/Low Traffic 0.75/Very Low Traffic	606.1	8.5	614.6	7.6%
Commercial Center <sup>3</sup> ,	≤20 du/ac	0.25/High Traffic 0.35/Moderate Traffic 0.45/Low Traffic 0.75/Very Low Traffic	54.1	0.3	54.4	0.7%
Urban Center Commercial <sup>3</sup>	20 to 80 du/ac	0.50/High Traffic 0.60/Moderate Traffic	101.1	66.6	167.7	2.1%
Cultural Arts Center <sup>4</sup>	Varies <sup>4</sup>	1.77 <sup>4</sup>	57.3	0.0	57.3	0.7%
Regional Commercial	≤20 du/ac	0.652/0.89 <sup>4</sup>	147.9	0.0	147.9	1.8%
Industrial Park	≤20 du/ac	0.20/High Traffic 0.30/Moderate Traffic 0.40/Low Traffic 0.75/Very Low Traffic	669.1	2.4	671.5	8.3%

**Table 6 (cont.): Land Use Designations (2015)**

Land Use Designations	Residential Density	Floor-Area Ratio	Acres Developed	Acres Undeveloped	Total Acres	% of Acres
Light Industrial <sup>6</sup>	≤20 du/ac	0.15/High Traffic 0.25/Moderate Traffic 0.35/Low Traffic 0.75/Very Low Traffic	374.2	4.0	378.1	4.7%
Public and Institutional	—	0.25	1,263.2	0.3	1,263.4	15.7
Golf Course	—	≤0.01	553.7	0.0	553.7	6.9%
Fairgrounds	—	≤0.10	150.0	0.0	150.0	1.9%
Multi-Use Center	15 to 25 du/ac	N/A	102.6	0.0	102.6	1.3%
<b>Totals</b>			<b>7,957.5</b>	<b>87.0</b>	<b>8,044.5</b>	<b>100%</b>

Notes:

- 1 Within the Medium and High Density Residential designation, existing residential units legally built in excess of the dwelling units per acre standard may be rebuilt at the same higher density subject to other zoning code standards. The allowable density or number of units to be redeveloped would be limited to the 1990 General Plan density with a 25% incentive bonus for Medium-Density or a 50% incentive bonus for High Density or the existing number of units, whichever is less.
- 2 See High Density Residential text regarding areas in North Costa Mesa where the density allowance exceeds 20 units per acre.
- 3 See Commercial Center, Regional Commercial, and Urban Center Commercial text for site specific density and FAR.
- 4 See text for Mixed-Use Development and Cultural Arts Center provisions for additional discussion.

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EXHIBIT 3  
ORDINANCE NO. 16-\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, TO REZONE A 1.66-ACRE PARCEL FROM C1 (LOCAL BUSINESS DISTRICT) TO PDR-HD (PLANNED DEVELOPMENT RESIDENTIAL – HIGH DENSITY) FOR A 28-UNIT RESIDENTIAL COMMON INTEREST DEVELOPMENT LOCATED AT 440 FAIR DRIVE.

THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY ORDAIN AS FOLLOWS:

WHEREAS, an application was filed by Sheldon Development, LLC, on behalf of owner of real properties located at 440 Fair Drive, requesting approval of the following:

1. **Initial Study/Mitigated Negative Declaration (IS/MND).** Certification of the Initial Study - Mitigated Negative Declaration (IS-MND) for the project.
2. **General Plan Amendment GP-16-01.** Change the land use designation from Neighborhood Commercial to High Density Residential to allow for a maximum density of 20 du/acre.
3. **Rezone R-16-01.** A rezone to change the zoning classification from C1 (Local Business District) to PDR-HD (Planned Development Residential – High Density).
4. **Planning Application PA-16-46.** Master Plan for the 28-unit residential common interest development project with specified deviations from the PDR-HD development standards, including the following:
  - i. Variance to allow deviation from required open space requirements (42% required; 36.8% proposed);
  - ii. Variance for encroachment of block walls into required perimeter open space area (20 feet required; 6 feet (Fair Drive) and 4.7 feet (Carnegie Ave) proposed);
  - iii. Variance to allow deviation from required landscaped parkway requirements (10 feet with no dimension less than 5 feet on house side of private street required; 10 feet/3.6 feet proposed);

- iv. Administrative Adjustment for encroachment of building into required perimeter open space area along Fair Drive (20 feet required; 15 feet proposed).
- v. Minor Modification for encroachment of building into required perimeter open space area along Carnegie (20 feet required; 18 feet proposed).
- vi. Deviation from Residential Design Guidelines for multi-story to first floor ratio (100% multi-story to first floor ratio recommended; 150% for 4-story units and 114% for 3-story units proposed).

5. **Tentative Tract Map 18064 for Condominium Purposes:** Tentative Tract Map 18064 for residential subdivision for condominium purposes.

WHEREAS, a duly noticed public hearing was held by the Planning Commission on November 14, 2016, with all persons having the opportunity to speak for and against the proposal;

WHEREAS, at the November 14, 2016 Planning Commission meeting, the Planning Commission recommended that City Council take the following actions by separate Planning Commission resolutions:

- (1) **ADOPT** the Initial Study/Mitigated Negative Declaration;
- (2) **ADOPT** General Plan Amendment GP-16-01;
- (3) **GIVE FIRST READING** to Rezone R-16-01;
- (4) **APPROVE** Master Plan PA-16-46 and Tentative Tract Map 18064 for Condominium Purposes

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), and Initial Study/Mitigated Negative Declaration (IS/MND) was prepared and circulated, and the required 20-day public review period was specified from October 4, 2016 to October 24, 2016 for public review and comment.

WHEREAS, the final adoption of the Initial Study/Negative Declaration shall be considered by the City Council as the final approval authority, after evaluation of the environmental document and all comments on the IS/MND received during the public review period;

WHEREAS, written comments received from the general public, government entities, and other interested parties were responded to, where appropriate, in the manner prescribed in California Code of Regulations Section 15073;

WHEREAS, no significant new information has been added to the Initial Study/Mitigated Negative Declaration and no changes to the proposed project have occurred which would require recirculation of the Initial Study/Mitigated Negative Declaration under CEQA Guidelines Section 15073.5;

WHEREAS, the City Council has reviewed the environmental documentation comprising the Initial Study/Mitigated Negative Declaration and has found that the Initial Study/Mitigated Negative Declaration considers all environmental impacts of the proposed project and a reasonable range of alternatives, and the Initial Study/Mitigated Negative Declaration is complete, adequate, and fully complies with all requirements of CEQA, the CEQA Guidelines, and the City of Costa Mesa Environmental Guidelines;

WHEREAS, the Initial Study/Mitigated Negative Declaration (IS/MND) was prepared and identified potentially significant impacts related to noise;

WHEREAS, the IS/MND identified appropriate measures that will mitigate the identified impacts to a level that is less than significant;

WHEREAS the City Council finds that proposed residential project will not have a significant negative impact on the environment with the incorporation of the mitigation measures identified in the IS/MND;

WHEREAS, the Initial Study/Mitigated Negative Declaration for this project reflects the independent judgment of the City of Costa Mesa;

BE IT RESOLVED that, based on the evidence in the record, the City Council hereby APPROVES as follows:

**SECTION 1. REZONE.** The City of Costa Mesa Official Zoning Map is hereby amended as follows:

a. There is hereby placed and included in the PDR-HD (Planned Development Residential-High Density) zoning district a 1.66-acre parcel, identified as Assessor Parcel Numbers 141-421-23 and as shown in attached Exhibit "1," situated in the City of Costa Mesa, County of Orange, State of California.

b. Pursuant to the provisions of Section 13-22 of the Costa Mesa Municipal Code, the Official Zoning Map of the City of Costa Mesa is hereby amended by the change of zone described in subsection a hereof and in the respective Exhibit "1A". A copy of the Official Zoning Map is on file in the office of the Planning Division.

Based on the evidence in the record and the findings contained in Exhibit A, **THE CITY COUNCIL HEREBY GRANTS APPROVAL TO ADOPT R-16-01**, which amends the Zoning Map of the City of Costa Mesa (Exhibit 1A) with respect to the property described above.

**SECTION 2. ENVIRONMENTAL DETERMINATION.** The proposed rezone was processed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the City of Costa Mesa Environmental Guidelines. In accordance with CEQA Guidelines Section 15073, the Initial Study/Mitigated Negative Declaration (IS/MND) was prepared and circulated for the required 20-day public review period from October 4, 2016 to October 24, 2016. The City Council found that proposed residential project will not have a significant negative impact on the environment with the incorporation of the mitigation measures identified in the IS/MND.

**SECTION 3. INCONSISTENCIES.** Any provision of the Costa Mesa Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to affect the provisions of this Ordinance.

**SECTION 4. SEVERABILITY.** If any provision or clause of this ordinance or the application thereof to any person or circumstances is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions or clauses or applications of this ordinance which can be implemented without the invalid provision, clause or application; and to this end, the provisions of this ordinance are declared to be severable.

**SECTION 5. PUBLICATION.** This ordinance shall take effect and be in full force thirty (30) days from and after the passage thereof, and, prior to the expiration of fifteen (15) days from its passage, shall be published once in the ORANGE COAST DAILY PILOT, a newspaper of general circulation, printed and published in the City of Costa Mesa or,

in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the office of the City Clerk five (5) days prior to the date of adoption of this Ordinance, and within fifteen (15) days after adoption, the City Clerk shall cause to be published the aforementioned summary and shall post in the office of the City Clerk a certified copy of this Ordinance together with the names of the members of the City Council voting for and against the same.

\_\_\_\_\_  
STEPHEN M. MENSINGER  
Mayor, City of Costa Mesa

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY CLERK OF THE  
CITY OF COSTA MESA

\_\_\_\_\_  
CITY ATTORNEY



# PARCEL MAP

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

BEING A DIVISION OF PARCEL "C" AND A PORTION OF PARCEL "B" SHOWN ON  
MAP RECORDED IN BOOK 9 PAGE 21 OF PARCEL MAPS, RECORDS  
ORANGE COUNTY, CALIFORNIA.

### ENGINEER'S CERTIFICATE

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED ON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AT THE REQUEST OF PAUL F. DISHNER, M.D. ON AUGUST 2, 1974. I HEREBY CERTIFY THAT IT CONFORMS TO THE APPROPRIATE TENTATIVE MAP AND THE CONDITIONS OF APPROVAL THEREOF, THAT ALL PROVISIONS OF APPLICABLE STATE AND LOCAL ORDINANCES HAVE BEEN COMPLIED WITH.

*Donald Stevens*  
DONALD STEVENS R.C.E. 11066 DATE 9-24-75

### CITY ENGINEER'S CERTIFICATE

THIS MAP HAS BEEN EXAMINED FOR CONFORMANCE WITH THE REQUIREMENTS OF SECTION 11675 OF THE SUBDIVISION MAP ACT THIS 30 DAY OF AUG, 1974.

*James H. Eldridge*  
CITY ENGINEER - CITY OF COSTA MESA.

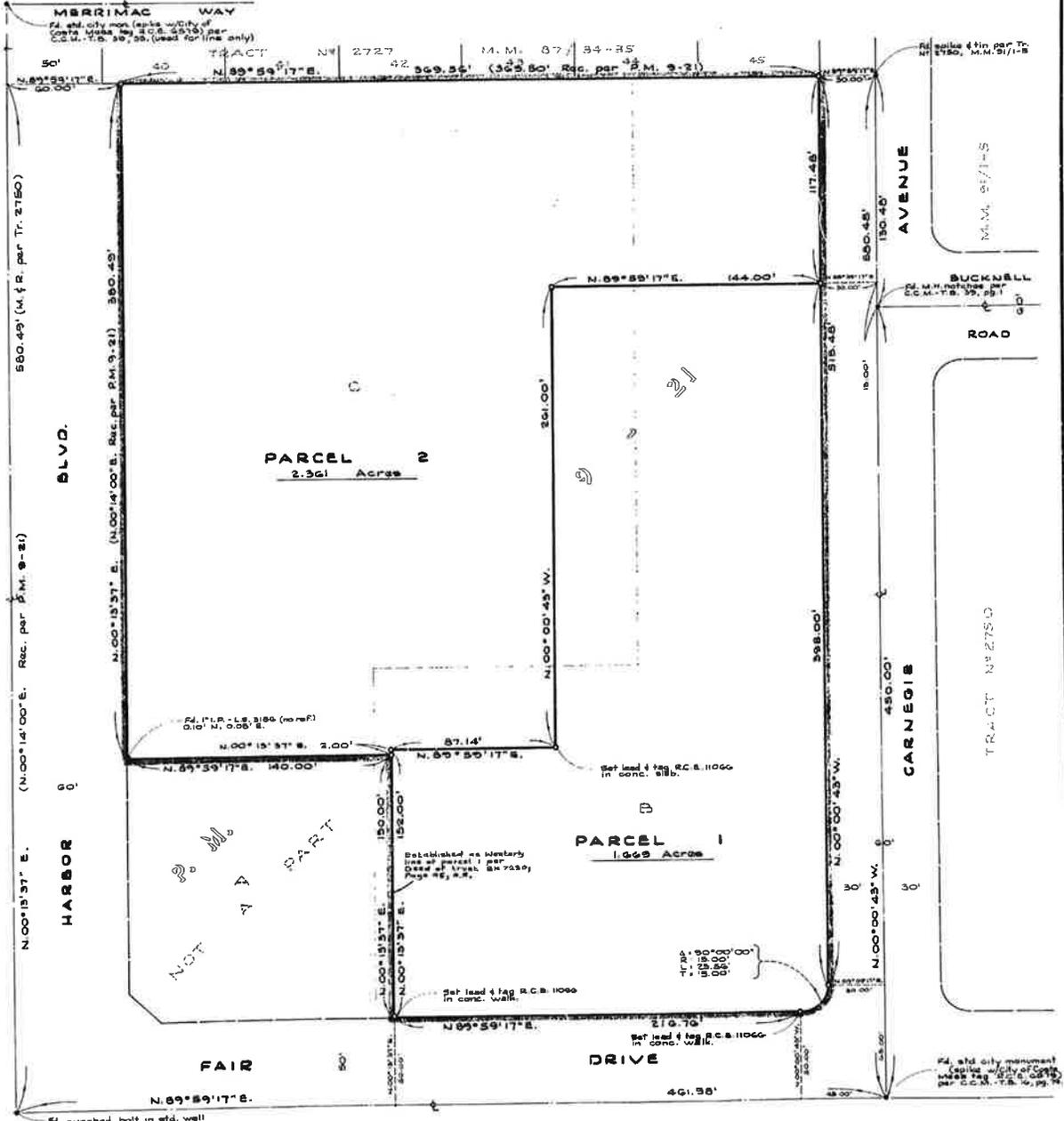
### BASIS OF BEARING

BEARINGS SHOWN ON THIS MAP ARE BASED ON THE CENTER-LINE OF CARNEGIE AVENUE BEING N.00°00'43" W. AS SHOWN ON A MAP OF TRACT N° 2750 RECORDED IN BOOK 91, PAGES 1-5, RECORDS OF ORANGE COUNTY, CALIFORNIA.

### COUNTY SURVEYOR'S CERTIFICATE

EXAMINED AND APPROVED THIS 5th DAY OF September, 1974.

L. M. CONVILLE BY *Lawrence S. Bacon*  
COUNTY SURVEYOR DEPUTY



**MONUMENT NOTE**  
—○— INDICATES FOUND MONUMENTS AS NOTED.  
—●— INDICATES SET 1/4" I.P. AND TAG R.C.E. 11066, UNLESS NOTED OTHERWISE.

**EXHIBIT 1A**

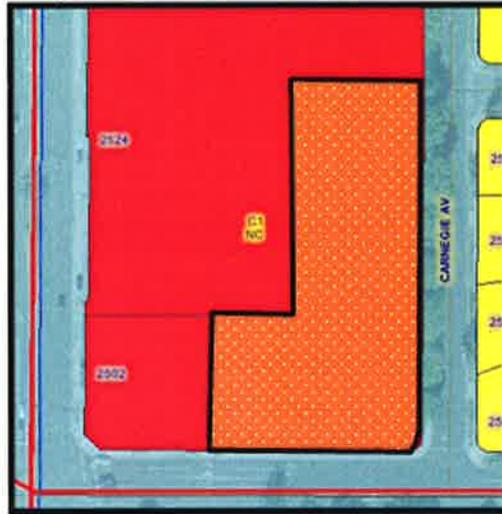
**Amendment to the Zoning Map**

**Change the zoning designation of the 1.66-acre development site at 440 Fair Drive from Local Commercial District (C1) to Planned Development Residential- High Density (PDR-HD)**

**Existing Zone- C1**



**Proposed Zone- PDR-HD**



## EXHIBIT A

### FINDINGS

- A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(g)(11) because:

**Finding:** The proposed rezone is consistent with the Zoning Code and the General Plan.

**Facts in Support of Findings:** On October 6, 2015, City Council approved General Plan screening GPS-14-04, which requested to amend the land use designation from Neighborhood Commercial to High Density Residential to accommodate a proposed 28-unit residential development at 440 Fair Drive. The HDR General Plan land use designation allows maximum density of 20 dwelling units per acre. The applicant is seeking a rezone to PDR-HD zone, which is consistent with the HDR land use and allows a density of up to 20 dwelling units per acre. The proposed density of the project is 16.25 du/acre, which is slightly less than permitted under HDR land use. The project is consistent with many of the goals, policies, and objectives set forth in the General Plan Update adopted in 2016. According to the IS/MND, it is anticipated that the new proposal will reduce the number of average daily trips by approximately 484 trips compared to the current mix of office, medical, retail and service uses within the existing 20,750 square-foot building. The City of Costa Mesa considers a significant traffic impact when project-generated trips causes the peak hour level of service of the study intersection to change from acceptable operation (Level of Service A, B, C, or D) to deficient operation (LOS E or F). Currently the Harbor Boulevard/Fair Drive intersection is operating at LOS A during the a.m. peak hour, and LOS C during p.m. peak hour. In addition, the Carnegie Avenue/Fair Drive intersection is operating at LOS B during the a.m. peak hour, and LOS C during p.m. peak hour. With the proposed project, these level of service are forecasted to continue at these levels during both peak hours.

The following analysis evaluates the proposed project's consistency with specific goals, and objectives of the 2015-2035 General Plan.

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

**Consistency:** The project is an infill residential project within the allowable density for high-density residential development. According to the IS/MND prepared for the project, the project will create a decrease in average daily trips compared to the existing development, and would result in a less than significant increase in water demand. In addition, the project would result in a decrease in impervious surface areas on the site (by as much as 13.9 percent). The project would also be subject to compliance with the CMMC provisions, and thus, would result in less than significant impacts on drainage patterns and flooding. Therefore, adequate

infrastructure would be available to serve the proposed project and the project is consistent with this General Plan objective.

2. **Objective LU-1.3:** *Strongly encourage the development of...owner-occupied housing where feasible to improve the balance between rental and ownership housing opportunities.*

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

3. **Goal CD-6: Image:** *It is the goal of the City of Costa Mesa to enhance opportunities for new development and redevelopment to contribute to a positive visual image for the City of Costa Mesa and consistent with district image.*

4. **Goal CD-7: Quality Residential:**

*Objective CD-7.1: Encourage excellence in architectural design.*

*Policy CD-7.A: Ensure that new and remodeled structures are designed in architectural styles that reflect the City's eclectic quality, yet are compatible in scale and character with existing buildings and the natural surroundings within residential neighborhoods. Continue to update and maintain the Costa Mesa Residential Guidelines.*

**Consistency:** The project is consistent with Goal CD-6, CD-7, Objective CD.7.1, and Policy CD-7.A because the project would allow for the redevelopment of property containing an aging commercial building and parking lot with residential units that exhibit quality architecture and enhanced landscaping. A standard condition of approval recommended requiring that perimeter wall treatments consist of decorative materials, and ornamental site landscaping will be provided throughout the project. As a result, the proposed project is supportive of these General Plan goals, policies, and objectives.

5. **Goal LU-4: New Development that Is Sensitive to Costa Mesa's Environmental Resources**

*Objective LU-4: Encourage new development and redevelopment that protects and improves the quality of Costa Mesa's natural environment and resources.*

*Policy LU-4.1: Ensure that appropriate watershed protection activities are applied to all new development and significant redevelopment projects that are subject to the NPDES Stormwater Permit during the planning, project review, and permitting processes.*

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

**Consistency:** Because the project is an infill development, it would not result in the loss of any habitat, or require extensive infrastructure improvements to provide

service to the site. According to the project's IS/MND, the project would result in a decrease in impervious surface areas on the site (by as much as 13.9 percent). Less than significant impacts will occur to on- or off-site erosion and/or siltation. The project would also be subject to compliance with the CMMC provisions, and thus, would result in less than significant impacts on drainage patterns and flooding. The project is consistent with this objective.

7. **Policy LU-2.7:** *Permit the construction of buildings over two stories or 30 feet only when it can be shown that the construction of such structures will not adversely impact surrounding developments and deprive existing land uses of adequate light, air, privacy, and solar access.*
8. **Policy LU-2.8:** *Limit building height to four stories above grade south of the I-405 Freeway, except for special purpose housing such as elderly, affordable, or student housing, unless otherwise approved by a General Plan amendment. (A four-story/five-level parking structure with roof deck parking on the fifth level is considered a four-story structure.).*

**Consistency:** The project proposes a maximum of four stories, which is permitted by the PDR-HD zone, and per the General Plan policy for areas south of I-405. Plan 1 units include three stories and a rooftop deck, which is considered a fourth story. A shade and shadow graphic (s) illustrates no impact to surrounding sensitive land uses. The project is bound by a commercial parking lot used by Orange Coast Fiat to the north, and single-family residences are located across a 60-foot right-of-way to the east (Carnegie Avenue). As such, the project would be compatible with Policy LU-2.7 and LU-2.8.

- B. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City's environmental procedures. An Initial Study/Mitigated Negative Declaration was prepared for the proposed project, pursuant to the California Environmental Quality Act. Although the proposed project could have a significant effect on the environment, mitigation measures have been included as conditions of approval that reduce impacts to the fullest extent reasonable and practicable.
- C. Mitigation Measures from the Final IS/MND have been included as conditions of approval. If any of these conditions are removed, the Planning Commission must make a finding that the project will not result in significant environmental impacts, that the condition(s) are within the responsibility and jurisdiction of another public agency, or that specific economic, social, or other considerations make the mitigation measures infeasible.



Estefania Sanchez  
Program Assistant 3

9400 Oakdale Blvd  
Chatsworth, CA 91311

ESanchez5@semprautilities.com

October 6, 2016

City of Costa Mesa  
11 Fair Drive  
Costa Mesa, CA 92628

**Email:** Ryan Loomis - ryan.loomis@costamesaca.gov

**Subject:** Notice of Intent to Adop a Mitigated Negative Declaration  
Project Title: General Plan Amendment GP-16-01, Rezone R-16-01, Planning  
Application PA-16-46 and Tentative Tract Map 18064

**DCF:** 1527-16-1017

Southern California Gas Company (SoCalGas), Gas Transmission Department, operates and maintains high-pressure natural gas transmission pipeline **1017** in the vicinity of your project. The pipeline is shown on the attached atlas prints. Please note: only the high-pressure transmission pipeline information is current on these atlas prints.

Our Gas Distribution Department may have other gas facilities within your project area. To assure no conflict with the SoCalGas' distribution pipeline system, please call **(714) 634-5067**.

This is only a response to a gas facility map request; a review of potential conflicts associated with your request has not been conducted. Consequently, **this letter does not constitute clearance for any construction work near or around SoCalGas' pipeline(s)**. As your project plans are developed, you must notify SoCalGas - Gas Transmission Department regarding the improvements that are proposed near our pipeline(s) and within our easement(s) before you begin any construction, including potholing. In doing so, please allow sufficient time as there may be certain requirements that need to be incorporated into your project's design and could significantly affect your project construction schedule.

Sincerely,

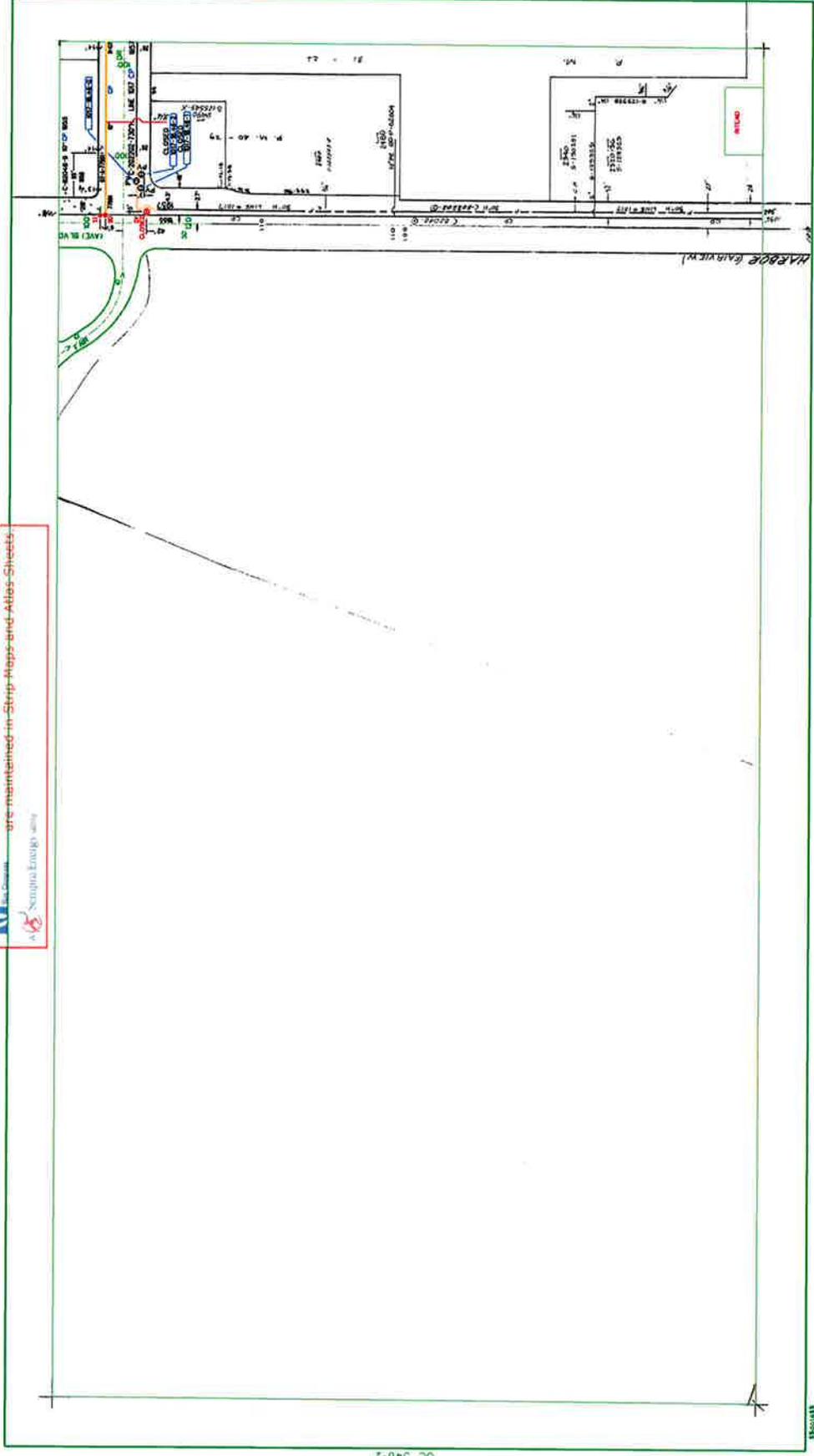
Estefania Sanchez  
Program Assistant 3  
ESanchez5@semprautilities.com

October 6, 2016

OC 429-1


**WARNING!** Distribution Medium and High Pressure Facilities are **NO LONGER** maintained within this map. **ONLY ORAMBISSION FACILITIES** are maintained in Strip Maps and Atlas Sheets.

Southern California Gas Company  
 A Scenic Energy Company



TRAM 55  
 TAX CODE 15-999

SOUTHERN  
 ORANGE COAST

REVISION BY: J. B. 8-7-08  
 VECTOR CREATED BY: D.A. 6-22-01  
 MASTER FILE: 04428.142  
 OC 429-2

OC 429-1

OC 429-3



OC 346-2



PH-5

Jeff and Carole Call  
2568 Carnegie Avenue  
Costa Mesa, CA 92626  
October 15, 2016

Ryan Loomis, AICP, Associate Planner  
City of Costa Mesa  
77 Fair Drive  
Costa Mesa, CA 92626

**Received**  
City of Costa Mesa  
Development Services Department

**OCT 18 2016**

Dear Mr. Loomis,

It has come to our attention that an Official Public Notice was issued 30 September 2016 and sent to "a few choice people" in College Park. We don't understand why you didn't feel that we and all of my neighbors that live on Carnegie were not included in this notice, unless you didn't want us to know. We are the ones that will be impacted by the increased traffic and parking problems that won't allow visits from friends or family.

We see 2 reasons for not telling all the residents on Carnegie: 1) No objections from those who will lose parking spaces, increased time and difficulty to get out of our tract, and the lowering of our property values; and 2) The rush to get this passed by October 24<sup>th</sup> squeezes this in before the election in November when people can object by voting for the people to have a say about the cracker-box (high density) housing similar to those destroying the beauty of our major arteries of Newport Boulevard, Superior and 17<sup>th</sup> Street, Huntington beach and Garden Grove, and now Carnegie and Fair. How does it make sense to put in 13 beautiful, single houses on 21<sup>st</sup> Street on twice the amount of land and 28 ghetto homes on Carnegie? I understand single homes are also going to beautify the corner of Harbor and Merrimac.

Have you done any research on the developer of this project and how dissatisfied the people of Huntington Beach and Garden Grove are trying to put a halt to their city development projects by this developer? Here are a few quotes I found this week about that:

"(And have we forgotten, or never heard about, Sheldon destroying Garden Grove's downtown Main St businesses by plopping a huge condo building on the area's parking lot, with the connivance of the Broadwater machine?)"

**" Ramada Guest** Posted February 17, 2015 at 12:44 PM

Sheldon's trying to drop some cookie-cutter townhomes right on top of Garden Grove's Main Street, and we've already got a new housing development going in across the street in the next few months. Has he ever not been allowed to put up one of his quick flips? If so, how was the project stopped? I keep hearing rumblings that he's gonna roll deep at the next council meeting with a bunch of paid support."

**Even Steven** Posted February 17, 2015 at 11:56 AM

"Built right up to the SIDEWALK?  
I'll bet you \$1.00 those walls will be a graffiti magnet. Hell, someone could flip an egg without needing to cock their arm! (Someone irresponsible that is). Not trying to create a nuisance.  
Overcrowding people just wears on the soul like lab rats in a maze..."

We want to go on record as opposing the HD housing project the Costa Mesa City Planning Commission and City Council thinks will beautify our city. It will NOT beautify, it will bring down property values and make many of us want to move away to the quiet beauty my family has experienced here for the last 40 years. Please reconsider your position, or at least wait and see what the people feel in the upcoming election about HD housing in our community.

Thank you,

*Carole Call* *Jeff Call*

Carole and Jeff Call

|||

REC'D OCT 18 2016

Kevin McDavid  
2569 Greenbriar Lane  
Costa Mesa, CA 92626

October 13, 2016

Ryan Loomis, AICP, Associate Planner  
City of Costa Mesa  
77 Fair Drive  
Costa Mesa, CA 92628

Re: Public review and comment Initial Study/Mitigated Declaration 440 Fair Drive

Dear sir,

I am writing in regard to the notice that was sent to a select few of my neighbors in College Park about the referenced report. In my response I address in general the subject matter presented in the report, not a line by line critique.

To begin, the rezoning of this property is wrong. It's as wrong today as it was nine years ago when the very same owner/developer proposed building only eleven units there. In its recommendation to the City Council, the Planning Commission at that time denied the zoning change request. Among several justifications for denial this comment was included: "Specifically, denial is based on the fact that the proposed change applies only to a small area, and the change would make the property incompatible with surrounding properties." Nothing has changed in College Park in the last nine years that would make this rezoning any more compatible today.

Current access to the property is from Fair Drive, that location kept business traffic out of our tract. Moving the entrance to Carnegie means every trip to/from the property now goes through our tract. The stand of mature trees lining the parkway and brick wall along Carnegie segregates the business property from the residents and provides both visual and acoustic relief. The report mentions lighting conditions for the new residences will be the same as the existing business. Not true, the trees blocked that light. (See Photo 1 & 2)

I disagree with the aesthetics impacts in the report. All four issues addressed would have significant impacts on our tract. As mentioned, the mature tree stand along the street will be removed. The trees have been part of College Park vista for many decades and are the first thing noticed when entering Carnegie from the south end.

Changing that vista degrades the neighborhood visually. They were not mentioned in the report nor were there photos. There are no ocean or mountain views but the trees have always been part of the character and vista of College Park. Once they're gone, unwanted nighttime lighting and glare will impact residents to the east. Noise from Harbor Boulevard will be more apparent without the trees. Three-story buildings will act as an echo chamber.

At the north end of Carnegie, the vista once included treetops and blue sky over the homes. Today the view behind those homes is of a two story, block long concrete monolith of a parking structure. Just like the current project, the Planning Commission approved that project despite myriad resident complaints, their vistas ruined forever. The south end of Carnegie now faces the same fate. (See Photo 3 & 4)

The new project provides only five guest parking places. That may be acceptable per code but in reality, for 28 residences, there will be parking spillover on Carnegie, Bucknell and other streets in our tract. The parking situation on the south side of Baker Street in between Target and Jack-In-The-Box exemplifies the result of bad planning and gives a preview of what this development will bring to College Park. (See Photo 5)

The access road within the project may be per code but if our Fire Department needs to respond there's only one way in and out. If there is ever a multi-house fire, or more than one engine called, families could not drive out. Their escape would be over walls and fences. The two weekly trash trucks will navigate the narrow street and then go in reverse for a block to turn around. This maneuver is dangerous for the drivers as well as children and pets. This is bad design, an accident waiting to happen.

A current project in Mesa Verde will build 10 new two-story homes on a 2 acre plot. In Mesa Del Mar a new project will build 24 new two-story homes. Both projects were designed to be compatible with existing neighborhoods. College Park on the other hand faces 28 three-story and three-story w/ deck residences crammed into a 1.7 acre lot. The initial proposal had two-story homes lining Carnegie, now they are three story. More bait and switch. A similar project is being built on west 18th Street, also not compatible with one-story homes. (See Photo 6)

OCC proved to be a friend of our neighborhood, unlike the city. When it presented its plan for future expansion to the public (including College Park residents) many neighbors were rightfully concerned that a new four-story hotel and parking structure were planned on opposite corners of Fairview and Merrimac. Those structures were not compatible with College Park. Many voiced their disapproval of the plan and as a result the College revised it to delete the two structures.

The City however continues its efforts to add developments that adversely affect the nature and character of College Park. Keeping the 440 property zoned for commercial business makes sense. Leasing to neighborhood-friendly businesses makes even better sense. Rezoning for single story family homes matching the density of College Park makes sense. High density housing makes absolutely no sense, please reconsider what this development will do to us. Once it's built it's forever.

Sincerely,

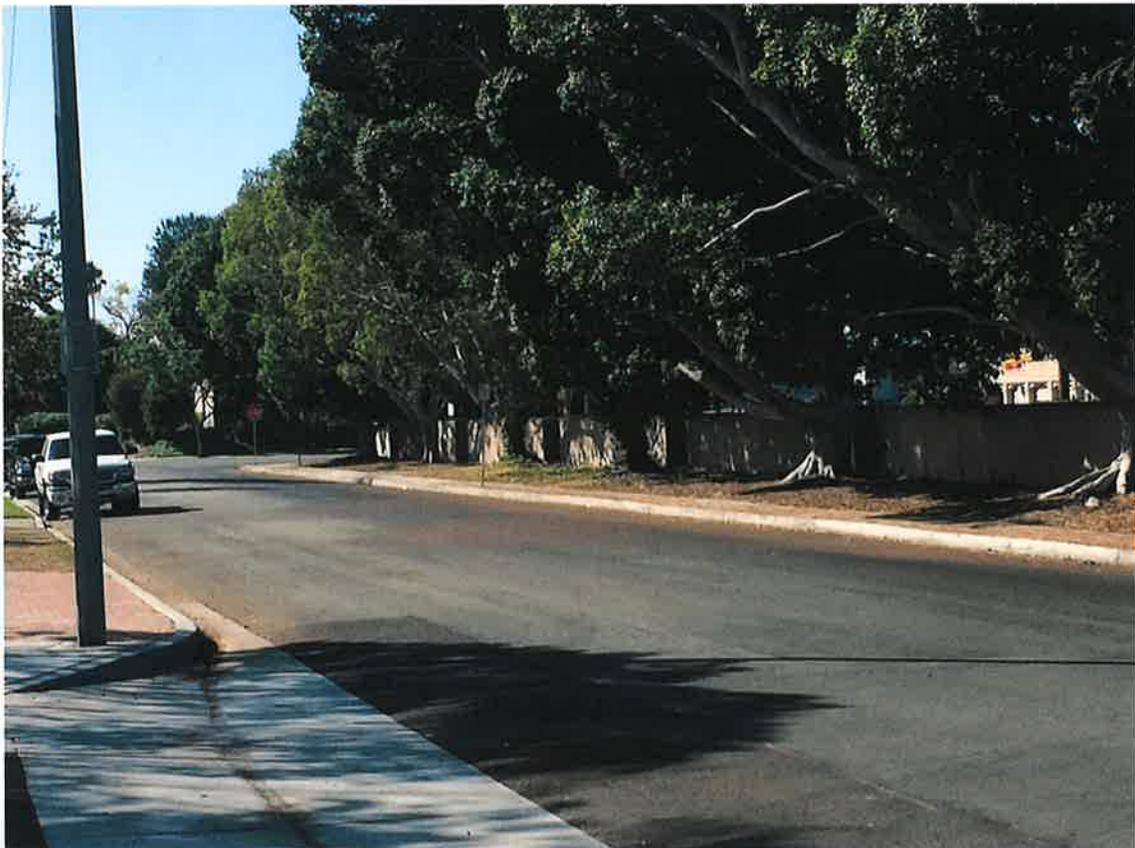


Kevin McDavid

College Park resident 34 years



*Photo 1*



*Photo 2*

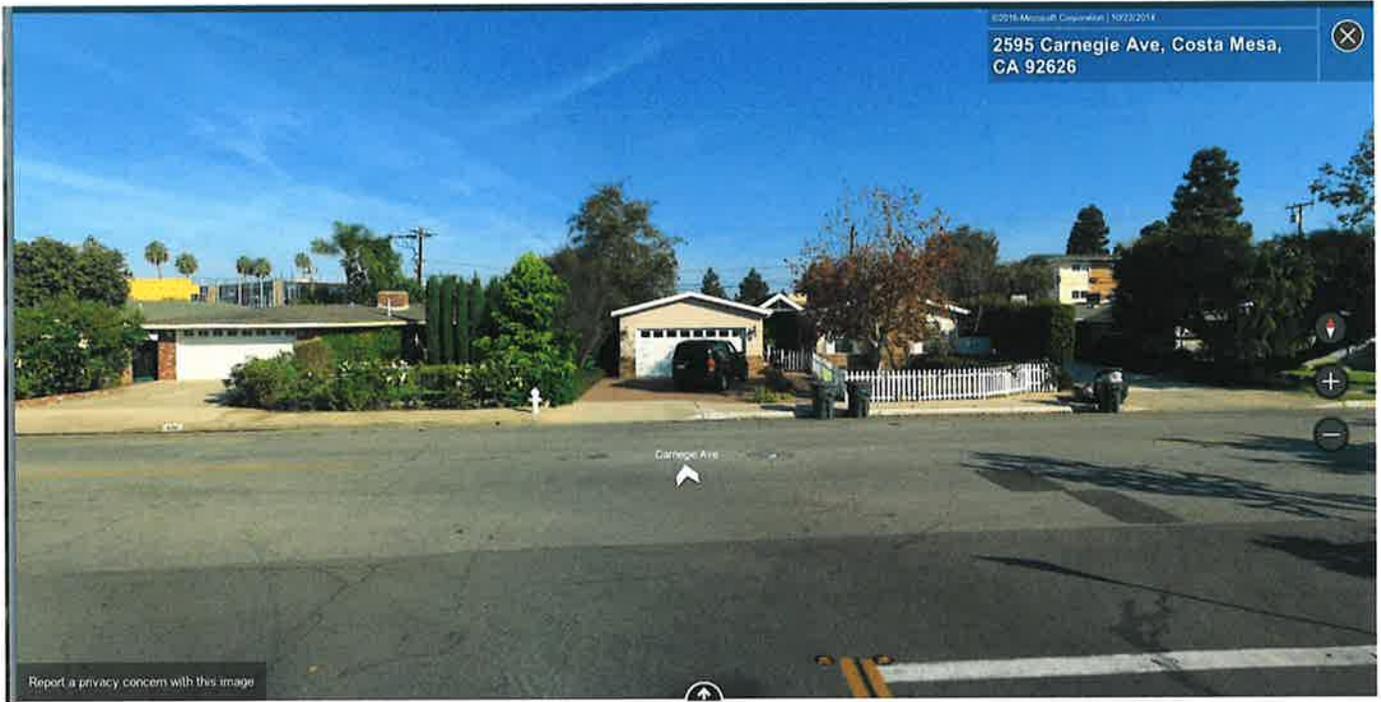


Photo 3



Photo 4



Photo 5



Photo 6

## LOOMIS, RYAN

---

**Subject:** FW: GPS -14-04 440 Fair Drive - Proposed Development of 28 units

**From:** David E. Fred [<mailto:davidefred@gmail.com>]  
**Sent:** Friday, October 21, 2016 4:38 PM  
**To:** [rdickson.cmpc@gmail.com](mailto:rdickson.cmpc@gmail.com); Mayor <[Mayor@costamesaca.gov](mailto:Mayor@costamesaca.gov)>  
**Subject:** GPS -14-04 440 Fair Drive - Proposed Development of 28 units

October 21, 2016

Robert L. Dickson, Jr.  
Chairman  
City of Costa Mesa Planning Commission  
77 Fair Drive  
Costa Mesa, CA 92626

The Honorable Stephen Mensinger  
Mayor of the City of Costa Mesa, CA  
77 Fair Drive  
Costa Mesa, CA 92626

Re: GPS-14-04 440 Fair Drive Development Proposal

Gentlemen:

Thank you for the opportunity to be heard on this matter. Having been a homeowner in College Park since 2001, I have experienced several disturbing changes to the neighborhood, all of which impacts the reason why I moved to this neighborhood to begin with - quiet, a sense of suburban living, knowing my neighbors and raising fising a, mostly due to the price of home ownership, and, the needs of the community pertaining to affordable housing for college students (Vanguard University and Orange Coast Community College) and affordable housing for moderate and low income housing.

As we saw in 2007, at the height of the prior real estate market, many homes in the College Park area were inhabited by many more individuals that would normally inhabit a single family home. Within eyesight of my home, there were no less than 4 homes, each with 12 – 15 residents living in 3 and 4 bedroom homes. With the real estate crash and revised lending requirements, much of this has been abated and the single family homes are now, again, occupied by single families.

Additionally, as rental housing continues to become scarce, at a price point that many can achieve, there are more and more people sharing apartments and single family homes than ever before. An estimated 50% of the homes in college park are now rentals. The multi-family housing community known as Mediterranean Village Apartments has already caused an overflow parking issue for the residents in the neighborhoods south of Fair Drive and East of Harbor Boulevard. In my block alone, there are as many as 10 – 15 cars parked at various

times (sometimes blocking my driveway) and creating quite a mess (trash, empty alcohol containers, vomit, noise, loud music, etc.). I believe that, other than those blocks which were able to apply for and get parking access restrictions for residents, are also experiencing such impacts from overcrowding at Mediterranean Village. Notwithstanding the impact of additional vehicles, the traffic on Fordham, Nassau and Wilson has increased substantially in the past 4-5 years, and at times has become very dangerous at times.

Now, with the development of 28 high density homes at 440 Fair Drive, will, contrary to impact studies, increase traffic on Fair, Fordham, Princeton and Bucknell, require parking for additional vehicles (currently parking in front of certain single family homes is at full capacity) and possibly, be the beginning of a decline in home values (especially along Carnegie Avenue and immediately surrounding areas) that will spread outward.

In reading the proposal by the developer, they have outlined 92 parking spaces for these 28 units, or just over 3 spaces per unit. These units will be built as townhomes, some with 3 bedrooms. Given the lack of affordable housing, it is with a high degree of certainty that some of these townhomes will be converted to rental units by their owners, and a 3 bedroom townhome could easily house upwards of 5 or 6 people – each with a vehicle in most cases. Where will these residents park when their allotted spaces are full? The neighborhoods in the surrounding community will necessarily have to take up the slack. Not to mention guests of residents will also need to be managed and handled by the side streets.

This is not a “NIMBY” letter, rather, a plea for responsible development that is correct for the community and not on behalf of the developer who needs to build as many units as possible to maximize its profitability. There is a need to balance space use with space impact - at the expense of developer profit. I applaud capitalism, but not on the backs of others who are powerless to combat the residual effects. Please consider the impact on the neighborhood before granting approval for this development. Have the developer “right-size” the development with appropriate parking to housing ratios (including the impact of townhomes becoming rental units) and make a bit less profit from the sale of townhomes once completed.

With thanks and regards,

David E. Fred  
2427 Vassar Place  
Costa Mesa, CA 92626  
[davidefred@gmail.com](mailto:davidefred@gmail.com)



# AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

3160 Airway Avenue • Costa Mesa, California 92626 • 949.252.5170 fax: 949.252.6012

October 24, 2016

Ryan Loomis, Associate Planner  
City of Costa Mesa  
77 Fair Drive  
Costa Mesa, CA 92628-1200

Subject: MND for 440 Fair Drive Residential Development

Dear Mr. Loomis:

Thank you for the opportunity to review the Initial Study for the proposed residential development project located at 440 Fair Drive, Costa Mesa, in the context of the Airport Land Use Commission's *Airport Environs Land Use Plan for John Wayne Airport (JWA AELUP)*. The proposed project involves the development of eight new three-story detached single-family units and twenty four-story duplex units on a 1.67 acre site. The proposed project would also require an amendment to the City's General Plan in order to change the existing land use designation from Neighborhood Commercial to High-Density Residential.

As discussed in the initial study, the proposed project is located within the Federal Aviation Regulation (FAR) Part 77 Notification Area for JWA. We suggest that the MND discuss the height at which the notification surface would be penetrated compared to the proposed building heights. The initial study states that notice to the Federal Aviation Administration (FAA) is required. We also recommend that the MND include a discussion of the proposed project's location within the FAR Part 77 Obstruction Imaginary Surfaces for JWA.

A referral by the City to the ALUC may be required for this project due to the location of the proposal within a JWA AELUP Planning Area and due to the nature of the required City approvals (i.e., General Plan Amendment and Zone Change) under PUC Section 21676(b). In this regard, please note that the Commission suggests such referrals be submitted to the ALUC for a determination, between the Local Agency's expected Planning Commission and City Council hearings. Since the ALUC meets on the third Thursday afternoon of each month, submittals must be received in the ALUC office by the first of the month to ensure sufficient time for review, analysis, and agendaing.

ALUC Comments – 440 Fair Drive  
Residential Development  
October 24, 2016  
Page 2

Thank you for the opportunity to comment on this initial study. Please contact Lea Choum at (949) 252-5123 or via email at [lchoum@ocair.com](mailto:lchoum@ocair.com) if you need any additional details or information regarding the future referral of your project.

Sincerely,

A handwritten signature in black ink, appearing to read "Kari A. Rigoni". The signature is fluid and cursive, with a horizontal line extending to the right.

Kari A. Rigoni  
Executive Officer



October 24, 2016

BOARD OF DIRECTORS

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Mr. Ryan Loomis  
Associate Planner  
City of Costa Mesa  
77 Fair Drive  
Costa Mesa, CA 92628

**SUBJECT: 440 Fair Drive Project Initial Study/Mitigated Negative Declaration**

Dear Mr. Loomis:

Thank you for providing the Orange County Transportation Authority (OCTA) the opportunity to review the Initial Study and Mitigated Negative Declaration for the subject project. The following comments are provided for your consideration:

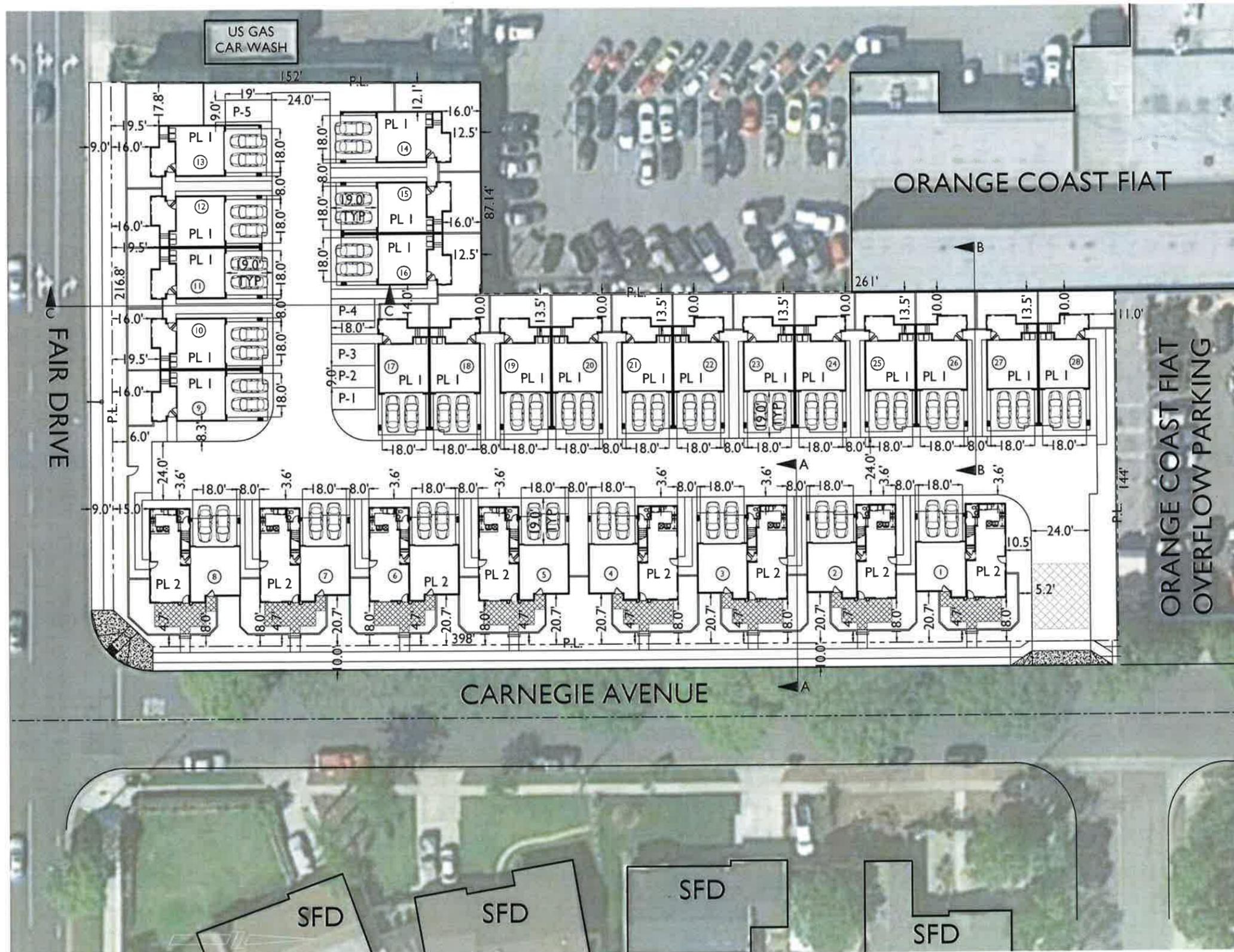
- Page 131, Table 20: Please consider modifying the title to read: "Existing Bikeways within the Project Vicinity."
- Page 131, Table 20: Please change the type of bicycle facility on Fairview Road from "Regional" to "Class 2" consistent with the Costa Mesa General Plan (2006).
- Page 131: Please note that Fair Drive and Harbor Boulevard are both designated as a Regional Bikeway (Corridor K) in the Districts 1 and 2 Bikeway Strategy (OCTA, 2013). <http://www.octa.net/Bike/Bikeways-Planning/>

Throughout the development of the proposed project, we encourage communication with OCTA on any matters discussed herein. If you have any questions or comments, please contact me by phone at (714) 560-5907, or by email at [dphu@octa.net](mailto:dphu@octa.net).

Sincerely,

Dan Phu  
Manager, Environmental Programs

122



**SITE PLAN SUMMARY**

OWNER: SHELDON DEVELOPMENT, LLC.  
 901 DOVE STREET, SUITE 230  
 NEWPORT BEACH, CA 92660  
 PHONE: (949)777-9400

SITE ADDRESS: FAIR DRIVE AT CARNEGIE

PROPOSED UNITS: 28 HOMES  
 20 - 3 STORY DUPLEX  
 8 - 2 STORY DETACHED

LOT AREA: 72,310 S.F. (1.66 ACRES)

DENSITY: 16.25 UNITS PER ACRE

SITE SUMMARY:  
 BLDG FOOTPRINTS: 20,922 S.F. (28.9%)  
 PRIV. STREETS/DRIVES: 24,745 S.F. (34.3%)  
 OPEN SPACE: 26,643 S.F. (36.8% AT GRADE)  
 BALCONIES: 1,080 S.F. (2ND FLOOR)  
 ROOF DECKS: 7,240 S.F.  
 TOTAL OPEN SPACE: 34,963 S.F. (48.3%)

**PLAN SUMMARY:**

**4 STORY (3 LIVABLE + ROOF DECK) - 4 BDRM**

PLAN 1	1ST FLR	160 S.F.
	2ND FLR	910 S.F.
	3RD FLR	905 S.F.
	TOTAL LIVABLE	1,975 S.F.
	GARAGE	448 S.F.
	BALCONY	54 S.F.
	4TH (ROOF DECK)	362 S.F.

**3 STORY - 3 BDRM**

PLAN 2	1ST FLR	609 S.F.
	2ND FLR	1,196 S.F.
	3RD FLR	245 S.F.
	TOTAL LIVABLE	2,050 S.F.
	GARAGE	439 S.F.

**PARKING SUMMARY:**

REQUIRED PARKING = 20 UNITS X 4 STALLS/UNIT = 80 STALLS  
 8 UNITS X 4 STALLS/UNIT = 32 STALLS  
 112 STALLS

PLAN 1 2 CAR ATTACHED GARAGE X 20 UNITS = 40 STALLS  
 PLAN 2 2 CAR ATTACHED GARAGE X 8 UNITS = 16 STALLS  
 GUEST PRIVATE DRIVE STALLS = 56 STALLS  
 GUEST ADD'L OPEN UNASSIGNED STALLS = 5 STALLS  
 117 STALLS

CARNEGIE AVENUE - COSTA MESA - 28 HOMES

SITE PLAN

Sheldon Development, LLC.  
 901 Dove Street, Suite 230  
 Newport Beach, CA 92660  
 Phone: (949)777-9400



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 SEPTMBER 13, 2016



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STREET SCENE A



STREET SCENE C



STREET SCENE B

CARNEGIE AVENUE - COSTA MESA - 28 HOMES

STREET SCENES

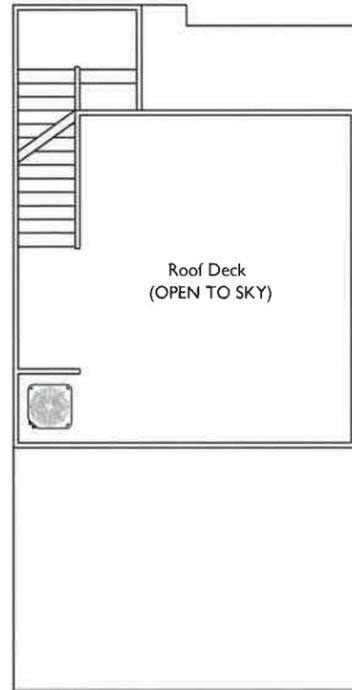
Sheldon Development, LLC.  
 901 Dove Street, Suite 230  
 Newport Beach, CA 92660  
 Phone: (949)777-9400



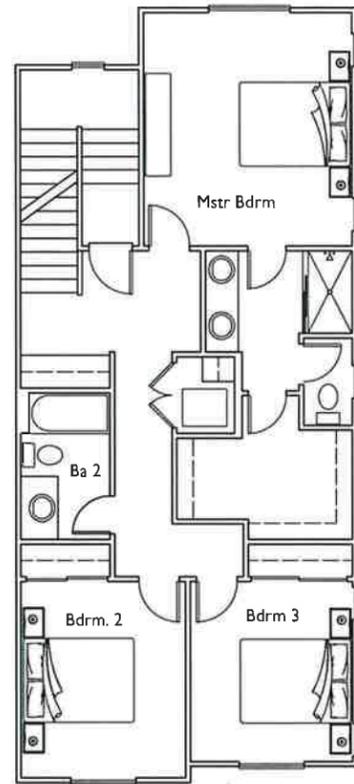
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 SEPTMBER 13, 2016

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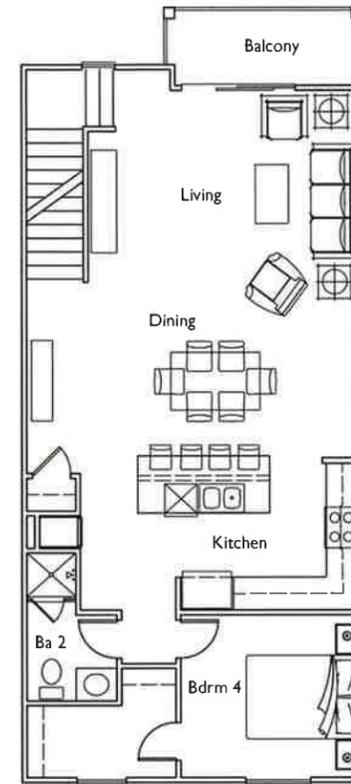
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 ARCHITECTURE  
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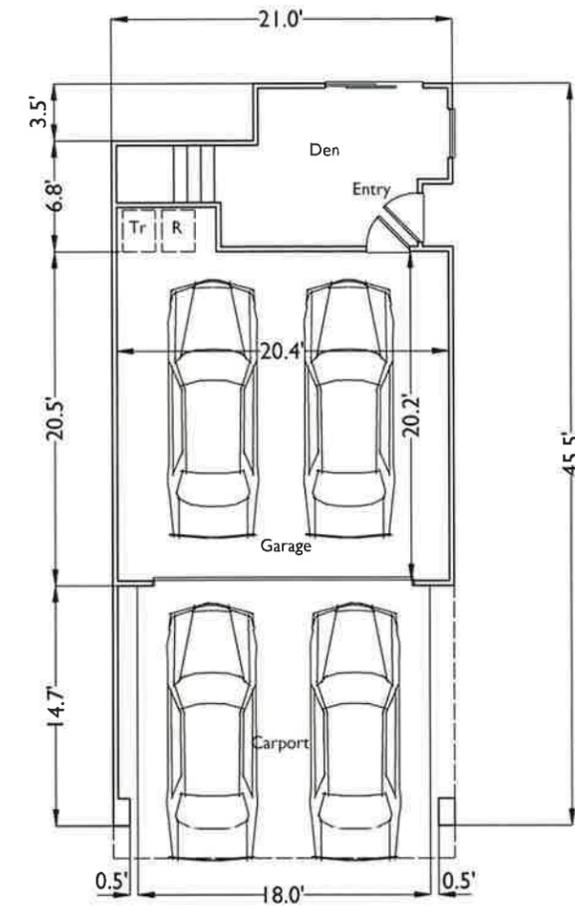
FOURTH FLOOR PLAN



THIRD FLOOR PLAN



SECOND FLOOR PLAN



FIRST FLOOR PLAN

PLAN SUMMARY

	LIVABLE AREA
1ST FLR	160 S.F.
2ND FLR	910 S.F.
3RD FLR	905 S.F.
TOTAL LIVABLE	1,975 S.F.
GARAGE	448 S.F.
BALCONY	54 S.F.
4TH FLR (ROOF DECK)	362 S.F.
<u>MINIMUM FOOTPRINT AREA</u>	
1ST FLR	608 S.F. = 100%
2ND FLR	910 S.F. = 149.7%
3RD FLR	905 S.F. = 148.8%
4TH FLR (ROOF DECK)	362 S.F. = 59.5%

CARNEGIE AVENUE - COSTA MESA - 28 HOMES



RIGHT ELEVATION



REAR ELEVATION



LEFT ELEVATION

MATERIAL SCHEDULE

- 1 ROOF - CONCRETE TILE ROOF
- 2 FASCIA - 2X6 RESAWN WOOD
- 3 FASCIA - STUCCO OVER SHAPED FOAM
- 4 WALL - EXTERIOR STUCCO - SAND FINISH
- 5 WALL - HORIZONTAL LAP SIDING
- 6 WALL - BOARD AND BATTEN
- 7 TRIM - 2X RESAWN WOOD @ SIDING
- 8 TRIM - 2X STUCCO OVER FOAM
- 9 STONE VENEER
- 10 BRICK VENEER
- 11 RAILING - COMPOSITE WOOD
- 12 DECORATIVE - WOOD SHUTTERS
- 13 DECORATIVE - WOOD POTSHELF
- 14 DECORATIVE - STUCCO OVER FOAM POTSHELF
- 15 DECORATIVE - WOOD OUTLOOKERS
- 16 DECORATIVE - WOOD GORBELS
- 17 DECORATIVE - WOOD ARBOR
- 18 DECORATE - GABLE ACCENT



FRONT ELEVATION

CARNEGIE AVENUE - COSTA MESA - 28 HOMES

CONCEPTUAL EXTERIORS - PLAN 1A

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Newport Beach, CA 92660  
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RIGHT ELEVATION



REAR ELEVATION



LEFT ELEVATION



FRONT ELEVATION

MATERIAL SCHEDULE

- 1 ROOF - CONCRETE TILE ROOF
- 2 FASCIA - 2X6 RESAWN WOOD
- 3 FASCIA - STUCCO OVER SHAPED FOAM
- 4 WALL - EXTERIOR STUCCO - SAND FINISH
- 5 WALL - HORIZONTAL LAP SIDING
- 6 WALL - BOARD AND BATTEN
- 7 TRIM - 2X RESAWN WOOD @ SIDING
- 8 TRIM - 2X STUCCO OVER FOAM
- 9 STONE VENEER
- 10 BRICK VENEER
- 11 RAILING - COMPOSITE WOOD
- 12 DECORATIVE - WOOD SHUTTERS
- 13 DECORATIVE - WOOD POTSHELF
- 14 DECORATIVE - STUCCO OVER FOAM POTSHELF
- 15 DECORATIVE - WOOD OUTLOOKERS
- 16 DECORATIVE - WOOD CORBELS
- 17 DECORATIVE - WOOD ARBOR
- 18 DECORATE - GABLE ACCENT

CARNEGIE AVENUE - COSTA MESA - 28 HOMES

CONCEPTUAL EXTERIORS - PLAN 1B

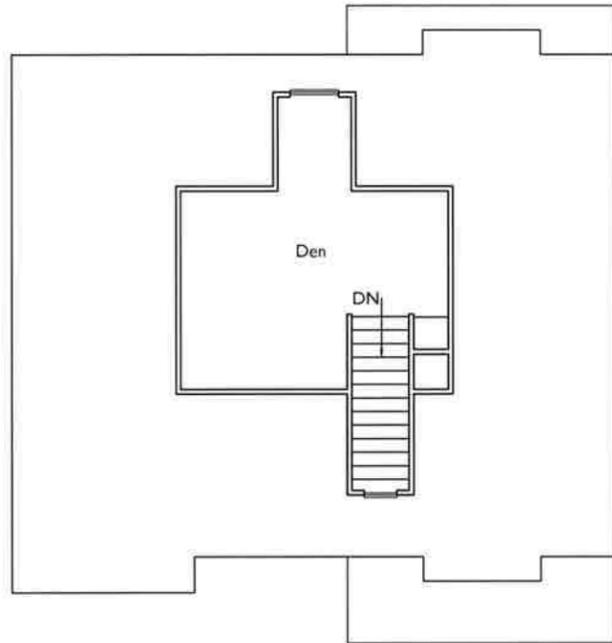
Sheldon Development, LLC.  
901 Dove Street, Suite 230  
Newport Beach, CA 92660  
Phone: (949)777-9400



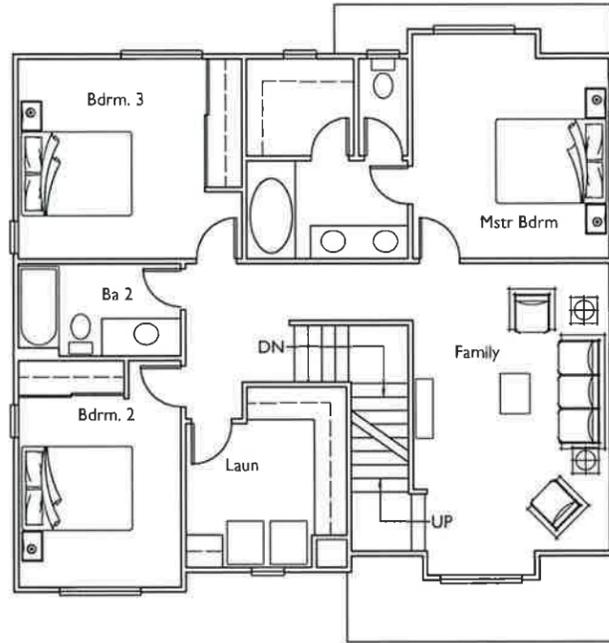
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SEPTMBER 13, 2016

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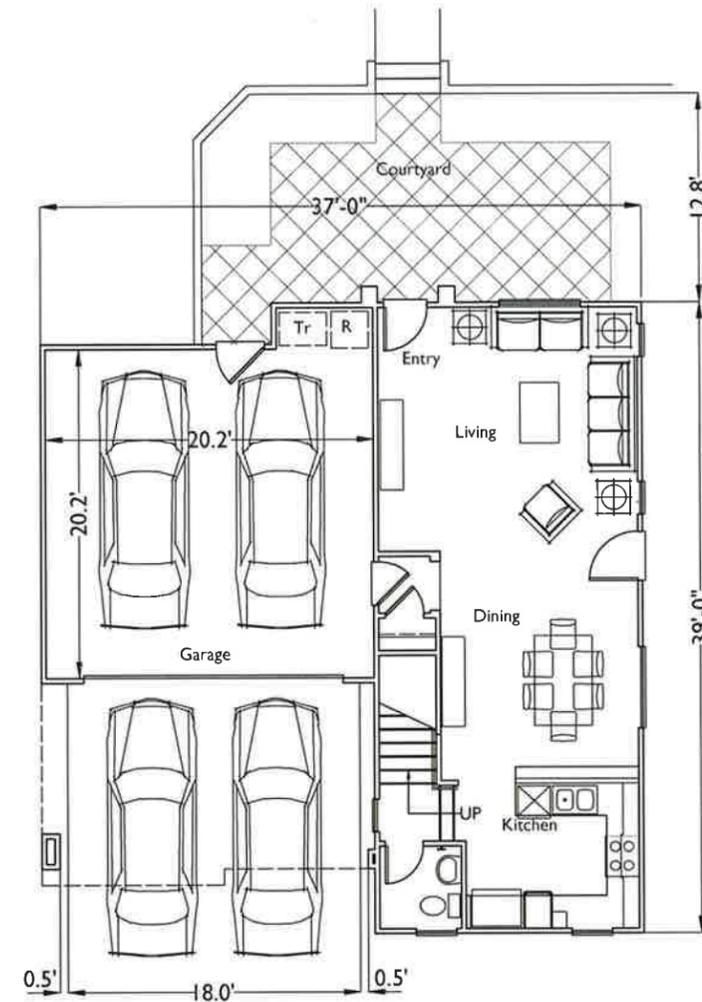
**SUMMA**  
ARCHITECTURE  
5256 S. Mission Road, Ste. 404 Bonsall, CA 92003  
www.summarch.com 760.724.1198



THIRD FLOOR PLAN



SECOND FLOOR PLAN



FIRST FLOOR PLAN

PLAN SUMMARY

	LIVABLE AREA
1ST FLR	609 S.F.
2ND FLR	1,196 S.F.
3RD FLR (ATTIC DEN)	245 S.F.
TOTAL LIVABLE	2,050 S.F.
GARAGE	439 S.F.

MINIMUM FOOTPRINT AREA

1ST FLR	1,048 S.F. = 100%
2ND FLR	1,196 S.F. = 114.1%
3RD FLR (ATTIC DEN)	245 S.F. = 23.4%

CARNEGIE AVENUE - COSTA MESA - 28 HOMES

PLAN 2 - 3 STORY



RIGHT ELEVATION



REAR ELEVATION

**MATERIAL SCHEDULE**

- 1 ROOF - CONCRETE TILE ROOF
- 2 FASCIA - 2X6 RESAWN WOOD
- 3 FASCIA - STUCCO OVER SHAPED FOAM
- 4 WALL - EXTERIOR STUCCO - SAND FINISH
- 5 WALL - HORIZONTAL LAP SIDING
- 6 WALL - BOARD AND BATTEN
- 7 TRIM - 2X RESAWN WOOD @ SIDING
- 8 TRIM - 2X STUCCO OVER FOAM
- 9 STONE VENEER
- 10 BRICK VENEER
- 11 RAILING - COMPOSITE WOOD
- 12 DECORATIVE - WOOD SHUTTERS
- 13 DECORATIVE - WOOD POTSHELF
- 14 DECORATIVE - STUCCO OVER FOAM POTSHELF
- 15 DECORATIVE - WOOD OUTLOOKERS
- 16 DECORATIVE - WOOD CORBELS
- 17 DECORATIVE - WOOD ARBOR
- 18 DECORATE - GABLE ACCENT



LEFT ELEVATION



FRONT ELEVATION

CARNEGIE AVENUE - COSTA MESA - 28 HOMES

CONCEPTUAL EXTERIORS - PLAN 2A

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RIGHT ELEVATION



REAR ELEVATION

**MATERIAL SCHEDULE**

- 1 ROOF - CONCRETE TILE ROOF
- 2 FASCIA - 2X6 RESAWN WOOD
- 3 FASCIA - STUCCO OVER SHAPED FOAM
- 4 WALL - EXTERIOR STUCCO - SAND FINISH
- 5 WALL - HORIZONTAL LAP SIDING
- 6 WALL - BOARD AND BATTEN
- 7 TRIM - 2X RESAWN WOOD @ SIDING
- 8 TRIM - 2X STUCCO OVER FOAM
- 9 STONE VENEER
- 10 BRICK VENEER
- 11 RAILING - COMPOSITE WOOD
- 12 DECORATIVE - WOOD SHUTTERS
- 13 DECORATIVE - WOOD POTSH-ELF
- 14 DECORATIVE - STUCCO OVER FOAM POTSH-ELF
- 15 DECORATIVE - WOOD OUTLOOKERS
- 16 DECORATIVE - WOOD CORBELS
- 17 DECORATIVE - WOOD ARBOR
- 18 DECORATE - GABLE ACCENT



LEFT ELEVATION



FRONT ELEVATION

CARNEGIE AVENUE - COSTA MESA - 28 HOMES

CONCEPTUAL EXTERIORS - PLAN 2B

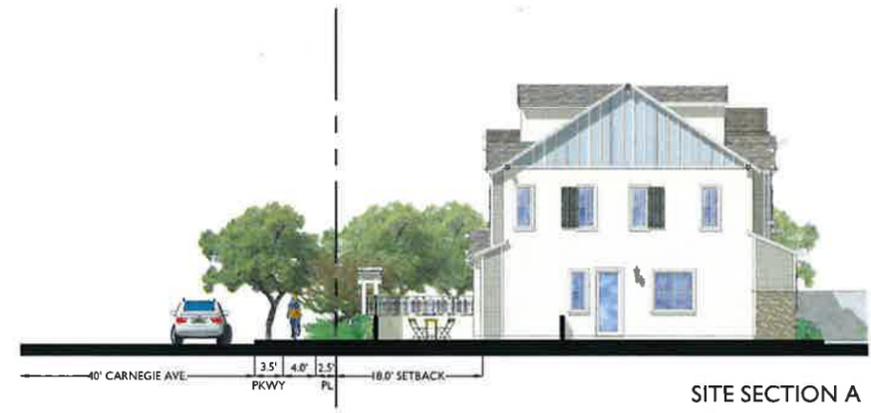
Sheldon Development, LLC.  
901 Dove Street, Suite 230  
Newport Beach, CA 92660  
Phone: (949)777-9400



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SEPTMBER 13, 2016

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ARCHITECTURE  
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CARNEGIE AVENUE - COSTA MESA - 28 HOMES

SITE SECTIONS

Sheldon Development, LLC.  
 901 Dove Street, Suite 230  
 Newport Beach, CA 92660  
 Phone: (949)777-9400



0 4 8 16  
 SEPTMBER 13, 2016

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**SUMMA**  
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# CARNEGIE AVENUE

COSTA MESA, CA.



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BONSALL, CA. 92003  
760.724.1198

SHELDON DEVELOPMENT, LLC.  
901 DOVE STREET, SUITE 230  
NEWPORT BEACH, CA 92660  
(949) 777-9400

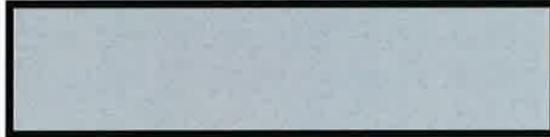
MANUFACTURER:  
SHERWIN-WILLIAMS  
ELDORADO STONE  
EAGLE ROOFING

## STUCCO 1:



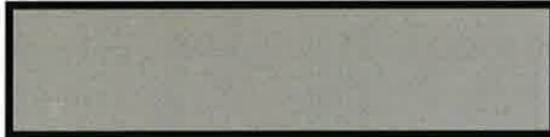
DAYBREAK SW 6700

## BOARD & BATTEN 2:



SAMOVAR SILVER SW 6233

## SIDING 3:



ZEUS SW 7744

## TRIM / FASCIA 4:



EXTRA WHITE SW 7006

## STONE VENEER 5:



MESQUITE - CLIFFSTONE

## ACCENT 6:



OLYMPIC RANGE SW 7750

## ROOF 7:



SCB 8802 NANTUCKET BLEND



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# CARNEGIE AVENUE

COSTA MESA, CA.



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BONSALL, CA. 92003  
760.724.1198

SHELDON DEVELOPMENT, LLC.  
901 DOVE STREET, SUITE 230  
NEWPORT BEACH, CA 92660  
(949) 777-9400

MANUFACTURER:  
SHERWIN-WILLIAMS  
ELDORADO STONE  
EAGLE ROOFING

## STUCCO 1:



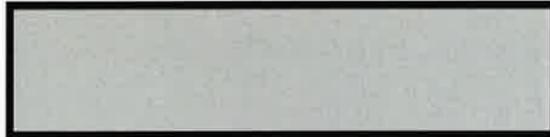
EXTRA WHITE SW 7006

## BOARD & BATTEN 2:



CLARY SAGE SW 6178

## SIDING 3:



REALIST BEIGE SW 6078

## TRIM / FASCIA 4:



EXTRA WHITE SW 7006

## STONE VENEER 5:



MESQUITE - CLIFFSTONE

## ACCENT 6:



DISTANCE SW 6243

## ROOF 7:



4689 BROWN RANGE



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3 STORY - B

# CARNEGIE AVENUE

COSTA MESA, CA.



5256 S. MISSION RD. STE 404  
BONSALL, CA. 92003  
760.724.1198

SHELDON DEVELOPMENT, LLC.  
901 DOVE STREET, SUITE 230  
NEWPORT BEACH, CA 92660  
(949) 777-9400

MANUFACTURER:  
SHERWIN-WILLIAMS  
ELDORADO STONE  
EAGLE ROOFING

## STUCCO 1:



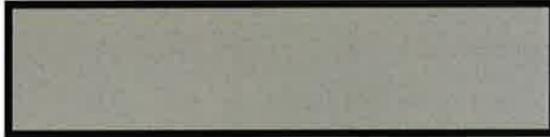
DAYBREAK SW 6700

## BOARD & BATTEN 2:



SAMOVAR SILVER SW 6233

## SIDING 3:



ZEUS SW 7744

## TRIM / FASCIA 4:



EXTRA WHITE SW 7006

## STONE VENEER 5:



MESQUITE - CLIFFSTONE

## ACCENT 6:



SAMOVAR SILVER SW 6233

## ROOF 7:



4689 BROWN RANGE



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40 STORY - A

# CARNEGIE AVENUE

COSTA MESA, CA.



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BONSALL, CA. 92003  
760.724.1198

SHELDON DEVELOPMENT, LLC.  
901 DOVE STREET, SUITE 230  
NEWPORT BEACH, CA 92660  
(949) 777-9400

MANUFACTURER:  
SHERWIN-WILLIAMS  
ELDORADO STONE  
EAGLE ROOFING

## STUCCO 1:



SAMOVAR SILVER SW 6233

## BOARD & BATTEN 2:



EXTRA WHITE SW 7006

## TRIM / FASCIA 3:



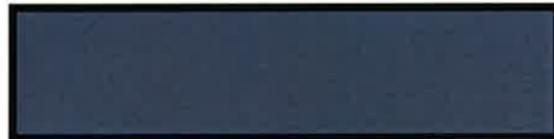
EXTRA WHITE SW 7006

## BRICK VENEER 4:



ASHLAND - TUNDRA BRICK

## ACCENT 5:



DISTANCE SW 6243

## ROOF 6:



4689 BROWN RANGE



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40 STORY - B



**LANDSCAPE NOTES**

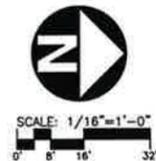
- ① PROJECT ENTRY MONUMENTATION (MASONRY COLUMN - SEE ELEVATION ON SHT. 2)
- ② PRECAST UNIT PAVERS AT PROJECT ENTRY STREET
- ③ NATURAL COLOR CONCRETE PEDESTRIAN PAVING WITH BROOM FINISH
- ④ PRIVATE YARD AREAS (TYP.)
- ⑤ PARKWAY PLANTING
- ⑥ 6' HIGH VINYL FENCING (SEE ELEVATION ON SHT. 2)
- ⑦ VINYL GATE (TO MATCH VINYL FENCE) 6' HIGH MASONRY THEME WALL WITH
- ⑧ SPLIT-FACE EXPOSED TO PUBLIC AREAS AND PRECISION FINISH TO PRIVATE AREAS (SEE ELEVATION ON SHT. 2)
- ⑨ 3' HIGH SPLIT-FACE THEME WALL BOTH SIDES
- ⑩ 6' HIGH PRECISION BLOCK WALL BOTH SIDES AT PROPERTY LINE
- ⑪ COMMUNITY MAIL BOX
- ⑫ 2" NATURAL COLOR CONCRETE BANDS WITH BROOM FINISH
- ⑬ SPLIT FACE MASONRY THEME COLUMN (SEE ELEVATION ON SHT. 2)
- ⑭ COMBINATION WALLS PER ARCHITECTURAL ELEVATIONS

**PLANT LEGEND - SHRUBS & GRASSES**

SYMB	INIT.	BOTANICAL NAME	COMMON NAME	SIZE	PLANT FACT.	COMMENTS
<b>SHRUBS</b>						
[Symbol]	ARC HM	ARCTOSTAPHYLOS DENSIFLORA 'HOWARD MCMINN'	HOWARD MCMINN MANZANITA	5 GAL.	L	SHRUB 3'-6" O.C.
[Symbol]	CAR BB	CARISSA MACROCARPA 'BOXWOOD BEAUTY'	BOXWOOD BEAUTY NATAL PLUM	1 GAL. 5 GAL.	M	SHRUB 2'-6" O.C.
[Symbol]	BOU SDR	CARISSA MACROCARPA 'EMERALD CARPET'	EMERALD CARPET NATAL PLUM	1 GAL.	M	GROUNDCOVER TRIANGULAR SPACING 4'-0" O.C.
[Symbol]	HEM SDO	HEMEROCALLIS HYBRID 'STELLA DE ORO'	DAYLILY	1 GAL.	M	PERENNIAL 1'-6" O.C.
[Symbol]	LANT DY	LANTANA 'DWARF YELLOW'	DWARF YELLOW LANTANA	5 GAL.	L	SHRUB 2'-6" O.C.
[Symbol]	LAV ANG	LAVANDULA ANGIUSTIFOLIA 'BLUE CUSHION'	ENGLISH LAVENDER	5 GAL.	L	SHRUB 2'-6" O.C.
[Symbol]	LIM PER	LIMONIUM PEREZEI	STATICE	1 GAL.	L	PERENNIAL 1'-6" O.C.
[Symbol]	EMAH COM	MAHONIA AQUIFOLIUM 'COMPACTA'	COMPACT MAHONIA	5 GAL.	L	SHRUB 3'-6" O.C.
[Symbol]	NAN DOM	NANDINA DOMESTICA	HEAVENLY BAMBOO	5 GAL.	L	SHRUB 3'-0" O.C.
[Symbol]	NAN GS	NANDINA DOMESTICA 'GULF STREAM'	GULF STREAM HEAVENLY BAMBOO	5 GAL.	L	SHRUB 2'-6" O.C.
[Symbol]	PHO JS	PHORMIUM TENAX 'JACK SPRATT'	NEW ZEALAND FLAX	1 GAL.	L	SHRUB 2'-0" O.C.
[Symbol]	PHO RR	PHOTINIA X FRASER 'RED ROBIN'	PHOTINIA	5 GAL.	M	SHRUB 3'-6" O.C.
[Symbol]	PIT VAR	PITTIOSPORUM TOBIRA 'VARIEGATA'	VARIEGATED TOBIRA	5 GAL.	M	SHRUB 4'-0" O.C.
[Symbol]	RHA BAL	RHAPHOLEPIS INDICA 'BALLERINA'	BALLERINA INDIAN HAWTHORN	5 GAL.	M	SHRUB 3'-0" O.C.
[Symbol]	RHA ENC	RHAPHOLEPIS INDICA 'ENCHANTRESS'	ENCHANTRESS INDIAN HAWTHORN	5 GAL.	M	SHRUB 3'-6" O.C.
[Symbol]	RHA GG	RHAPHOLEPIS UMBELLATA 'GULF GREEN'	GULF GREEN YEDDO HAWTHORN	5 GAL.	M	SHRUB 2'-6" O.C.
[Symbol]	ROS ICE	ROSA FORBUNDIA 'ICEBERG'	ICEBERG ROSE	5 GAL.	M	SHRUB 3'-6" O.C.
[Symbol]	ROS NOA	ROSA X 'NOASTRUM'	PINK CARPET	5 GAL.	L	SHRUB 2'-6" O.C.
[Symbol]	ROS HC	ROSMARINUS OFFICINALIS 'BLUE SPIRES'	BLUE SPIRES ROSEMARY	5 GAL.	L	SHRUB 2'-6" O.C.
[Symbol]	ROS HC	ROSMARINUS OFFICINALIS 'HUNTINGTON CARPET'	HUNTINGTON CARPET ROSEMARY	1 GAL.	L	GROUNDCOVER TRI SPACING 4'-0" O.C.
[Symbol]	SAL MEX	SALVIA MEXICANA	MEXICAN SAGE	5 GAL.	L	SHRUB 4'-0" O.C.
<b>GRASSES</b>						
[Symbol]	ARI PUR	ARISTIDA PURPUREA	PURPLE THREE AWN LINERS	1 GAL.	L	1'-6" O.C. GROUNDCOVER 1'-0" TRI. SPACING
[Symbol]	FES GLA	FESTUCA GLAUCA	BLUE FESCUE LINERS	1 GAL.	L/M	1'-6" O.C. GROUNDCOVER 1'-0" TRI. SPACING
[Symbol]	NAS TEN	NASSELLA TENUISSIMA	MEXICAN FEATHER GRASS LINERS	1 GAL.	L	1'-6" O.C. GROUNDCOVER 1'-0" TRI. SPACING

**PLANTING LEGEND - TREES**

SYMB.	INIT.	BOTANICAL NAME	COMMON NAME	SIZE	PLANT FACT.	COMMENTS
<b>TREES</b>						
[Symbol]	CIV CAM	CINNAMOMUM CAMPHORA	CAMPHOR TREE		M	STANDARD
[Symbol]	CUP SEM	CUPRESSUS SEMPERVIRENS	ITALIAN CYPRESS		L	STANDARD
[Symbol]	LAU NOB	LAURUS NOBILIS 'SATATOGA'	BAY LAUREL		L	STANDARD
[Symbol]	LOP CON	LOPHOSTEMON CONFERTUS	BRISBANE BOX		M	STANDARD
[Symbol]	POD GRA	PODOCARPUS GRAECULOID	FERN PINE		M	STANDARD



SHELDON DEVELOPMENT  
 901 DOVE STREET, SUITE 230  
 NEWPORT BEACH, CA 92660  
 949.777.9400

**PRELIMINARY LANDSCAPE PLAN**

**CARNEGIE**

COSTA MESA, CALIFORNIA

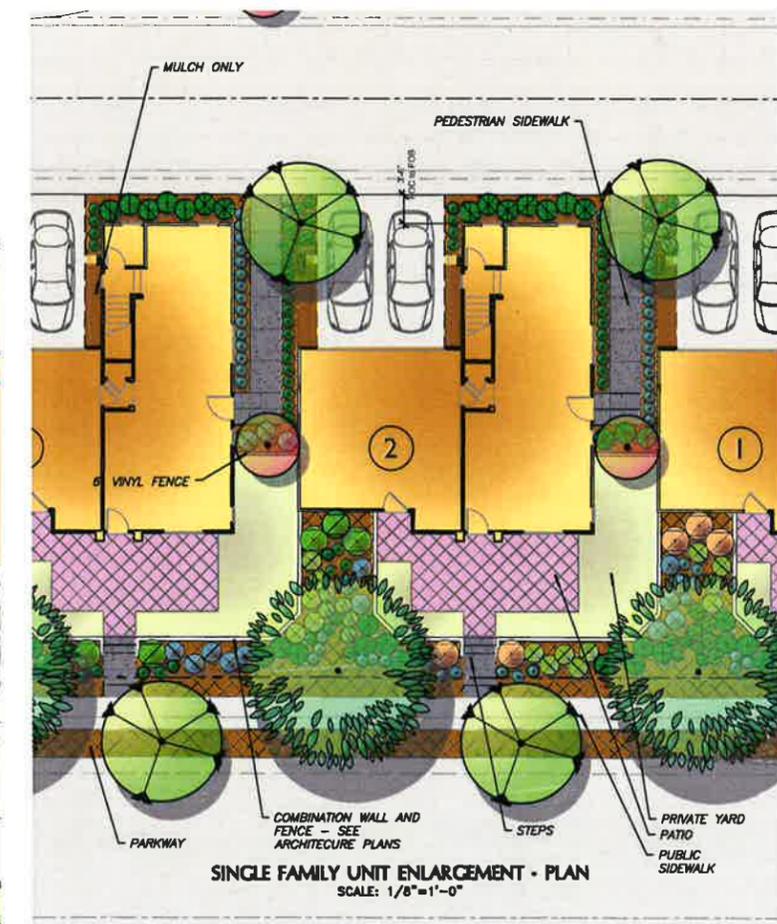
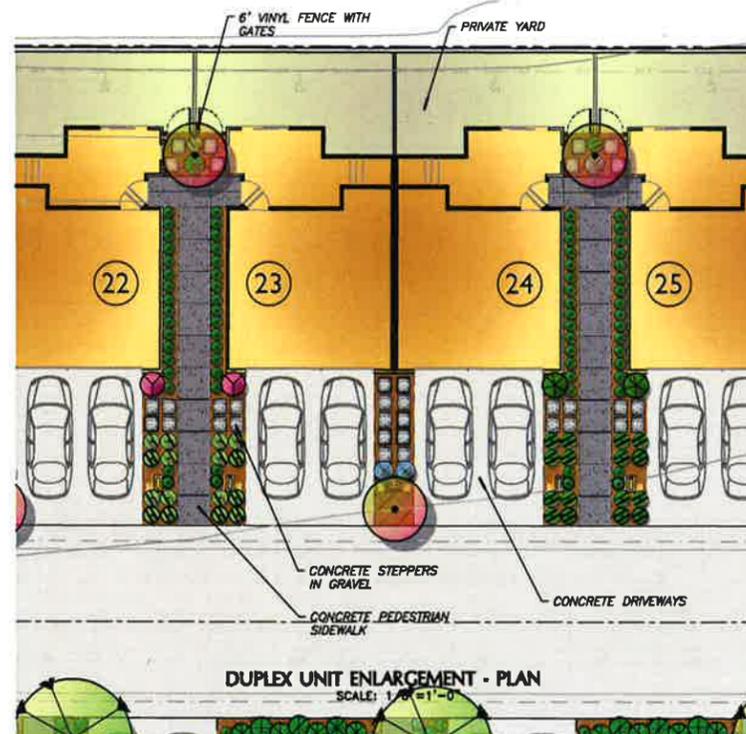
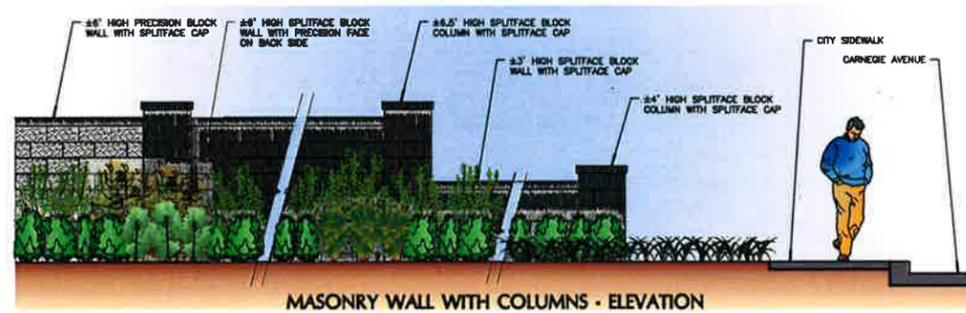
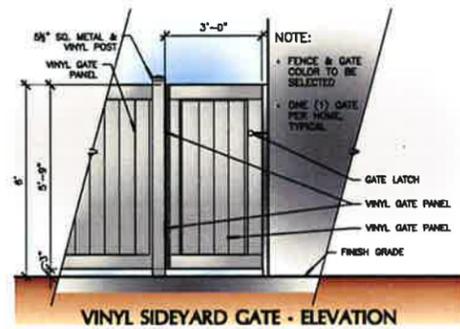
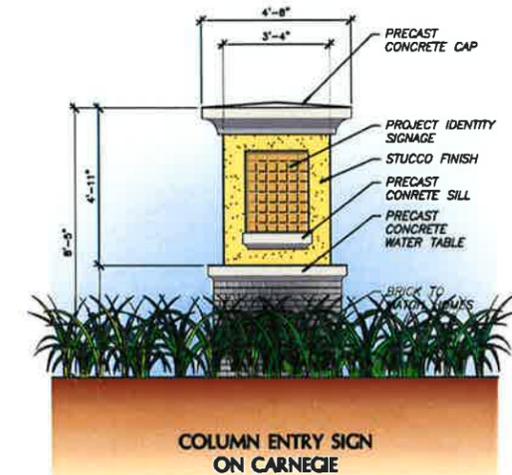
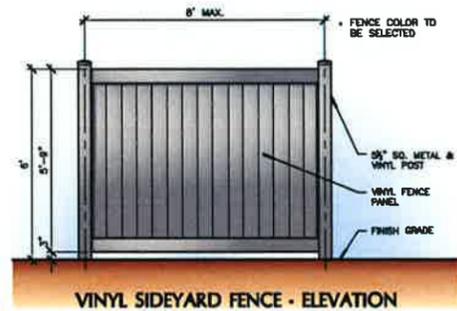
**RAINVILLE-BYE LANDSCAPE ARCHITECTS**

100 W. MAIN STREET, SUITE 12, TRUSTEE, CA 92700  
 TEL: (714) 838-7200 E-MAIL: gayby@rafi.net

SHEET 01

PROJECT NUMBER: BYE-2016.108.00  
 PLOT DATE: 19 JULY 2016

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901 DOVE STREET, SUITE 230  
NEWPORT BEACH, CA 92660  
949.777.9400

PRELIMINARY LANDSCAPE PLAN

**CARNEGIE**

COSTA MESA, CALIFORNIA



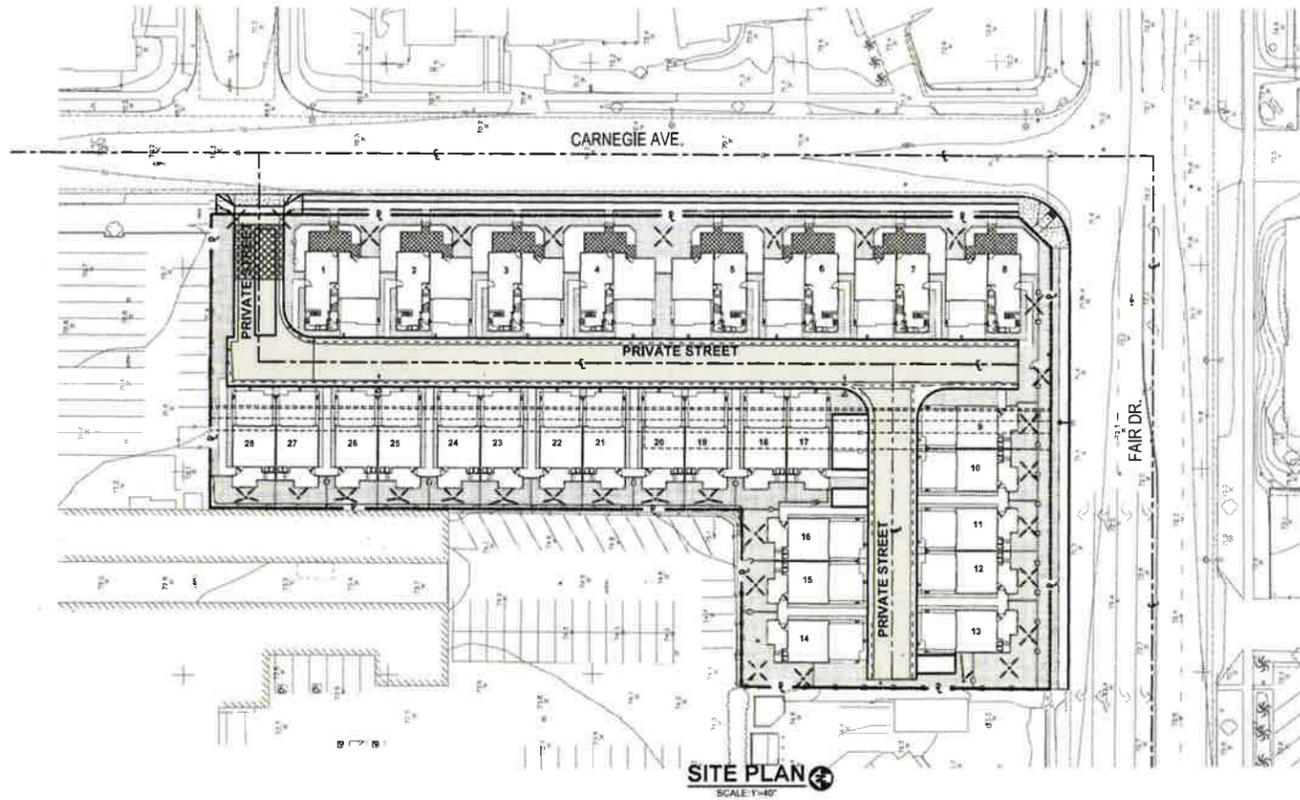
SHEET  
02

PROJECT NUMBER: BYE-2016.108.00  
PLOT DATE: 30 AUGUST 2016

# TENTATIVE TRACT NO. 18064

## SINGLE LOT SUBDIVISION FOR CONDOMINIUM PURPOSES

### CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA



#### SHEET INDEX

C1.0	TITLE SHEET
C2.0	TENTATIVE TRACT MAP
C3.0	CONCEPTUAL GRADING
C4.0	CONCEPTUAL UTILITY

#### GENERAL INFORMATION:

- GROSS ACREAGE: 1.67 AC
- EXISTING ZONING: COMMERCIAL
- PROPOSED ZONING: RESIDENTIAL
- EXISTING USE: COMMERCIAL
- CONTOUR INTERVAL: 1 FOOT
- ALL DIMENSIONS ARE APPROXIMATE
- ALL IMPROVEMENTS REQUIRED BY THE CITY OF COSTA MESA SHALL BE INSTALLED TO THE SATISFACTION OF THE CITY ENGINEER
- SANITARY SEWER SYSTEM SHALL BE PRIVATE
- ON-SITE WATER SYSTEM SHALL BE PUBLIC, UNLESS NOTED ON PLAN. SEPARATE METERS TO BE PROVIDED FOR EACH INDIVIDUAL SOURCE OF WATER SUPPLY SHALL BE CITY OF MESA WATER DISTRICT
- ON-SITE STREETS SHALL BE PRIVATE

#### PROPOSED SUBDIVISION

- 1 LOT TRACT MAP
- 28 HOMES
- NET AREA: 1.66 AC
- DENSITY: 28 HOMES/1.67 AC = 16.25 HOMES/AC

#### BASIS OF BEARING

THE BASIS OF BEARING USED FOR THIS PROJECT IS THE BEARING BETWEEN ORANGE COUNTY SURVEYOR GPS STATIONS 6154 AND 6155R1 WHICH IS N00°36'15"E

#### BENCHMARK

OCS BM CM-31-81 ALUMINUM BENCH MARK DISK A1 IN INTERSECTION OF FAIRVIEW ROAD AND FAIR DRIVE.  
ELEV= 72.27 (NAVD88) 69.875 (NGVD29) 2005 (YEAR LEVELED)

#### ABBREVIATION

℄	CENTER LINE
EG	EDGE OF GUTTER
FF	FINISH FLOOR
FH	FIRE HYDRANT
FL	FLOW LINE
FS	FINISH SURFACE
FG	FINISH GRADE
GB	GRADEBREAK
GFF	GARAGE FINISH FLOOR
INV	INVERT
MIN	MINIMUM
PKWY	PARKWAY
℄	PROPERTY LINE
RL	RIDGE LINE
R/W	RIGHT OF WAY
SD	STORM DRAIN
SS	SANITARY SEWER
TC	TOP OF CURB
TG	TOP OF GRATE
TW	TOP OF WALL
TYP	TYPICAL
W	WATER

#### LEGEND:

	PROPERTY LINE
	RIGHT OF WAY
	FENCE
	EASEMENT LINE
	CURB AND GUTTER
	CENTER LINE
	FLOW LINE
	PROPOSED AC PAVEMENT
	PROPOSED WALK
	PROPOSED LANDSCAPE
	PATIO
	SLOPE
	PROPOSED WATER LINE
	PROPOSED SEWER LINE
	PROPOSED STORM DRAIN
	PROPOSED STORM DRAIN
	EXISTING WATER LINE
	EXISTING SEWER LINE
	EXISTING GAS LINE
	EXISTING ELECTRICAL LINE
	PROPOSED SEWER LATERAL
	PROPOSED WATER METER
	PROPOSED FIRE HYDRANT
	PROPOSED GATE VALVE
	PROPOSED AIR RELEASE VALVE
	PROPOSED MANHOLE
	PROPOSED CLEAN OUT
	PROPOSED AREA DRAIN
	PROPOSED CATCHBASIN
	EXISTING MANHOLE

#### LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1, IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON A PARCEL MAP FILED IN BOOK 63, PAGE 44 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING FROM THAT PORTION OF SAID LAND LYING WITHIN LOT A OF THE BANNING TRACT, AS SHOWN ON A MAP ATTACHED TO THE REFEREE'S REPORT FILED APRIL 14, 1890 IN CASE NO. 6385, IN SUPERIOR COURT IN AND FOR THE STATE OF CALIFORNIA, COUNTY OF LOS ANGELES, CALIFORNIA, AN UNDIVIDED 40 PERCENT INTEREST IN AND TO ALL OIL AND MINERAL RIGHTS, BUT WITHOUT RIGHT OF ENTRY TO THE SURFACE OR TO THE SUB-SURFACE THEREOF TO A DEPTH 500 FEET OF SAID LAND, AS GRANTED TO PEOPLES INVESTMENT CORPORATION BY DEED RECORDED FEBRUARY 14, 1958 IN BOOK 4197, PAGE 173 OF OFFICIAL RECORDS.

ALSO EXCEPT FROM THAT PORTION OF SAID LAND LYING WITHIN LOT A OF THE BANNING TRACT, AS SHOWN ON A MAP ATTACHED TO THE REFEREE'S REPORT FILED APRIL 14, 1890 IN CASE NO. 6385, IN SUPERIOR COURT IN AND FOR THE STATE OF CALIFORNIA, COUNTY OF LOS ANGELES, CALIFORNIA, AN UNDIVIDED 60 PERCENT INTEREST IN AND TO ALL OIL AND MINERAL RIGHTS, BUT WITHOUT RIGHT OF ENTRY TO THE SURFACE OR TO THE SUB-SURFACE THEREOF TO A DEPTH OF 500 FEET OF SAID LAND AS GRANTED TO PALM INVESTMENT CORPORATION BY DEED RECORDED FEBRUARY 14, 1958 IN BOOK 4197, PAGE 177 OF OFFICIAL RECORDS.

ALSO EXCEPT FROM THAT PORTION OF SAID LAND LYING WITHIN TRACT NO. 2750, AS PER MAP RECORDED IN BOOK 91, PAGES 1 THROUGH 5 INCLUSIVE OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, ALL OIL AND MINERAL RIGHTS, BUT WITHOUT THE RIGHT OF ENTRY TO THE SURFACE OF THE SUB-SURFACE THEREOF TO A DEPTH OF 500 FEET OF SAID LAND, AS GRANTED TO PALM INVESTMENT CORPORATION AND OTHERS, BY DEED RECORDED AUGUST 21, 1956 IN BOOK 3619, PAGE 292 OF OFFICIAL RECORDS.

#### EASEMENT NOTES

- AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED IN BOOK 3641 PAGE 89 OF OFFICIAL RECORDS IN FAVOR OF THE SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, TO BE VACATED
- AN EASEMENT FOR COMMUNICATION FACILITIES AND INCIDENTAL PURPOSES, RECORDED IN BOOK 3703, PAGE 115 OF OFFICIAL RECORDS IN FAVOR OF PACIFIC TELEPHONE AND TELEGRAPH COMPANY, A CORPORATION, ITS SUCCESSORS AND/OR ASSIGNS TO BE VACATED
- AN EASEMENT FOR PEDESTRIAN AND VEHICULAR INGRESS AND EGRESS AND INCIDENTAL PURPOSES, RECORDED IN BOOK 7129, PAGE 679 OF OFFICIAL RECORDS IN FAVOR OF AARON SPIEGEL, A MARRIED MAN AS HIS SEPARATE PROPERTY RECORDED JULY 13, 1964 AS INSTRUMENT NO. 11407 OF OFFICIAL RECORDS TO BE VACATED

APN 141-421-23

138

NO.	DATE	REVISION DESCRIPTION

**SHIELDON DEVELOPMENT**  
801 DOVE STREET,  
SUITE 230  
NEWPORT BEACH,  
CA 92660



**IDS Group**  
1 PETERS CANYON ROAD, SUITE 130  
IRVINE, CA 92606  
TEL: 949-387-4500, FAX: 949-387-0800

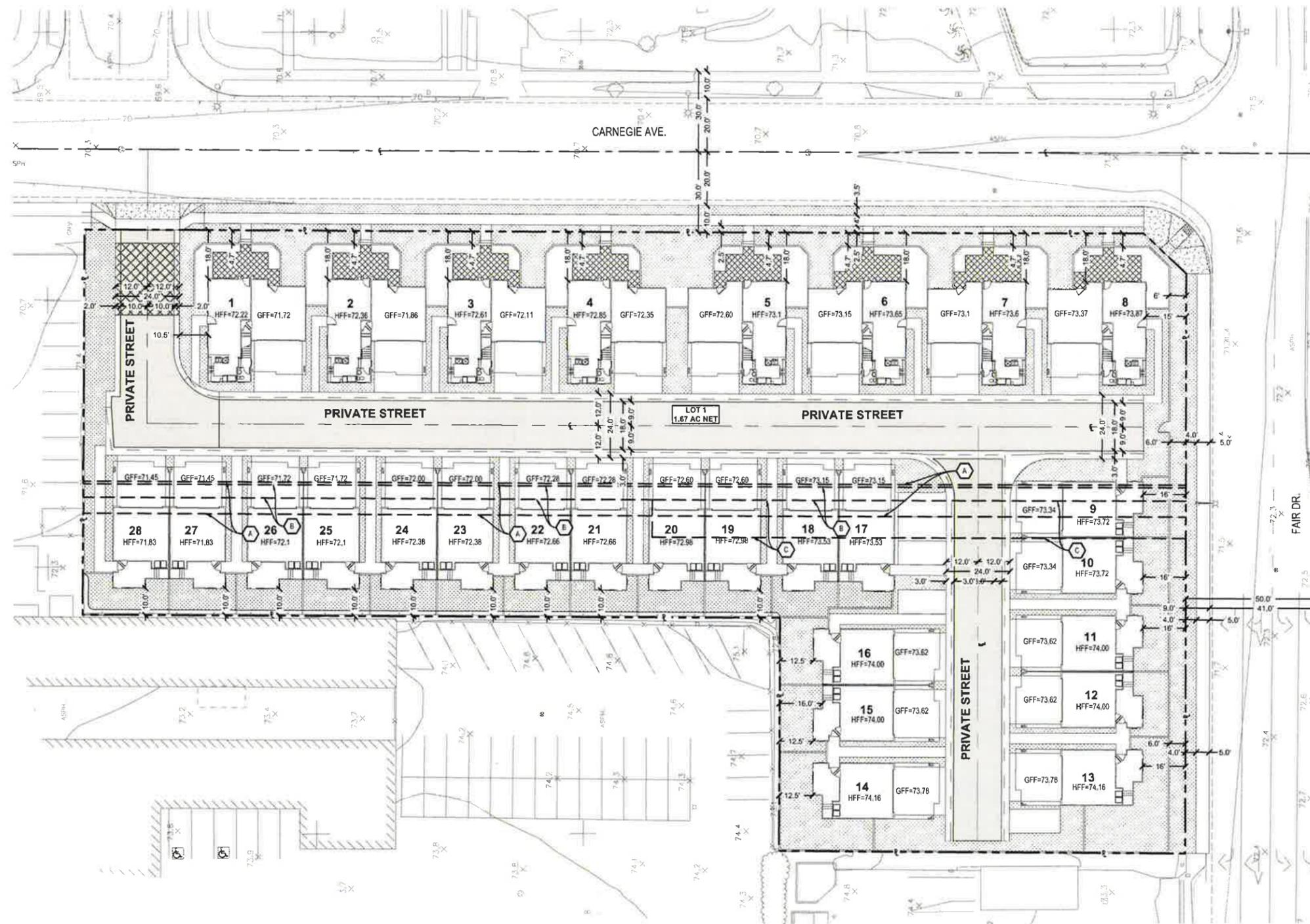
**440 Fair Drive**  
Costa Mesa, CA

PROJECT:	16C004.00
JOB NO:	16C004.00
DRAWN BY:	TG/IC
CHECKED BY:	PG
DATE:	8/31/16
<b>C1.0</b>	
SHEET 1 OF 4	

# TENTATIVE TRACT NO. 18064

## LEGEND:

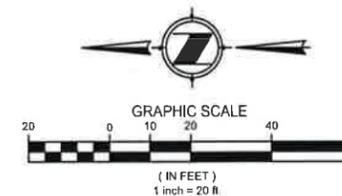
-  PROPERTY LINE
-  RIGHT OF WAY
-  FENCE
-  EASEMENT LINE
-  CURB AND GUTTER
-  CENTER LINE
-  FLOW LINE
-  PROPOSED AC PAVEMENT
-  PROPOSED WALK
-  PROPOSED LANDSCAPE
-  PATIO
-  SLOPE



## EASEMENT NOTES

- (A)** AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED IN BOOK 3641 PAGE 69 OF OFFICIAL RECORDS IN FAVOR OF THE SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION. TO BE VACATED
- (B)** AN EASEMENT FOR COMMUNICATION FACILITIES AND INCIDENTAL PURPOSES, RECORDED IN BOOK 3703, PAGE 115 OF OFFICIAL RECORDS IN FAVOR OF PACIFIC TELEPHONE AND TELEGRAPH COMPANY, A CORPORATION, ITS SUCCESSORS AND/OR ASSIGNS. TO BE VACATED
- (C)** AN EASEMENT FOR PEDESTRIAN AND VEHICULAR INGRESS AND EGRESS AND INCIDENTAL PURPOSES, RECORDED IN BOOK 7128, PAGE 879 OF OFFICIAL RECORDS IN FAVOR OF AARON SPIEGEL, A MARRIED MAN AS HIS SEPARATE PROPERTY RECORDED JULY 13, 1984 AS INSTRUMENT NO. 11407 OF OFFICIAL RECORDS. TO BE VACATED

139



OWNER/DEVELOPER:	 <b>SHELDON DEVELOPMENT</b> 901 DOVE STREET, SUITE 230 NEWPORT BEACH, CA 92660						
ENGINEER:	 <b>IDS Group</b> 1 PETERS CANYON ROAD, SUITE 130 IRVINE, CA 92618 TEL: 949-387-8500, FAX: 949-387-0800						
PROJECT:	<b>440 Fair Drive</b> <b>Costa Mesa, CA</b>						
JOB NO:	16C004.00						
DRAWN BY:	TG/IC						
CHECKED BY:	PG						
DATE:	8/28/16						
PROJECT/SUBJECT:	TENTATIVE TRACT MAP						
SHEET NO.:	C2.0						
TOTAL SHEETS:	SHEET 2 OF 4						
NO.	DATE						REVISION DESCRIPTION

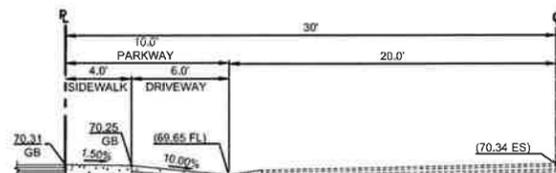
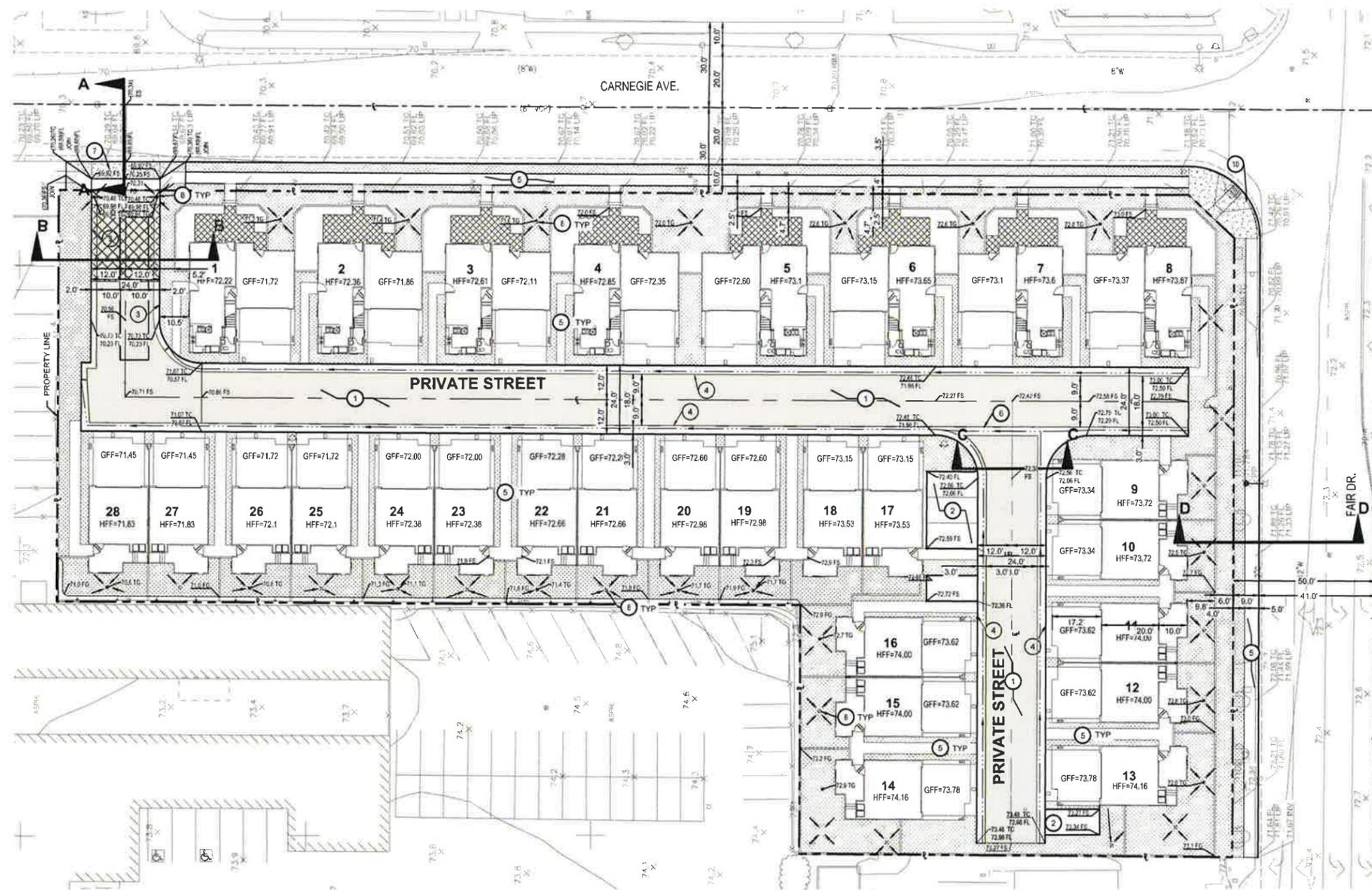
# TENTATIVE TRACT NO. 18064

## CONSTRUCTION NOTES:

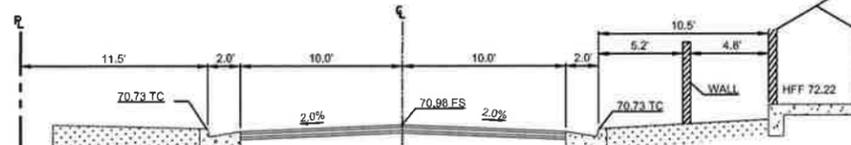
- 1 3" AC OVER 11" AB
- 2 3" AC OVER 6" AB
- 3 6" CONCRETE CURB & GUTTER
- 4 ROLLED CURB & GUTTER
- 5 4" CONCRETE SIDEWALK (ADA COMPLIANT)
- 6 2" CONCRETE GUTTER
- 7 DRIVEWAY PER CITY OF COSTA MESA
- 8 16" x 16" CATCH BASIN
- 9 STORMWATER INFILTRATION CHAMBER (CMP DETENTION SYSTEM)
- 10 DEMO EXISTING CURB AND CONSTRUCT NEW CURB RAMP PER CITY OF COSTA MESA STANDARDS
- 11 REMOVE THE WOODEN STREET LIGHT POLE AND REPLACE IT WITH CONCRETE POLE

## LEGEND

- PROPERTY LINE
- RIGHT OF WAY
- FENCE
- EASEMENT LINE
- CURB AND GUTTER
- CENTER LINE
- FLOW LINE
- PROPOSED AC PAVEMENT
- PROPOSED WALK
- PROPOSED LANDSCAPE
- PATIO
- SLOPE



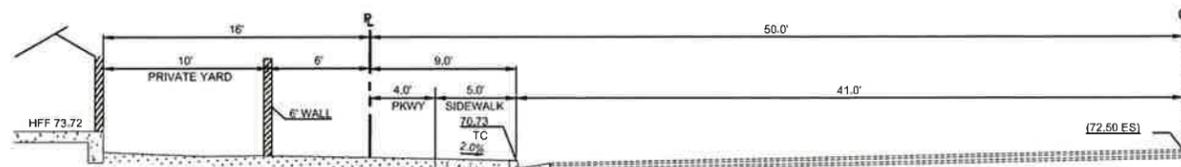
SECTION A-A



SECTION B-B

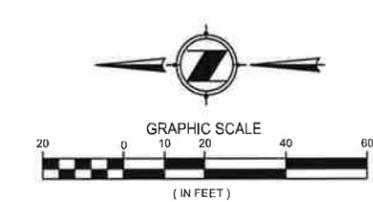


SECTION C-C



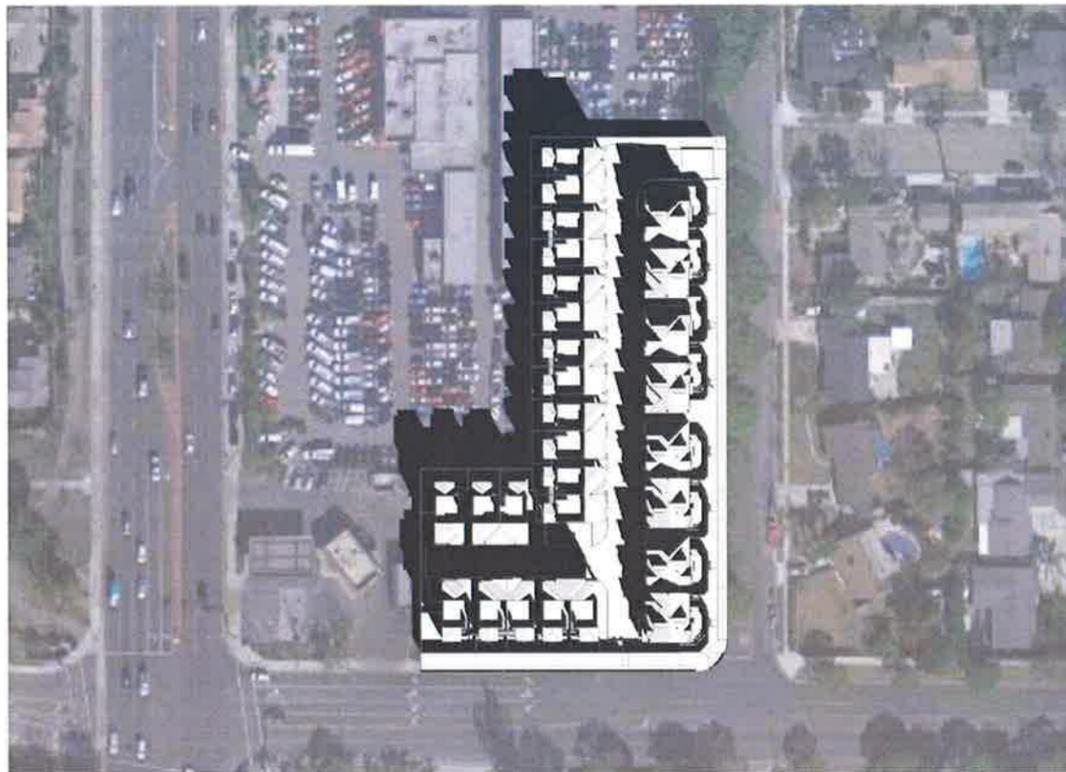
SECTION D-D

140

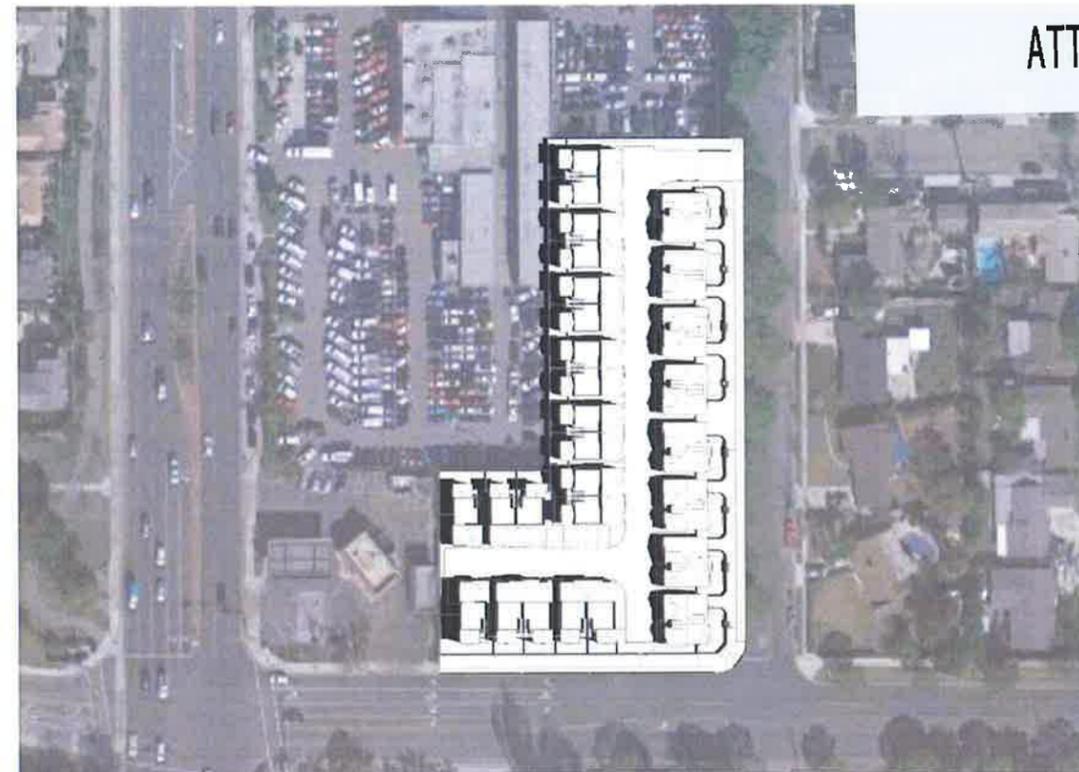


OWNER/DEVELOPER: <b>SHeldon DEVELOPMENT</b> 901 DOVE STREET, SUITE 230 NEWPORT BEACH, CA 92660	
ENGINEER: <b>IDS Group</b> 1 PETERS CANYON ROAD, SUITE 130 IRVINE, CA 92614 TEL: 949-387-8500, FAX: 949-387-4800	DATE:
PROJECT: <b>440 Fair Drive Costa Mesa, CA</b>	DATE:
JOB NO. 16C004.00	REVISION DESCRIPTION
DRAWN BY: TG/IC	NO.
CHECKED BY: PG	DATE
DATE: 8/31/16	
<b>C3.0</b>	
SHEET 3 OF 4	





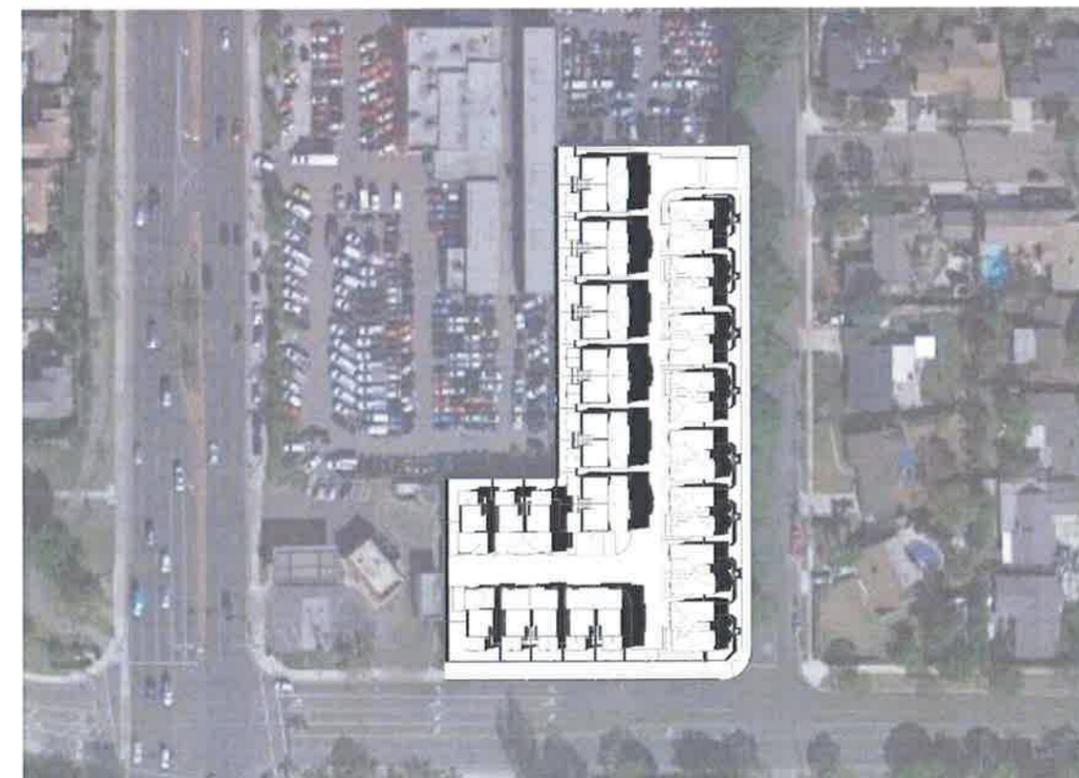
DEC 21 - 10 AM



JUNE 21 - 10 AM



DEC 21 - 2 PM



JUNE 21 - 2 PM

CARNEGIE AVENUE - COSTA MESA - 28 HOMES

SHADOW EXHIBIT

# ATTACHMENT 8

**MOVED/SECOND:** Mayor Pro Tem Righeimer/Council Member Monahan  
The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer and Mayor Mensinger

Nays: None

Absent: None

Motion carried: 5-0

**ACTION:**

City Council directed Staff to proceed with an Urban Plan Amendment to amend the SoBECA and Westside Urban Plans.

**3. GENERAL PLAN SCREENING GPS-14-04 FOR PROPOSED 28-UNIT RESIDENTIAL PROJECT AT 440 FAIR DRIVE (05:16:44)**

Staff report, including a PowerPoint presentation presented by Minoo Ashabi, Principal Planner. (05:17:02)

Steve Sheldon, Applicant of Sheldon Development, presented a PowerPoint presentation. (05:22:30)

**MOVED/SECOND:** Council Member Monahan/Mayor Pro Tem Righeimer  
The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer and Mayor Mensinger

Nays: None

Absent: None

Motion carried: 5-0

**ACTION:**

City Council approved to continue the meeting passed midnight.

**Public Comments:**

Teresa Drain, Costa Mesa, thanked applicant for the community meetings; spoke on maintaining current land use element; and requested lower density. (05:36:40)

Carolyn Van Hosen, Costa Mesa, spoke in favor of the project; substantial improvement; and complimented design. (05:39:45)

Walt Clanton, Costa Mesa, expressed concern with traffic patterns. (05:41:09)

Corina Bellino, Costa Mesa, spoke in support of the project; and less traffic trips. (05:43:24)

Tara McFadden, Costa Mesa, spoke in favor of the project. (05:44:35)

Ahmet Demirel, Costa Mesa, spoke in favor of the project. (05:45:49)

Doug Vogel, Costa Mesa, spoke in favor of the project. (05:46:22)

Stephen Thornton, Costa Mesa, spoke in favor of the project. (05:48:16)

Cynthia McDonald, Costa Mesa, spoke in opposition to the project; and the need for additional open space. (05:49:18)

Christopher Otis, Costa Mesa, suggested adding another exit. (05:50:17)

Council Member Foley spoke on the odor of the gas fuels; and issues with roof decks. (05:51:07)

Council Member Genis spoke on focusing on amending the General Plan; and concern with density. (05:53:20)

Mayor Pro Tem Righeimer spoke on proposed density. (05:58:55)

**MOVED/SECOND:** Council Member Foley/Council Member Monahan

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer and Mayor Mensinger

Nays: None

Absent: None

Motion carried: 5-0

**ACTION:**

City Council accepted the General Plan Amendment request for processing to amend the land use designation from Neighborhood Commercial to Planned Development Residential related to development of a 28-unit residential development at 440 Fair Drive.

**ITEMS REMOVED FROM THE CONSENT CALENDAR (06:06:25)**

**9. FAIRVIEW PARK NORTH BLUFF TRAIL REALIGNMENT – CHANGE ORDER NO. 3 (06:06:28)**

Council Member Genis spoke on concerns with lighting; no provisions in Fairview Park Master Plan. (06:06:50)

Staff report, presented by Director of Public Services, Ernesto Munoz.

## ATTACHMENT 9

IS/MND and Appendices for 440 Fair Drive available on City Website at  
<http://www.costamesaca.gov/index.aspx?page=151>

PH-12

**LOOMIS, RYAN**

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**Subject:** FW: "440FairGP-16-01/R-16-01/PA-16-46/TT-18064 For The Public Record""

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**From:** Carole W Call [<mailto:nicelady2@sbcglobal.net>]

**Sent:** Monday, November 14, 2016 2:58 PM

**To:** GREEN, BRENDA <[brenda.green@costamesaca.gov](mailto:brenda.green@costamesaca.gov)>

**Subject:** "440FairGP-16-01/R-16-01/PA-16-46/TT-18064 For The Public Record""

To be considered with the hearing today 11/14/2016 at the Costa Mesa City Hall regarding the high density housing proposed at 440 Fair Drive, I am writing this email to express to the city again my concerns about the impact that proposed housing will have on me personally, and the College Park Community of which I am a part.

Please reconsider this proposal and vote against it for the following reasons:

1. It will impact the traffic where we now have several young families with children that are just learning to stay away from the streets.
2. Since there are only 5 open parking spaces in the 28 unit complex, we know that we will have to fight for parking on our street (Carnegie Ave)
3. It is advertised as affordable housing when it also says they will sell for 600-700,00 which is the going rate for similar houses with yards in our area.
4. This price is probably not accurate as my son checked out the same type homes across from Trader Joes on 17th and they were more like 1 million dollars
5. The appearance is grotesque
6. The top floor is by definition a bedroom, not an attic

Thank you for considering the citizens of College Park in you vote to illuminate this building HD project.

Sincerely,

Carole and Jeff Call

2568 Carnegie Ave

Costa Mesa, CA 92626

714-751-4551

PH-12

**COLGAN, JULIE**

---

**Subject:** 440 Fair GP-16-01/R-16-01/PA-16-46/TT-18064 For The Public Record

**From:** Sarah Babovic [<mailto:sarah@babovic.org>]

**Sent:** Monday, November 14, 2016 2:25 PM

**To:** GREEN, BRENDA <[brenda.green@costamesaca.gov](mailto:brenda.green@costamesaca.gov)>

**Subject:** 440 Fair GP-16-01/R-16-01/PA-16-46/TT-18064 For The Public Record

Dear members of the Costa Mesa City Council and Planning Commission,

This is regarding 440 Fair GP-16-01/R-16-01/PA-16-46/TT-18064 For The Public Record

I am a long-time resident of College Park. I live at 223 Wellesley Ln with my husband and three young children. College Park is a great neighborhood with close neighbors and I love living here. I am worried about high density zoned developments cutting into the corners of our neighborhood and am writing to express my concerns with the proposed high-density housing development at 440 Fair Dr.

This development is bad for College Park for so many reasons. Some of them include:

1. The developer is asking to change the zoning from Neighborhood Commercial to High Density Residential. Not only do 3-4 story dwellings invade current College Park residents' privacy, but what stops other developers from purchasing homes on the periphery of the tract and building high density housing on the lots? College Park residents do not want to be overlooked or closed in upon by high density complexes.
2. The only driveway access to the complex is on Carnegie at Bucknell. This seems ridiculous - instead of 440 Fair residents entering the complex on either Fair or Harbor, they will use Bucknell, Princeton, Fordham, Loyola and Columbia to access both their homes and Fair and Harbor. This will increase traffic in College Park. Princeton and Bucknell are already racetracks -- I already fear for my children's safety when they are playing outside, even though my neighbors and I have put up "Drive Like Your Kids Live Here" signs all over the place. I can only imagine how much worse it will be when more cars will be speeding down our streets getting to/from 440 Fair. Family pets have already been killed by speeding cars in our neighborhood -- the danger of a child being hit seems only too real with the entrance to 440 Fair right in our neighborhood.
3. There are only 5 guest parking spots on the plans. This lack of parking will inevitably lead to guests of 440 Fair parking on surrounding streets like Carnegie, Bucknell, and the nearby cul-de-sacs. My neighbors on these streets already deal with residents of Mediterranean Village parking visitors or extra cars in front of their houses. I hope they will not have to experience more of the same from 440 Fair. I know from living on the periphery of the neighborhood close to the OC Fairgrounds what that can be like -- late, loud, and inconvenient.

All in all, another high density residential complex (in addition to Mediterranean Village) in College Park detracts from residents' quality of life, safety, and therefore, property value. My neighbors and I are very happy here, but I wouldn't be surprised if many families decide to move elsewhere if 440 Fair goes through as planned. Nobody wants that.

We fought hard together to stop plans for a parking structure on the OC Fairgrounds at Fairview and Arlington, as well as a retail/hotel complex on OCC's property at Fairview and Merrimac. We are ready to work together again to stop the erosion of our fun, friendly, family neighborhood by high density development. I hope you will consider our input and stop or make appropriate changes to the current plans for 440 Fair.

Thank you,  
Sarah Babovic

PH-12

**LOOMIS, RYAN**

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**Subject:** FW: 440 Fair GP-16-01/R-16-01/PA-16-46/TT-18064 For The Public Record

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**From:** Lena Backhouse [<mailto:lenabrettbackhouse@yahoo.com>]

**Sent:** Monday, November 14, 2016 11:04 AM

**To:** GREEN, BRENDA <[brenda.green@costamesaca.gov](mailto:brenda.green@costamesaca.gov)>

**Subject:** 440 Fair GP-16-01/R-16-01/PA-16-46/TT-18064 For The Public Record

Ms. Green,

I strongly oppose this development for many reasons. One being there are too many units per acreage. The design of the units also does not fit with our single family homes in the area. The increase of traffic and parking will be deeply impacted. We already have people parking their cars on our street from Mediterranean Village. The plan to access the complex from Carnegie is a horrible idea. Is the city going to put in speed bumps so Carnegie does not become a speedway? This High Density Residential area should not be allowed in our neighborhood.

Thank you,

Lena and Brett Backhouse  
450 Elmhurst Ln.  
Costa Mesa, CA

November 12, 2016

To: City of Costa Mesa

Re: "440 Fair GP-16-01/R-16-01/ PA-16-46/TT-18064 For The Public Record"

There could be serious and, possibly, deadly situations as a result of the proposed, inappropriate development in College Park. When high-density, multistory units are built along Carnegie **drivers will start cutting through neighborhood streets that were never designed for that kind of traffic or for that volume of traffic.**

Throughout the College Park Neighborhood, you see signs posted by parents reminding drivers to slow down for the safety of their children who may be playing outside. Why? Because **excessive speed is a problem.** College Park Elementary School is just a few blocks away and many students use our streets to get to school. **Additional traffic and speeding coming from these proposed high-density structures will increase the chances of accidents.**

Along with the increase in traffic comes the **increase in noise pollution. We are already exposed to traffic noise from Fair Drive, Harbor Blvd., and Fairview.** **Whatever happened to Domestic Tranquility?** An article published in the Southern Medical Journal actually compared 'second-hand noise' to second-hand smoke. They expounded on this comparison stating: "Second-hand noise is an unwanted airborne pollutant produced by others; it is imposed on us without our consent, often against our wills, and at times, places, and volumes over which we have no control." Noise can actually produce a host of adverse effects on physical health and overall psychological well-being. Many aspects of our lives are affected including our sleep, concentration, communication, and recreation.

I implore our City Council and city planners to take a closer look at the multistory development that is running rampant in Costa Mesa and that will turn us into another gridlocked city and destroy what we love most about our city and College Park, a quiet, walkable, safe family friendly neighborhood. Please, at least consider low-density housing which is more appropriate to our community.

Sincerely,

Judy Booth  
2523 Duke Pl.  
Costa Mesa, CA

November 13, 2016

**Received**  
City of Costa Mesa  
Development Services Department

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

NOV 14 2016

Re: 440 Fair Drive Project  
Costa Mesa, CA 92626

Respected Planning Division:

This letter is to express deep concerns and objections regarding the project proposed at 440 Fair Drive. I disagree with this project for the following reasons:

- 1) I live on Princeton Drive, just past the Fordham stop sign. Cars speed down our street as it is, regarding us as a speedway/thoroughfare between Fairview Road and Harbor Blvd. We don't need more cars coming from this new proposed HD project on our residential streets!
- 2) Just last week one of our neighbors' young dogs was hit and killed on Princeton Drive by a speeding car. I myself have had to run across my own street to avoid being hit by a car racing through on more than one occasion. I have also had to pick up my little dogs and run across my street to avoid any or all of us being hit. You are proposing to add MORE traffic, increasing the chances of our neighbors, pets and even children who are playing being hit. In the end that costs lives, which are irreplaceable, and will most undoubtedly cost the City millions in rightful litigation.
- 3) We do not want the zoning changed to PDR High Density from its current C1 (Neighborhood Commercial) zoning classification - if it were proposing additional SFR, no more than 2 stories, it could possibly make a difference. Instead the builder is proposing multiple stories and multiple units, resulting in high density not only of people, but also multiple vehicles for which there will NOT be sufficient parking which will subsequently drive the overflow onto OUR streets instead of their own because there will be no room.
- 4) The proposed variances and encroachments reduce open space and put these proposed residences right on to Carnegie - it will be similar to the Azulon apartments at Merrimac and Harbor - they are right on the street and people's living spaces are right above the street and sidewalk. Because Harbor and Merrimac is not a residential area, but its own racing thoroughfare, the only thing Azulon does is loom there, blocking the sun earlier than sundown, and replacing the much-loved Kona Lanes Bowling Alley that used to be there, complete with its final stand of palm trees which, sadly, were replaced by parking for these apartments. The same fate will befall the beautiful trees that currently line Carnegie Avenue. Please note that Yelp reviews for Azulon include complaints about

- insufficient parking inside the gates of that apartment complex if you arrive home after 7pm! Guess where all those residents end up parking?!
- 5) Entrances and/or exits onto our residential streets are already in question by residents opposing the current 440 proposed plan. An additional current issue that is being forced by the residents of College Park to Raja Sethuraman of the Transportation/Public Services Department of our city is the rate of speed on Princeton Drive, spurred by the death of one of our neighbors' dogs. The response was tremendous in support by fellow residents and Mr. Sethuraman responded with the "...we will do a comprehensive study of traffic on Princeton Avenue (which should read "Drive") to document and analyze the conditions, and develop recommendations to address them." I highly suspect the same will be necessary on Bucknell Road as well as Carnegie itself - even BEFORE there is an additional proposed complex at 440 Fair Drive!
  - 6) We live in a Single Family Residence neighborhood. We already have an apartment complex with the Mediterranean Village on Fair Drive in College Park, which is high density. The minimal number of two-story homes in College Park does not encroach on our neighborhood. They have carefully cleared city building inspection - WHY SHOULD THIS PROJECT BE PERMITTED ITS ENCROACHMENTS AND VARIANCES TO CREATE BUILDINGS THAT ARE 3 AND 4-STORY??? This is no place to crowd more people and more cars into such a small area!!

In closing, I have been a resident of Costa Mesa for over 59 years. I have lived on the Westside, the Eastside, and in College Park - the latter in which I have been a proud owner and resident for over 21 years. Part of Costa Mesa's charm is its history - my grandparents lived here before me for over 40 years. While many changes have taken place, this one is unnecessary and driven by greed. The propaganda says this will bring middle class families to our area - as if that is not who WE are! The \$850,000-\$900,000 price tag on these units are NOT middle class prices, and there is NO guarantee that these proposed units will not be bought and then turned into rental properties, which will drive our home value down, not improve it.

Respectfully,

Denise E. Davis  
384 Princeton Drive  
Costa Mesa



**Public Hearing Concerning College Park  
Council Chambers City Hall at 77 Fair Drive  
November 14th, 2016 at 6:00 PM**



*Sent email to [brenda.green@costamesa.gov](mailto:brenda.green@costamesa.gov)*

They are requesting high density plus more variances (bending the rules) that single residents have to adhere to. A copy of the application can be viewed at [www.costamesa.gov](http://www.costamesa.gov) under the heading Development Services Department/Planning Division only 72 hours prior to the hearing. Public comments either oral or written form may be presented during the hearing. It would be great to get as many letters as possible addressing the concerns of the project and the College Park area on the record. The height, variances and entrance are big issues. Any written communication and photos for distribution to the Planning Commission must be received by the Planning staff prior to 3:00 p.m. on the 14th so copies can be made for hearing. After 3:00 p.m., if you bring the communications with you, 10-copies will be needed. Even if you plan on attending, providing written form is good to have on the record. If their decision is challenged in court, you may be limited to raising only those issues raised, at or prior to the hearing.

*Subject line: 440 Fair GP-16-01/R-16-01/PA-16-46/TT-18064*

*Please bring all your friends in Costa Mesa not just College Park. This issue may concern their neighborhood in the future. If they are going to put 4 story homes in the College Park area, what other 2-story neighborhoods will they approve these projects outside of the Revitalization area of West Costa Mesa.*

*No one wants to add tall buildings and more traffic in the neighborhood. If you want to know about future meetings, have questions or want me to pick up your letters, give me a call at [949-644-2144](tel:949-644-2144).*

*Linda*

*For the Public Record*

**COLGAN, JULIE**

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**Subject:** 440 Fair GP-16-01/R-16-01/ PA-16-46/TT-18064 For The Public Record

**From:** grayson diercksmeier [<mailto:gdiercksmeier@gmail.com>]

**Sent:** Monday, November 14, 2016 1:21 PM

**To:** GREEN, BRENDA <[brenda.green@costamesaca.gov](mailto:brenda.green@costamesaca.gov)>

**Subject:** 440 Fair GP-16-01/R-16-01/ PA-16-46/TT-18064 For The Public Record

Attention City Council Members,

The new development planned for 440 Fair Project is 100% not fair to College Park residents and should be stopped. I currently reside on Elmhurst Lane, and use Carnegie to exit and enter multiple times a day. The traffic alone would very negatively impact my comings and goings. The parking is also a major concern as we're told that the new residents would get parking permits for the streets, but we don't have access to permits. That alone seems absurd. Also, when you drive into the neighborhood there's a distinct look/feel to the houses. This development with three and four story units, minimal lots and a modern look is in direct contrast with current College Park. I think it's greatly important to take the neighborhood resident's thoughts into account as we would have to deal with the ramifications on a daily basis.

I appreciate your consideration,

Grayson Diercksmeier

**LOOMIS, RYAN**

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**Subject:** FW: 440 Fair GP-16-01/R-16-01/ PA-16-46/TT-18064 For The Public Record

**From:** Kaylin Diercksmeier [mailto:diercksmeier@gmail.com]  
**Sent:** Sunday, November 13, 2016 2:00 PM  
**To:** GREEN, BRENDA <brenda.green@costamesaca.gov>  
**Subject:** 440 Fair GP-16-01/R-16-01/ PA-16-46/TT-18064 For The Public Record

To the members of the City Council,

I am a current resident of College Park, living on Elmhurst Ln, and am very concerned with the 440 Fair Project. Having grown up in College Park, I've always thought of this neighborhood as home. There's something about driving into College Park that makes you feel safe and brings a smile to your face. Houses are well maintained and neighbors are friendly. When it was time for my husband and me to buy a home, College Park was on the top of our wish list and we were fortunate enough to find a house. Now we live here with our two children, and think it's just as homey as it ever was. That said, the new development would seriously impact that feeling, and also create quite a headache for us current residents. The thought that we would drive into our neighborhood on Carnegie and see 3 and 4 story modern homes instead of the beautiful trees makes me quite sad. When we bought our home I thought the neighborhood would be the perfect place to have our kids learn how to ride a bike, but with the increase in traffic, their safety would be majorly affected. I also understand that there is minimal parking planned for the development, which means our streets, and mine specifically, would receive that spillover. I think that is not fair to current residents who also have their own guests parking to accommodate. On top of that the idea that there's a likelihood that investors would be buying up units, as they're out of the price range for middle income families, and renting them out worries me. Lastly, I understand that the current strip center may not have ideal tenants, but never once have we ever felt that it negatively impacted our neighborhood. I've never once seen a person that made me uncomfortable entering or leaving those businesses. Please take this letter into consideration before moving forward with the project. This development is simply the wrong choice for our neighborhood.

Thank you for your time,

Sara Diercksmeier

PA-12

**LOOMIS, RYAN**

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**Subject:** FW: 440 Fair - general plan amendment

-----Original Message-----

From: Linda Dixon [mailto:walker260@icloud.com]  
Sent: Sunday, November 13, 2016 5:45 PM  
To: GREEN, BRENDA <brenda.green@costamesaca.gov>  
Subject: 440 Fair - general plan amendment

Dear Mayor and Councilmembers:

As I read the staff report for the 440 project what came to mind was the story of Cinderella and how the wicked stepsisters tried to fit the big feet into the tiny shoe.

A project similar to this project was brought to the city council several years ago. At the time the council found the project would be harmful to the College Park community putting an undue burden on the traffic, quality of life and open space.

By allowing a general plan amendment to create a high density residential zoning area with more units than allowed, less open space and parking than required will be harmful to the neighborhood. College Park is an area of predominantly one story homes with driveways, front and back yards and parkway landscaping, all of which is missing in the proposed project.

Just last week another pet was killed by a speeding car driving down Princeton Drive. Additional traffic from 28 proposed units with likely more than one car will add to the increasingly dangerous, speeding traffic cutting through the neighborhood. A safety issue already exists at Princeton and Harbor where traffic turning right onto Harbor has an obstructed vision on oncoming, speeding cars and the cars turning left onto Princeton have a difficult time crossing Harbor in order to cut through the neighborhood. Before any council considers a project for the corner of Fair and Harbor, the traffic impacts for the small College Park subdivision must be addressed. The recommended painted sign in the street saying "keep clear" is not a viable solution. Also, as I read the staff report I found no evidence of a traffic impact report and I wonder if one has been completed.

Please send this project back to the drawing board. It is not worthy of consideration when it demands so much of a small area of town. To allow a project requiring so many deviations is an insult and detrimental to the existing homeowners and the citizens of Costa Mesa who are very concerned with the overbuilding being approved throughout the city.

With respect,

Linda W Dixon

PH-12

**LOOMIS, RYAN**

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**Subject:** FW: 440 Fair Gp-16-01/R-16-01/PA-16-46/TT-18064 For the Public Record

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**From:** John Fletcher [<mailto:kanetsu@sbcglobal.net>]  
**Sent:** Sunday, November 13, 2016 4:42 PM  
**To:** GREEN, BRENDA <[brenda.green@costamesaca.gov](mailto:brenda.green@costamesaca.gov)>  
**Subject:** 440 Fair Gp-16-01/R-16-01/PA-16-46/TT-18064 For the Public Record

Dear Brenda,

I write to voice our opposition to the above referenced project on Fair Drive.

My wife and I have lived a few houses down from the proposed project for 13 years, and we would be extremely disappointed if the project were allowed. I will not enumerate the various reasons for our opposition, and there are many, as I am sure you are familiar with them. I know all the neighbors we have discussed this with are in agreement with our opposition, and they too have made their opposition clear to the city.

The purpose of government is to serve the people and I certainly expect that our city representatives will rule in the spirit of this concept and deny approval of this project.

Best regards,  
John and Terumi Fletcher  
2530 Lehigh Place  
Costa Mesa, CA 92626

**LOOMIS, RYAN**

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**Subject:** FW: 440 Fair letter for the Public Record from Tamar Goldmann  
**Attachments:** City 440 fair Nov 13 16.docx

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**From:** Dan Goldmann [<mailto:dangoldmann@ca.rr.com>]  
**Sent:** Monday, November 14, 2016 9:08 AM  
**To:** GREEN, BRENDA <[brenda.green@costamesaca.gov](mailto:brenda.green@costamesaca.gov)>  
**Subject:** 440 Fair letter for the Public Record from Tamar Goldmann

To Brenda Green:

Please accept the attached letter for the public record and also to Planning Commission and City Council members.

I would appreciate acknowledgement and also either approval of my submission or instructions for any necessary additions. I understand that this must be submitted by 3:00pm today, October 14, for inclusion in the public record for tonight, so a prompt reply is necessary and would be greatly appreciated.

Tamar Goldmann  
Costa Mesa

City 440 fair Nov 13 16

**Re: the 28-unit housing project proposed for 440 Fair Drive.**

**To Staff, Planning Commission, and City Council:**

With the numerous rezones, variances, and special definitions regarding this project:

1. **It is wrong both in actual, immediate application and as a precedent for the whole city to allow entrance to higher-density zoning, and especially to a high-density development through an R1 residential zone. This single wrong start is detrimental to privacy, traffic, and parking availability, and makes all the other intrusions and variances requested for this project even more unacceptable.**
  - a. The fact that this project, 440 Fair, is, and has always been accessible through a more-traveled thoroughfare make this intrusion into the local neighborhood unnecessary and unacceptable. No matter what excuses have been provided, the fact remains that access could easily be maintained through an entrance on Fair Drive.
2. The guest parking allowance for 28 units of only 5 spaces is completely unrealistic, allowing insufficient parking for even such regular occurrences as birthday parties, Super-Bowl viewings, and Thanksgiving and Christmas dinners.

The inadequate “solution” is to send the unfortunate guests out searching through previously quiet and open streets as more and more streets are deservedly labeled, “Resident permit only,” and where streets are not yet reserved for residents, there is often no available parking at all. There is no excuse for continuing to perpetuate the mythical “sufficient parking” allowances.

- a. A personal note: When driving to visit a friend on the Westside, I encountered a new housing project where I expected to turn left. I had to drive for four blocks before I could even find an open place to pull over and look at my map. When I got to my address, there was no place to park. This was in a neighborhood of modest houses—punctuated by the type of development proposed for 440 Fair. Where this type of development has not yet intruded, parking is still available.
3. **Height:** Three- and four-story houses do not fit in with the neighborhood character of mostly one-story houses on generous lots.
  4. **Destruction of trees:** There is absolutely no excuse for chopping down mature trees in order for a developer to squeeze in more units. Costa Mesa rightfully values and protects its trees. Residents often have to beg to have a tree removed that is damaging sidewalks and plumbing and otherwise creating what the residents see as a serious nuisance. Many of these concerns are rejected, and often rightly so. It is totally inappropriate to give as a gift to a developer all these trees which provide shade and character to the street— and all at the same time that the city is planting parkway trees. That is simply a gift of city resources to a developer.
  5. **Preservation of the aquifer:** Given our perennial drought conditions, water districts have gone out of their way to encourage homeowners to replace their turf with drought-resistant **water-**

**permeable** landscaping. When rebates were being offered, any hardscape was specifically excluded from eligibility for rebates. Given the importance of permeable space, the reduction of ground-level open space and the inclusion of rooftop decks as open space negatively affect our water resources.

**Alternatives:**

1. Housing could be put in this space—R1 housing with NO variances and no destruction of trees. In another neighborhood, R1 was, I believe, chosen for an entrance to Mesa Verde, directly from a major street and not necessitating a change in the traffic patterns within the Mesa Verde neighborhood. All neighborhoods in the city, all residents in the city, deserve the same consideration.
2. 440 Fair could be refurbished for neighborhood services, perhaps even housing some of the small businesses that were kicked out of the Mesa Verde Drive area.

In summary, changes to zoning, increased height, variances, removal of city trees, and insufficient parking would be bad enough in an isolated development. Pushing it into an R1 neighborhood goes far beyond what should be tolerated.

It should be noted that throughout the city the residents have voted, by a greater than 2 to 1 majority on Measure Y, the Smart Growth Initiative, that we do not want any more of this kind of development foisted on our neighborhoods. It's time to stop.

Tamar Goldmann  
Costa Mesa

11/09/2016

PH-12

To: Planning Commission Staff

Re: 440 Fair Proposed Project

From: Donald Haddock

To Whom it may Concern,

I am writing in opposition to the Proposed Maximum Density residential project at 440 Fair Drive in Costa Mesa. This project is poorly suited for many reasons.

- 1] Three and four story homes do not belong within the boundaries of the College Park single home community. It is not a viable fit for a well established single home neighborhood. It will have a negative impact on the surrounding neighbors by encroaching on existing hours of available sunlight for yards, as well as increase noise from unwanted residents who will never be a part of the College Park family.
- 2] Having access onto Carnegie requires the removal of approximately 10 beautiful Mature Trees .These trees have always provided a sound and visual buffer to the commercial property ( which this is, and should remain) and shade and a uniqueness to the Carnegie Street addresses. This is a negative environmental impact to the area and the City's "Green Initiative".
- 3] Adding a mass residential project will greatly impact the College Park neighborhood traffic patterns with additional "pass through traffic" which is already a dangerous hazard and is an issue that the city is already well aware of. It will also affect residential parking causing overcrowding when they are given placards to park in the neighborhood, which they would have every right to demand by being designated as College Park residential .
- 4] The addition of a maximum density residential facility also brings maximum numbers of guests and unwanted foot and vehicle traffic that will bleed into the quiet neighborhood impacting crime and reports of strangers passing through this close knit neighborhood. Make no mistake about it, we are united against this project and will call the police on strangers that are not known as our neighbors and friends, thus impacting calls for police officers.

440 Fair as it exists, may not be a perfect business, but the current owner or new owners could bring in better clients if they were to clean up and modernize the facility. As it stands, there are already good businesses there now that are frequented by the neighborhood regularly . This is a Commercial Zone, and should stay a Commercial Zone.

Measure YY was recently passed by the voters as a shot over the bow of the City Planners, Council, and Developers. This is not what we want. Leave College Park alone. Leave 440 Fair as a Commercial Zone. Do not shove this project down our throats.

Sincerely Concerned Citizen

Donald H Haddock

276 Princeton Dr.

Costa Mesa, Ca. 92626

**Received**  
City of Costa Mesa  
Development Services Department

**NOV 14 2016**

PH-12

November 11, 2016  
Ten copies  
**HAND DELIVERED**  
11/14/2016 10:30 a.m.

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

Re: Appln. Nos. GP-16-01/R-16-01/ PA-16-46/TT-18064  
Applicant: Sheldon Development, LLC  
Public Hearing Date: Nov. 14, 2016; 6:00 p.m.

Dear Commissioners:

As a long time resident of College Park, I am writing this letter with regard to the proposed high-density development at Harbor and Fair Drive, referenced above.

I live at 2528 Littleton Place on the corner of Bucknell Road and Littleton Place near Columbia and Fairview. My main concern with the proposed development is the increase of traffic ON BUCKNELL and the loss of the beautiful trees at the end of Bucknell Road and Carnegie Avenue to make way for an entrance to a high-density development. Bucknell Road is an interior single-family residential street in a family friendly neighborhood with many people walking with children and pets. Also I witness many young students every day (many on skateboards or bicycles in the street) coming home from C.M. High School after class or after a sporting event. Future residents of the proposed development will more than likely choose to take Bucknell Road home if the entrance is at the end of that street. They may be in a hurry to get home from work and may not drive cautiously through our residential neighborhood if the entrance is at the end of Bucknell Road.

There are ten beautiful healthy trees on Carnegie Avenue, which offer a tree-lined view. The trees are not disrupting the sidewalk. They will buffer the view of a three/four story housing development. The existing or a wider entrance off Fair Drive could serve the new residents of the development adequately and not infringe on our neighborhood with increased traffic on Bucknell Road and Carnegie Avenue or require the removal of ten healthy trees which have been there for several years along with many College Park residents.

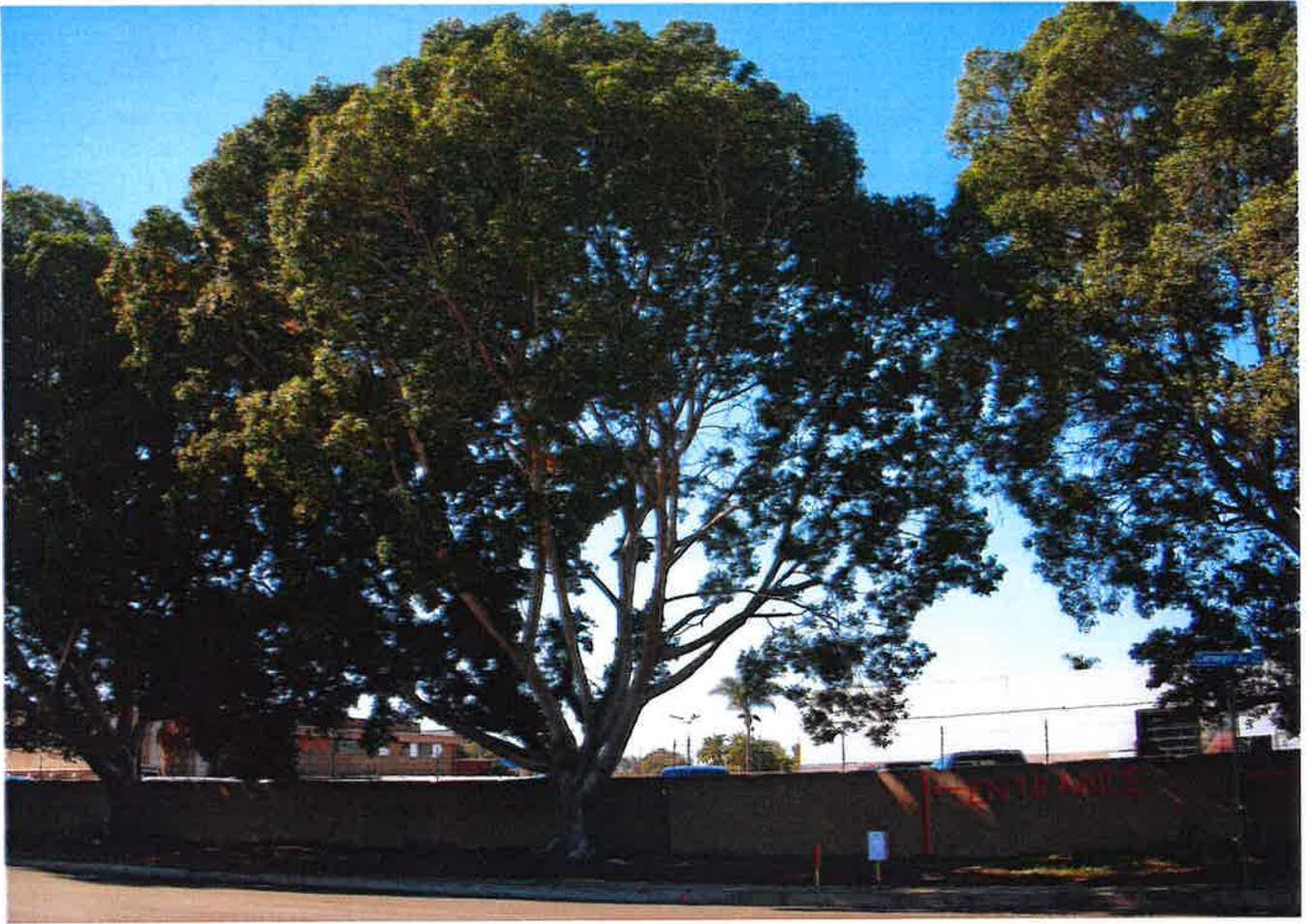
I hope you sincerely consider my concerns regarding the proposed entrance on Carnegie, traffic on Bucknell Road and removal of the trees. I would appreciate your attention to these matters. Thank you.

Sincerely,

2 photos attached

*Linda Lambert*





*Close up of mature trees on Carnegie.*



*End of Bucknell      Trees block view of Bldgs.*

**LOOMIS, RYAN**

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**Subject:** FW: 440 Fair GP-16-01/R-16-01/P16-46/TT-18064 For the Public Record

-----Original Message-----

From: Christine Leffeler [mailto:cleffeler@me.com]

Sent: Sunday, November 13, 2016 10:25 PM

To: GREEN, BRENDA <brenda.green@costamesaca.gov>

Subject: 440 Fair GP-16-01/R-16-01/P16-46/TT-18064 For the Public Record

City of Costa Mesa,

We have been residents of Costa Mesa for 23 years and have loved living in College Park community. The new plans for High density Residential homes to be added at 440 Fair to our current single family ranch style track of homes is not something we want in our community. This will negatively impact our neighborhood .

1. The proposed homes are 3 story units that are not the style of the community and will de-value our homes and neighborhood
2. The traffic impact will be negative with too many cars on our family streets which will be speeding cars.
3. The Parking is a huge issue with the parking pushing into our neighborhood because ample parking for residents and guests are not planned in the community
4. The high story design will decrease the privacy of the single family homes around them.
5. They will be accessing these homes through our neighborhood turning a quiet treelined street into a high traffic zone.

There are many high density areas in our city and we need to protect the single family communities. We strongly disagree with this direction for our city.

We are requesting the city to protect our safe, family neighborhood for everyone to enjoy this lifestyle now and in the future.

College Park United Homeowners  
Christine Leffeler  
2520 Duke Place

PH-12

William and America Manwarren  
2553 Oxford Lane  
Costa Mesa, CA 92626  
November 14, 2016

Costa Mesa Planning Commission  
Robert Dickson, Chair  
77 Fair Drive  
Costa Mesa, CA 92626

Dear Costa Mesa Planning Commission:

As homeowners in College Park, we wish to state our objection to elements of GP-16-01/R-16-01/PA-16-46/TT-18064 (redevelopment of 440 Fair Drive). Our objections to the proposed development are as follows:

High density housing does not match the existing neighborhood: The current residential and neighborhood commercial environment is established. Adding high density housing is aesthetically unappealing for the neighborhood.

Structure height: The neighborhood enclosed by Fair Drive, Harbor Boulevard, Princeton Street & Fairview Street has no structures taller than two stories. Adding three and four story structures does not match the neighborhood. One and two story residential structures would be an alternative that matches the existing College Park neighborhood.

Variance requests: The requested variances on open space, landscaped parkway, block wall encroachment & open space area along Carnegie should be denied. Reduction in open space, green area and shrinking the distance from Carnegie street will further lessen the beauty of the neighborhood.

Removal of trees on Carnegie: The trees on the street have been there for decades. They provide natural beauty and green area for the neighborhood. They form a "natural" border for the neighborhood. Any development of 440 Fair Drive should require inclusion of these trees, in their current location. Under no circumstances should the proposed development include elimination of these trees.

Increased vehicle traffic on Fair Drive: Traffic is already adversely impacted by increased traffic on Fair Drive. The addition of high density housing at the proposed site will cause additional increases in traffic, and diminish driving conditions in the neighborhood.

Increased "cut-thru" traffic through College Park: Addition of the proposed high density development, combined with existing traffic congestion on Fair Drive and Harbor Boulevard, will result in an increase in drivers using College Park as a shortcut when commuting to and from the 55 Freeway. This is already a problem, with commuters using Princeton Street to cut across the neighborhood. These drivers regularly exceed the 25 MPH speed limit in the neighborhood.

We are concerned that the potential rezoning and exemptions being requested for this development project prioritizes developer profits, at the expense of existing resident's concerns.

Thank you for your time.

Sincerely,



William and America Manwarren



**COLGAN, JULIE**

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**From:** Cristina Mayer <cristinaamayer@gmail.com>  
**Sent:** Monday, November 14, 2016 10:04 AM  
**To:** PLANNING COMMISSION  
**Subject:** Sheldon Development LLC at 440 Fair Drive

Hi,

I am writing with great concern regarding the proposed Sheldon Development LLC project at 440 Fair drive. I recently bought a home in the College Park neighborhood because it is a single family residential zoned area. I didn't want to live in a neighborhood that was filled with multi story condo units. Now this proposed development is going into my neighborhood and will have entrances off of a College Park street that will increase traffic exponentially. I strongly appose this development project - there are enough neighborhoods to put multi story condos in, you don't need to destroy the remaining quiet neighborhoods to put this project in. This project will lower my property value and I don't see the city of Costa Mesa willing to reimburse me for the money that I will lose because of it.

The only way I would support this project is if the zoning and set backs are kept on Carneige, the trees aren't knocked down on that street, and the entrance is only off of Fair or Harbor - NOT off of Carneige. I hope that you will listen to the community and respect the zoning of that neighborhood.

thank you.

Cristina Mayer and Daniel Schutt

**LOOMIS, RYAN**

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**Subject:** FW: 440 Fair GP-16-01/R-16-01/PA-16-46?TT-18064 For the Public Record

**From:** Kristen Martin [<mailto:kmartin8479@gmail.com>]

**Sent:** Monday, November 14, 2016 2:32 PM

**To:** GREEN, BRENDA <[brenda.green@costamesaca.gov](mailto:brenda.green@costamesaca.gov)>

**Subject:** 440 Fair GP-16-01/R-16-01/PA-16-46?TT-18064 For the Public Record

Attn: City of Costa Mesa

Please do not move forward with the development of 440 Fair/Great Park high-density housing project. My husband and I live in the Mesa Verde area of Costa Mesa and feel there would be much negative affect from this project that would be felt all around the city. It would bring more traffic to the area, less parking for homeowners in the College park area and would be removing some small businesses that are the heart of Costa Mesa.

Our family asks that you consider all these issues and reject the plans for this development. We really want to keep College Park and the surrounding areas safe and less congested with traffic.

Thank you,

Kristen McLaughlin

PH-12

**LOOMIS, RYAN**

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**Subject:** FW: 440 Fair GP-16-01/R-16-01/PA-16-46?TT-18064 For the Public Record

**From:** Scott McLaughlin [<mailto:diehardbrucefan@hotmail.com>]

**Sent:** Monday, November 14, 2016 10:17 AM

**To:** GREEN, BRENDA <[brenda.green@costamesaca.gov](mailto:brenda.green@costamesaca.gov)>

**Subject:** 440 Fair GP-16-01/R-16-01/PA-16-46?TT-18064 For the Public Record

Attn: City of Costa Mesa

I am writing in regards to my family's concerns with the 440 Fair/Great Park high-density housing project. We live just down the street, on Gisler and Iowa St. We have read about it in local news, and it was brought to our attention as well by local community members. Our main concern lies with the increase of traffic this new project will bring. Harbor is already a very high traffic street, and this will only add to that problem. Not only will local residents be negatively impacted, but so will business in the surrounding area. The new development will also cause more parking issues, giving little room for all those residents to park with the necessary permits.

Our family asks that you consider all these issues and reject the plans for this development. We really want to keep College Park and the surrounding areas safe and less congested with traffic.

Thank you for your time.

**LOOMIS, RYAN**

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**Subject:** FW: 440 Fair GP-16-01/R-16-01/PA-16-46/TT-18064 For The Public Record

**From:** Nikki Plaster [mailto:nikkiplaster@gmail.com]  
**Sent:** Sunday, November 13, 2016 9:16 PM  
**To:** GREEN, BRENDA <brenda.green@costamesaca.gov>  
**Subject:** 440 Fair GP-16-01/R-16-01/PA-16-46/TT-18064 For The Public Record

Dear members of the Costa Mesa city council,

I am an Elmhurst Lane resident and homeowner nearby the proposed 440 Fair high-density development. I have many concerns regarding the re-zoning of the 440 Fair property for high-density residences and the specifics of the properties planned by the Sheldon group as detailed in the community meeting held on October 19<sup>th</sup>, 2016. In particular I feel the following items make this project a very bad fit for our quiet, single-family residence neighborhood and strongly urge you to stop this development.

- The 3- and 4-story buildings do not fit in a primarily single-story ranch style neighborhood with a well-loved mid-century modern feel from its Eichler-style architecture.
- Moving the entrance/exit traffic onto our quiet residential streets where many children ride bikes and play put our children at a higher risk for accidents as residents race to and from work each day.
- Our cul du sac (being the closest not requiring a parking permit) is already used as the parking area for Mediterranean Village. Building additional high-density residences with limited parking will push this from being a manageable annoyance to an unacceptable parking situation.
- Up until this development, our neighborhood has been held to the open space requirements keeping structures back from the sidewalk, maintaining an opening welcome environment in our neighborhood. Making exceptions to the open space requirements for this already large intrusive development is not fair to the residents, particularly those on Carnegie who will face this giant wall of buildings everyday.
- Many large ficus trees that bring an enormous diversity of important wildlife into our neighborhood would be removed. Loss of animal diversity because of development is a threat to the local ecosystem. For example, loss of space for raptors like hawks would cause an increase in the rodent population that we are already battling. Additionally, the removal of these trees goes directly against literature that was circulated in our neighborhood by the city encouraging us to keep, maintain, and develop tree-lined streets.

These items detail a few of my largest concerns. I fear that the decision to allow this type of high-density residential area is being driven by all of the wrong reasons. By allowing our unique mainly single-story neighborhood to be developed in this way, Costa Mesa is slowly losing what draws many people here. Keeping the demand for homes in our neighborhood high helps current homeowners and their property values. I would hope the current homeowners have a say in our own neighborhood and its future. Please consider these reasons and the many more I am sure my neighbors are also writing and speaking about, and do not allow this development to continue. Maintain the open space requirements of this quiet beautiful neighborhood and stop forcing high-density living into areas it does not fit.

Sincerely,

Nikki Plaster

443 Elmhurst Ln

Costa Mesa, CA 92626

PH-12

**COLGAN, JULIE**

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**Subject:** "440 Fair GP-16-01/R-16-01/ PA-16-46/TT-18064 For The Public Record"

**From:** Rice, Bryan [<mailto:brice@tustin.k12.ca.us>]  
**Sent:** Monday, November 14, 2016 12:29 PM  
**To:** GREEN, BRENDA <[brenda.green@costamesaca.gov](mailto:brenda.green@costamesaca.gov)>  
**Cc:** [marrice@deloitte.com](mailto:marrice@deloitte.com)  
**Subject:** "440 Fair GP-16-01/R-16-01/ PA-16-46/TT-18064 For The Public Record"

Bryan and Myra Rice  
350 Bucknell Road  
Costa Mesa, CA 92626

November 14, 2016

Brenda Green  
77 Fair Drive  
Costa Mesa, CA 92626

Dear Ms. Green,

I am writing today to raise objections to the proposed high density housing development proposal scheduled for 440 Fair Drive. (440 Fair GP-16-01/R-16-01/ PA-16-46/TT-18064) After reading through the 145 page planning commission report, I am very concerned that the proposed changes will negatively affect the College Park neighborhood that I have called home for most of my life. While I do agree that change is inevitable, I feel compelled to do what I can to stop this development as currently written. I am not against that parcel of land being developed into single family residences; I am opposed to 3 and 4 story units.

As a current homeowner on Bucknell I am concerned for the safety of my two young children. I have seen many close calls as already too many people use Bucknell and Princeton as a cut through between Harbor and Fairview. I believe adding 28 new units will create an even larger traffic concern, especially considering the single entry on Carnegie at Bucknell.

I love my City of Costa Mesa, and I believe that the general direction/growth of the City has been positive. I am wholeheartedly against this project as it will fundamentally and negatively change the nature and culture of my community of College Park.

Thank you for your time and consideration,

Bryan and Myra Rice  
714-321-8608

**LOOMIS, RYAN**

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**To:** COLGAN, JULIE  
**Cc:** SCHNEBLE, PEGGY  
**Subject:** RE: 440 Fair GP-16-01/R-16-01/PA-16-46/TT-18064 For The Public Record

**From:** Gregg Schmidt [<mailto:greggschmidt31@sbcglobal.net>]  
**Sent:** Sunday, November 13, 2016 3:25 PM  
**To:** GREEN, BRENDA <[brenda.green@costamesaca.gov](mailto:brenda.green@costamesaca.gov)>  
**Subject:** Fw: 440 Fair GP-16-01/R-16-01/PA-16-46/TT-18064 For The Public Record

On Sunday, November 13, 2016 3:21 PM, Gregg Schmidt <[greggschmidt31@sbcglobal.net](mailto:greggschmidt31@sbcglobal.net)> wrote:

Brenda,

My name is Gregg Schmidt and my family and I are 20+ year home owners at 300 Bucknell Road in College Park.

We are very opposed to the above named high density housing project for many obvious reasons. Isn't Mediterranean Village high density enough? The proposal to change the zoning to high density residential is not in the College Park resident's best interest.

The project will negatively change the traffic on Bucknell Road, which is already a drag strip in it's current state. With only 1 drive way access planned all of that residential traffic will be going down Bucknell and Carnegie totally destroying the quiet neighborhood quality for all of us.

It's amusing how all these city officials during their lame campaigns pledge to keep Costa Mesa neighborhoods great places to live and preserve the the "quality" of our neighborhoods and then this type of issue keeps rearing it's greedy head.

Why not just plunk another 3 story development that doesn't fit in the charm of our mid century homes? This development has only 5 guest parking spots planned?

It's common knowledge that the owner of the subject property has been keeping shady business ("massage spas") operating in his current buildings to make this bad idea seem like the better alternative. I understand he is also the developer of this proposed bad idea. Despite this the crime issues in this area are minimal.

We strongly urge common sense and decency to prevail in this matter to preserve the College Park residential community's quiet style of life.

Thank you for your time.

Gregg and Lori Schmidt  
300 Bucknell Road  
Costa Mesa, CA  
714-751-2504

PH-12

Nov. 14, 2016

Planning Committee and City Council and City staff

Thank you all for your hard work for our city. I am very concerned about the proposed redevelopment located at 440 Fair drive in Costa Mesa.

- This development doesn't fit into the current single family 1 story homes.
- The developer is asking to change the zoning from neighborhood to HIGH DENSITY RESIDENTIAL
- NO to high density residential. It's too much
- The community does not want 3 and 4 story units.
- No driveway access onto Carnegie at Bucknell, please.
- New residents will use Bucknell, Princeton, Fordham, Carnegie and other streets to access Harbor blvd and Fair drive.
- Princeton and Bucknell already have many cars, often going too fast.
- The developer wants many variances for open space, parking, density and other existing requirements.
- The plan includes only 5 guest parking spaces for 28 houses, not enough. People will be parking on Carnegie and Bucknell. We already have people that live at Mediterranean Apts that park on these streets
- The Mediterranean Apts are already HIGH DENSITY and in the middle of College Park.
- This will overwhelm the existing neighborhood of College Park
- This project would require cutting down the large, mature Ficus trees to build these units. Raptor birds use these trees to nest and live while they hunt for rats and mice.
- This redevelopment is too much for this location, as it is proposed.

No high density and variances. The scope of this project is too much.

Please help us keep the family friendly feeling of College Park

Thank you for your time and consideration

Alexandra Shannon 714-557-1725

2541 Greenbriar lane

*Alexandra Shannon*

**Received**  
City of Costa Mesa  
Development Services Department

NOV 14 2016

**LOOMIS, RYAN**

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**Subject:** FW: "440 Fair GP-16-01/R-16-01/PA-16-46/TT-18064 For The Public Record"

**From:** J. Norman Smith [mailto:normal65@gmail.com]

**Sent:** Sunday, November 13, 2016 3:33 PM

**To:** GREEN, BRENDA <brenda.green@costamesaca.gov>

**Subject:** "440 Fair GP-16-01/R-16-01/PA-16-46/TT-18064 For The Public Record"

I have resided in the College Park tract of Costa Mesa for the past Forty-Three (43) years and have brought up our children and subsequently seen our grandchildren blossom in this neighborhood. It appears that there is one or more money hungry individuals itching to change the character of the neighborhood to enhance their own value monetarily or politically. I strenuously object to this change in our neighborhood. The removal of trees on Carnegie is contrary to city policy, to wit when I needed to have a tree removed I was told by the city that trees can not be removed unless they have impeded city services (sewer or water). Willy Nilly removal of trees is not permitted, as one neighbor in this tract is being penalized by the city for removing one tree and replacing it with two like specimens. The trees on Carnegie apparently are impeding money into developers pockets. Opening the traffic onto Carnegie will increase traffic throughout the tract wherein Bucknell and Princeton have already become raceways. Increased wealth and the coming of age of resident's children have increased the number of automobiles in the area and with today's smooth running cars it is easy to exceed the speed limit easily. Not withstanding even the Costa Mesa Police use Princeton to transit to Harbor from Fair and generally at an increased speed without use of lights or siren. We have young children and our elderly that walk and cross streets, and more traffic is not needed.

It is apparent that 440 Fair is nothing more than a target by developers and the minions of council to make a pile of money. The proper use is fix up the building and have doctors and dentists return to an area where they will be welcomed. Leave the zoning alone.

Why don't you put these extravagant buildings at the entry to Mesa Verde where the monetary income from the sale will be near to the values there and the traffic can exit out onto Mesa Verde West or Adams Ave.

Yours respectfully  
J. Norman Smith  
2539 Columbia Drive

**LOOMIS, RYAN**

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**Subject:** FW: PA-16-46/TT-1806440 Fair GP-16-01/R-16-01/PA-16-46/TT-18064 For The Public Record

Carl and Amy Stuetzel  
 296 Bucknell Road  
 Costa Mesa, CA 92626

November 14, 2016

Brenda Green  
 City Clerk  
 City of Costa Mesa  
[brenda.green@costamesaca.gov](mailto:brenda.green@costamesaca.gov)

Re: PA-16-46/TT-1806440 Fair GP-16-01/R-16-01/PA-16-46/TT-18064 For The Public Record

Dear City of Costa Mesa Planning Commission,

On behalf of my family, I am writing to you to voice our concerns over the redevelopment planned near our home in the neighborhood of College Park. It has come to our attention that a redevelopment is planned to demolish the existing two-story office/commercial building located at 440 Fair Drive, and build 28 single-family residential units. This redevelopment is currently under consideration by the planning commission (agenda item PA-16-46/TT-1806440 Fair GP-16-01/R-16-01/PA-16-46/TT-18064).

We do not oppose the redevelopment of the commercial property in question into residential housing units. We feel that most of the tenants currently occupying the property are not conducive to the family friendly environment that College Park exemplifies. We also support the redevelopment of the property into more affordable housing. As a young family, we can appreciate the difficulty that exists for most new families to find affordable housing in safe, clean family-friendly neighborhoods such as College Park.

However, we feel that the proposal that is before the planning commission is too extreme:

1. All of the housing in the immediate vicinity is only one to two stories high. We do not understand the developer's desire to build three to four story residences on the property. We feel that this does not fit with the aesthetics of the rest of the neighborhood.
2. The development intends to exceed the city's standards for built-up areas in the neighborhood with decreased vegetative spaces, decreased setbacks, and increased perimeter walls. We feel that this also does not fit with the aesthetics of the neighborhood.
3. We have been told by the developer that the planned development intends to provide Covenants Codes and Restriction (CC&Rs) that will encourage residents to park on the property. However, from my own personal experience, these regulations are difficult, if not impossible to enforce. We feel that the development will place a very heavy burden on the street parking and traffic flow on the streets in close proximity to the development.

Based on these factors, we feel that the proposed development will be out of place in the neighborhood, and we feel that it sets a bad precedence for future development in our neighborhood to use this as a model for continued exceedance of the current neighborhood standards.

We encourage the planning commission to reject the above referenced proposal, and encourage the developer to find a way to redevelop the property into something more befitting the neighborhood.

Thank you for your consideration.

Carl and Amy Stuetzel  
 Residents of College Park

November 14, 2016

Costa Mesa Planning Committee

77 Fair Drive

Costa Mesa, CA 92626

Dear Committee,

My husband, Dane, and myself are very unhappy with the proposal for 440 Fair Drive. We do not want four story housing in College Park. We do not want high density. We do not want the trees on Greenbriar cut down. We believe that if that area is developed, it should mimic our existing development of single family housing, one or two stories on 60 by 100 foot lots. That is what we bought into and that is the way College Park should remain.

Respectfully,

Dane and Sue Till

2549 Fordham Drive

Costa Mesa, CA 92626

PH-12

2949 Pemba Drive  
Costa Mesa, CA 92626

Costa Mesa Planning Commission  
77 Fair Drive  
Costa Mesa, Ca

November 13, 2016

Dear Commissioners:

We are owners of the property at 2381 Cornell Drive in the College Park area of Costa Mesa. We are strongly opposed to the proposed high-density, multi-story development you are considering. The high-density, tall structures are not in keeping with the style of the College Park area. The proposed high-density development will create even greater traffic problems for the city.

We would expect this inappropriate high-density development to decrease the value of surrounding property values.

Very truly yours,

*William S. Walker*

*Sara C. Walker*

William S. and Sara C. Walker

**Received**  
City of Costa Mesa  
Development Services Department

NOV 14 2016

PH-12

November 13, 2016

RE: the project at 440 Fair Drive.

To whom it may concern,

As longtime residents of College Park, we would like to vehemently express our disapproval with the proposed project at 440 Fair Drive. The proposed development does not fit with the current neighborhood. We have now told the developer twice, as did our neighbors, and it appears he again has completely ignored the resident's concerns. The current property at 440 Fair has little impact the neighborhood. We are not opposed to a new use for that property, just not the current proposal as of November 13, 2016.

Following are the reasons why we are opposed to the project:

- There was no Environmental Impact Report prepared for the project.
- We already have a massive high density development in College Park.
- There are already parking problems in College Park in the area surrounding 440 Fair due to Mediterranean Village not providing enough parking, this project will only make the parking issues worse.
- The traffic study fails to take into consideration the traffic generated from the new apartments planned for Harbor at Wilson, the new project at Harbor at Merrimac and the development of Fairview Hospital.
- The traffic study in the Mitigated Negative Declaration does not include a traffic study of Bucknell or Princeton.
- There will be a significant increase in traffic on Carnegie, Bucknell, Princeton, Fordham, and Loyola from this project.
- The new development will receive parking permits that are not available to the residents on Lehigh Place or Elmhurst.
- There is only one driveway for the entire complex and it spills out onto Bucknell.
- Drivers exiting the development will not be able to turn on to Fair from Carnegie during peak traffic times.
- There are only 5 small guest parking spots for the 28 units.
- The front of the homes along Carnegie will be right on the sidewalk which is a deviation from current city building requirements and does not fit with the neighborhood. What precedence allows this?
- They will have to cut down the big trees along Carnegie to build the project and yet regular people in the neighborhood cannot remove trees that are damaging property.
- The rooftop decks are out of character for the College Park neighborhood.
- The new project homes will look into the backyards of the existing homes.
- There is no green space in the property.

Please consider these issues and reject this terrible project.

Sincerely,

Kelli & Todd Weber 2513 Lehigh Place

**Received**  
City of Costa Mesa  
Development Services Department

**NOV 14 2016**

**COLGAN, JULIE**

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**Subject:** 440 Fair Drive Project

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**From:** JohnJillJessicaLucasLayne <[johnjil@pacbell.net](mailto:johnjil@pacbell.net)>  
**Date:** Monday, November 14, 2016 at 1:20 AM  
**To:** Gary Armstrong <[GARY.ARMSTRONG@costamesaca.gov](mailto:GARY.ARMSTRONG@costamesaca.gov)>  
**Subject:** 440 Fair Drive Project

Mr. Armstrong,

My wife and I have been College Park homeowners for nearly 15 years and I have lived in Costa Mesa my entire life. We selected this area to raise our family due to the quiet streets and neighborhood environment. We are very concerned that the building type and concentration of the project proposed for 440 Fair Drive will negatively affect the aspects that we enjoy about our neighborhood. The multiple stories and duplexes proposed are inconsistent with the construction in College Park. Additionally the proposed entry into the project will have a direct affect on the noise and safety of our streets. There are no benefits to the current residents and there are many young families, pedestrians, and cyclists in this area that will be needlessly put at risk. I appreciate the profit motives and the city development needs of both the builders and City Planners, but believe that the entry into the new project should be built outside of the established neighborhood in order to minimize impact to the current residents. We respectfully request that you consider these issues to assure that the construction of this project is consistent with the character and concentration of the established neighborhood.

Thank you for your consideration.

John Woodruff  
408 Bucknell Road