PLANNING COMMISSION AGENDA REPORT

MEETING DATE: July 25, 2016 **ITEM NUMBER: PH-1**

SUBJECT: **PLANNING APPLICATION PA-16-23 AND TENTATIVE PARCEL MAP PM-2016-141 FOR FOUR-UNIT, SMALL LOT SUBDIVISION RESIDENTIAL DEVELOPMENT AT 127 23RD STREET**

DATE: **JULY 14, 2016**

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

PRESENTATION BY: **DANIEL INLOES, ASSOCIATE PLANNER**

FOR FURTHER INFORMATION CONTACT: **DANIEL INLOES, AICP (714) 754-5088**
daniel.inloes@costamesaca.gov

DESCRIPTION

The proposed project involves the following:

1. ***Planning Application PA-16-23:*** Design Review to construct a four-unit, two-story, small lot subdivision on a 16,352 sq. ft. lot in an R2-MD zone. The project satisfies all Small Lot Subdivision development standards and residential design guidelines.

   The property has access from 23rd Street. The two-story detached homes consist of 4 bedrooms/ 3 baths and two-car garage with a minimum interior dimension of 20 feet by 20 feet.

2. ***Tentative Tract Map TT-17839:*** A residential small lot subdivision consisting of four fee simple lots.

APPLICANT OR AUTHORIZED AGENT

The applicant is David Claudon, authorized agent for J & D Blackmon Trust, the property owner.

ENVIRONMENTAL DETERMINATION

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15332 for Infill Development.

RECOMMENDATION

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

PLANNING APPLICATION SUMMARY

Location: 127 23rd Street
APN: 425-054-09

Application Number: PA-16-23 & PM- 2016- 141

Request: Design Review of a 4-unit two-story residential development small lot subdivision and its corresponding tentative parcel map.

SUBJECT PROPERTY:

Zone: R2-MD
General Plan: Medium Density Residential
Lot Dimensions: 121 FT x 135 FT
Lot Area: 16,352 square feet

SURROUNDING PROPERTY:

North: R2-MD Multi-Family Residences
South: R2-MD Multi-Family Residences
East: R2-MD Single Family Residences
West: R2-MD Similar Small Lot Subdivision

Existing Development: One parcel with single-family residence

DEVELOPMENT STANDARD COMPARISON

Development Standard	Required/Allowed Small Lot Subdivision Ordinance	Proposed/Provided
Lot Area	No minimum Subdivision Standards	Lot 1 – 4,411 Lot 2 – 3,790 Lot 3 – 3,769 Lot 4 – 4,382
Open space (development lot)	30% (6,750 SF) of total lot area	7,465 SF– 45%
Open space (individual unit)	200 SF with no dimension less than 10 feet	270 SF; min. 10 ft. dim.
Density:		
General Plan – MDR	Max. 12 du/ac	11 du/ac
Zone – R2-MD	1 du/3,630 SF Max. 4 dwelling units	1 du/ 4,088 SF 4 dwelling units
Building Height	Two stories / 27 SF	Two stories / 26 SF
Distance between main buildings	No Minimum	10 FT minimum
Building Setbacks:		
Front	20 FT	20 FT
Side	5 FT	5 FT
Side	5 FT	5 FT
Rear	10 FT	9.5 FT
% ratio of 2nd floor to 1st floor	100%	81%
Parking		
Covered	8 spaces	8 spaces
Open	8 spaces	8 spaces
TOTAL	16 spaces	16 spaces
Interior garage dimension	20 FT x 20 FT– Two Car Garage	20 FT x 20 FT
Driveway Length	19 FT	19 FT
Final Action	Planning Commission	
CEQA Review	Exempt, Class 32 for In-Fill Development Projects.	

BACKGROUND

Project Site/Environs

The project site is located on the south side of 23rd Street, a half of a block west of Newport Boulevard and east of Elden Avenue. The site is 16,352 square feet in size. The property zoned R2-MD (Multiple Family Residential, Medium Density) and has a General Plan Land Use Designation of Medium Density Residential. The site is adjacent to multiple two-story multi-family residences on the north, south, and west side of the property. Several two-story single family residences are adjacent on the east side of the property. The existing two-story residence built in 1926 will be demolished to accommodate the proposed project.

ANALYSIS

Project Description

The project involves the construction of a four-unit, two-story residential development based on the Residential Small Lot Subdivisions Ordinance. The unit types and proposed density are summarized in the following tables:

Unit Type Summary

Unit Size (not including garage)	2,110 Sq. Ft.
Garage size	400 Sq. Ft.
Total Unit Size w/garage	2,510 Sq. Ft.
No. of Bedrooms and Baths	4 Beds / 3 Bath
No. of Stories	2 Stories / 26 ft.
No. of Garage Spaces	2 spaces
No. of Open Spaces	2 spaces
Total Spaces per unit	4 spaces

General Plan Density		
Number	4 units allowed	4 units proposed

Project Design

The variety of building elevations per unit, materials and staggered massing, diminishes a boxy design appearance. Second floor windows are offset or frosted to avoid visual impacts to the second story windows to neighboring properties. The proposed architecture for the four-unit project is considered a two-story traditional style structure with cottage decorative material accents. The residences include gabled roofs; board and batten siding, horizontal siding, sanded finished stucco; shutters, exposed beams under pop out above garage entrance; decorative metal roll-up garage doors, and a front porch with decorative railing and stacked columns or slender columns along the front. The proposed colors are whites, light grays, and earthen tones. Architectural projections are included to maximize floor space on upper floors and provide building articulation, texture

and color variation throughout the project's design. While all residences face the common drive they share, the residence closest to 23rd Street also addresses the street with additional window pop out and roof line treatment.

Tentative Parcel Map

The proposed Tentative Parcel Map is for a four lot subdivision for a residential small lot subdivisions development. All common areas including the driveway and open parking spaces will be used and maintained by a maintenance association or homeowner's association as stipulated in the Conditions, Covenants, and Restrictions (CC&R's) for the development. The CC&R's will also include provisions requiring that all open parking spaces be available for visitors and requiring residents to park vehicles in the garage spaces provided for each unit.

General Plan Conformance

The General Plan land use designation for the project site is Medium Density Residential. Per the General Plan, Medium Density Residential is intended for residential development with a density up to 12 units to the acre. Because the density of the proposed project is 10 units to the acre (proposed four 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 General Plan, Land Use Element.

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 medium-density development. Adequate infrastructure will be available to serve the proposed project. Therefore, the project is consistent with this General Plan objective.

2. **Objective LU-1A.4:** *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 LU-2: Development:** *It is the goal of the City of Costa Mesa to establish development policies that will create and maintain an aesthetically pleasing and functional environment and minimize impacts on existing physical and social resources.*

   Consistency: The project would allow for the redevelopment of property containing a marginal residential dwelling. The proposed project would add quality architectural design to the project area and would be consistent with the size,

height, site planning of the neighboring properties. As required by a standard condition of approval on the project, perimeter wall treatments will be reviewed to ensure that they are made of decorative materials, and ornamental site landscaping will be provided throughout the project. As a result, the proposed project is in conformance with this General Plan goal.

4. **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. In addition, the proposed project will replace an older multi-family housing unit and redevelop the property with new housing stock. Consequently, the project is consistent with this objective.

Justifications for Approval

Pursuant to Title 13, Section 13-29(g), 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 an assessment of facts and findings which are also reflected in the draft resolution.

The City Council revised the Zoning Ordinance (Title 13) in June 1997 which included zoning code requirements for new development in the R2-MD zone. In addition, City Council amended Title 13 by including new standards for Residential Small Lot Subdivisions. Article 2.5, which provides flexible development standards and promote a wider range of homeownership of individual lots in multiple-family residential and overlay zoning districts. The project is consistent with the zoning code.

- *The project meets the Small Lot Subdivision Standards.*
  The project site plan shows a rear yard setback of 9.5 feet; however, per conversations with the applicant and a condition of approval the rear setback for this property will be 10 feet. The project has sufficient depth on the property to meet the required 10 feet setback by pushing the two rear units towards the front property line six inches. This would diminish the distance between the two front units and the two rear units; however, small lot ordinance has no code requirement for the distance between buildings as long as the development meets building code standards. All other small lot subdivision standards are met or exceeded, except for the conditioned rear setback.

- *The project exhibits excellence in design and meets the Residential Design Guidelines*.

  The single-family residential structure with detached garage is over 90 years old and sits on an otherwise undeveloped lot. This project proposes four new residential single family two-story units built with quality materials, exceeding the private open space requirements, and provides horizontal and vertical greenery

throughout the development. The proposed project features multiple trees on the development site in addition to the proposed shrubs and ground cover.

The proposed architecture and site design will enhance the street view and potentially induce new development in the area. The overall architectural design promotes quality and compatibility. The project meets the City's Residential Design Guidelines as it provides a variety of building elevations, pop-outs, materials and massing. The two-story traditional style architecture alleviates the compact configuration by including a combination of horizontal lap and vertical wood siding, sanded finish stucco, decorative roll-up garage doors, and a front porch for each unit with railing and columns. The units have a balanced proportion of first floor to second floor area. The proposed colors are light gray, white, and earthen tones. The structural design is enhanced by the landscaping. Additional accents along the side elevation which faces the public street allow for this project to address the street while still facing its common drive. Examples of this include an additional street facing gable over a large second story window and a first floor projecting pediment feature.

- *Privacy concerns with regard to window placement and architectural compatibility with the surrounding neighborhood have been considered.*

  The proposed two-story project is surrounded by two-story development. The transition from the pedestrian sidewalk to the two-story residences is addressed by varied height landscaping in the front yard setback of the development. Abutting properties all have multiple windows facing the proposed project but line of sight depicted on the site plan shows that there are no direct conflicts between these windows. Impacts will be further diminished by a condition of approval requiring that second floor windows not only be offset from neighboring development windows, but frosted or raised if possible to decrease privacy issues to the neighboring properties since this project is already surrounded by second story developments.

- *The Declaration of the Covenants, Conditions, and Restrictions (CC&Rs) is required to be filed on the property.*

  The Small Lot Ordinance requires that all small lot subdivisions establish some form of self-governance through CC&Rs, maintenance associations, and/or homeowner's associations. In the City of Costa Mesa, the most common type of association is an incorporated homeowner's association. This is a corporation in which the members of the corporation vote for a board of directors which runs the affairs of the corporation. The Small Lot Ordinance requires, at a minimum, that CC&Rs be recorded on the property. Condition of approval requires that the CC&Rs shall contain the ground rules related to: common space (common drive and common guest parking space), architectural control over future building modifications or additions, architectural design and guidelines for the property, and engagement in alternative dispute resolution before filing a lawsuit to resolve conflicts.

- *The project will provide on-site parking spaces that meets current parking standards.*

  The number of parking spaces meet parking space requirements based on the number of proposed bedrooms within each unit. For units with three bedrooms or more two garage and two open parking spaces are required for each unit. This project provides for an attached 2-car garage for each unit as well as two guest parking spaces in front of the garages.

- *A perimeter six-foot-tall decorative block wall is required around the development lot.*

  The construction of a decorative perimeter block wall at a minimum 6 feet in height along the side and rear property lines has already been agreed upon by the applicant and is also a condition of approval.

- *There are above ground utilities in the public right of way along the street frontage.*

  All utility lines for the proposed four units will be undergrounded per code requirement.

- *Proposed project is consistent with the surrounding neighborhood.*

  This street section of 23rd between Newport Boulevard and Elden Avenue is mostly multi-family residential on both sides of 23rd Street. Just on this street section there are two other small subdivisions with 5 or 6 units facing a common drive. While the block has a variety of residential development types including single family and common interest developments all of them are more consistent in character, density, and site planning to the proposed project as opposed to the existing single family home that is currently there.

- *The Tentative Parcel Map meets are requirements for the subdivision.*

  The density for the residential component is 11 units per acre (4 units), which complies with allowable density of 12 units per acre (6 units maximum) per the General Plan.

  The proposed buildings include openings in an east-west direction so doors and windows allow for sea breezes. There are portions of the roof which are south facing therefore have the potential to provide for active solar heating and energy generation through the use of solar panels.

  The proposed project does not interfere with the public right-of-way nor public utility right of way dedication or easements.

ENVIRONMENTAL DETERMINATION

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15332 for Infill Development.

LEGAL REVIEW

The draft resolutions have been reviewed and approved as to form by the City Attorney's Office.

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.

As of July 14, 2016, application PA-16-23 has not received a communication from any property owner located within a 500-foot radius of the project site.

ALTERNATIVES

1. *Approve the project with modifications*. The Planning Commission may suggest specific changes that are necessary to alleviate concerns. If any of the additional requested changes are substantial, the item should be continued to a future meeting to allow a redesign or additional analysis. In the event of significant modifications to the proposal, should the Planning Commission choose to do so, staff will return with a revised resolution incorporating new findings and/or conditions.

2. *Deny the project*. If the Planning Commission believes that there are insufficient facts to support the findings for approval, Planning Commission must deny the application and provide facts in support of denial to be included in the attached draft resolution for denial. If the project were denied, the applicant could not submit substantially the same type of application for six months.

CONCLUSION

The project is deemed to be a high-quality residential development with no deviations from Code. Proposed four-unit project does not involve the maximum buildout allowed by the general plan. It is consistent with the intent of the General Plan and Zoning Code. Staff recommends approval of the project. Resolutions for approval and denial of the project are attached for consideration by the Planning Commission.

DANIEL INLOES, AICP
Senior Planner

for:
Gary Armstrong
Economic Development & Development Services Director / Director CEO

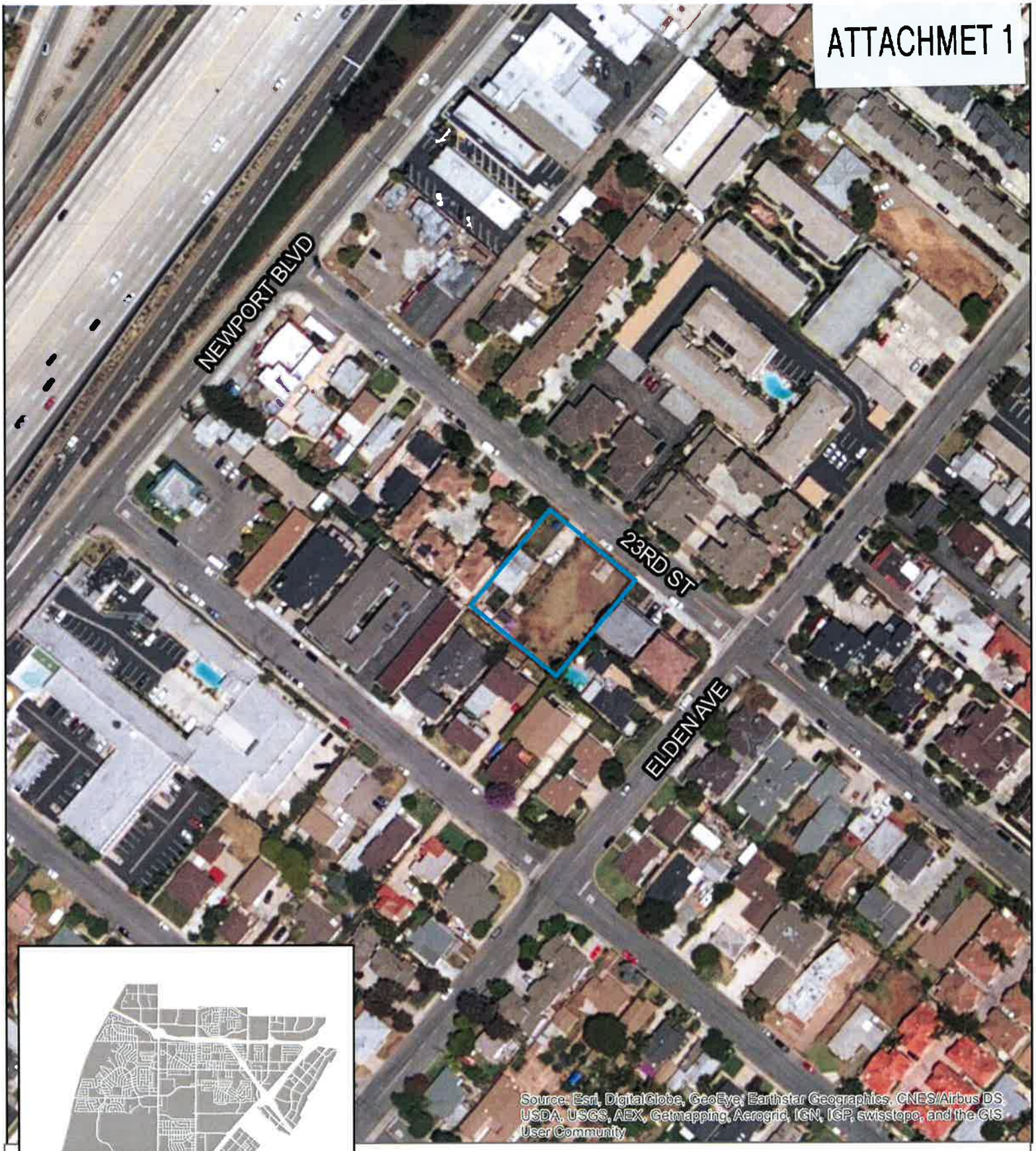
Attachments:
1. Vicinity, Zoning, and 500 ft Radius Maps
2. Site Photos
3. Applicants Project Description
4. Draft Planning Commission Resolutions and Exhibits
5. Project Plans/Elevations/Perspectives

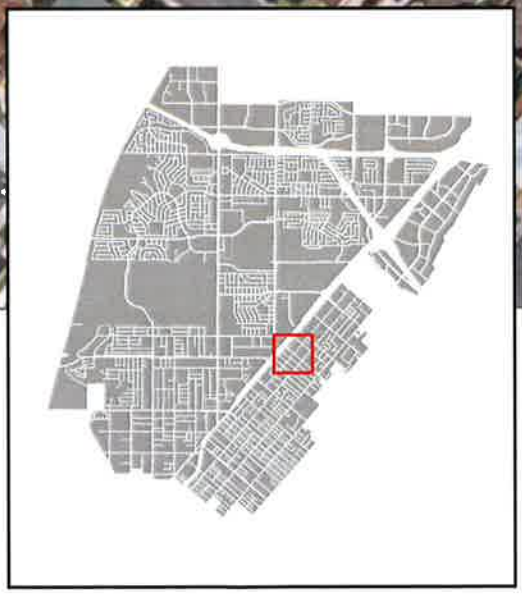
Distribution:
Director of Economic & Development Services/Deputy CEO
Senior Deputy City Attorney
Public Services Director
City Engineer
Transportation Services Manager
Fire Protection Analyst
File (2)

Owner:
J & D Blackmon Trust
1041 W. 18th Street A206
Costa Mesa CA

Authorized Agent:
David Claudon
1041 W. 18th Street A206
Costa Mesa CA

ATTACHMET 1





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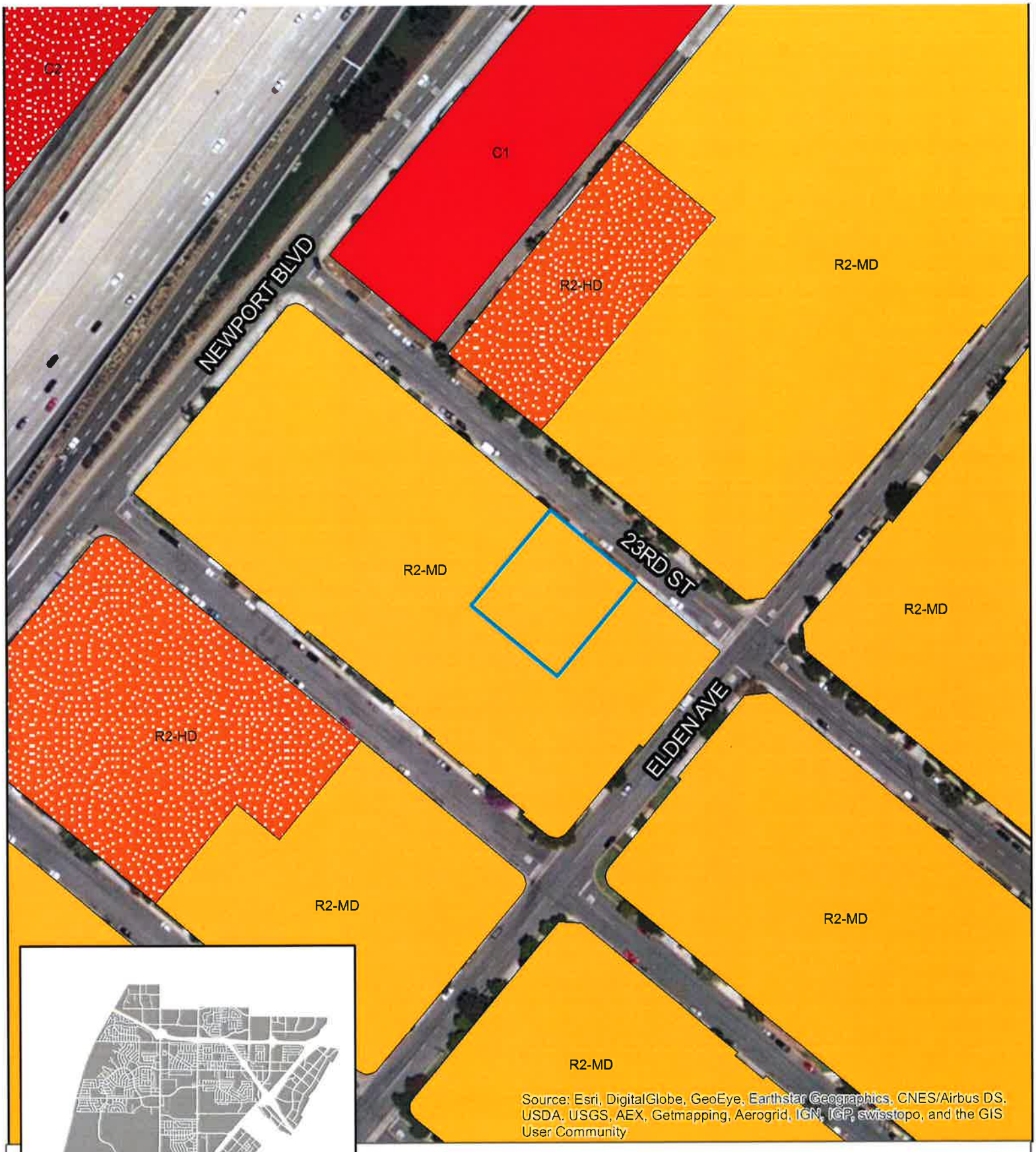
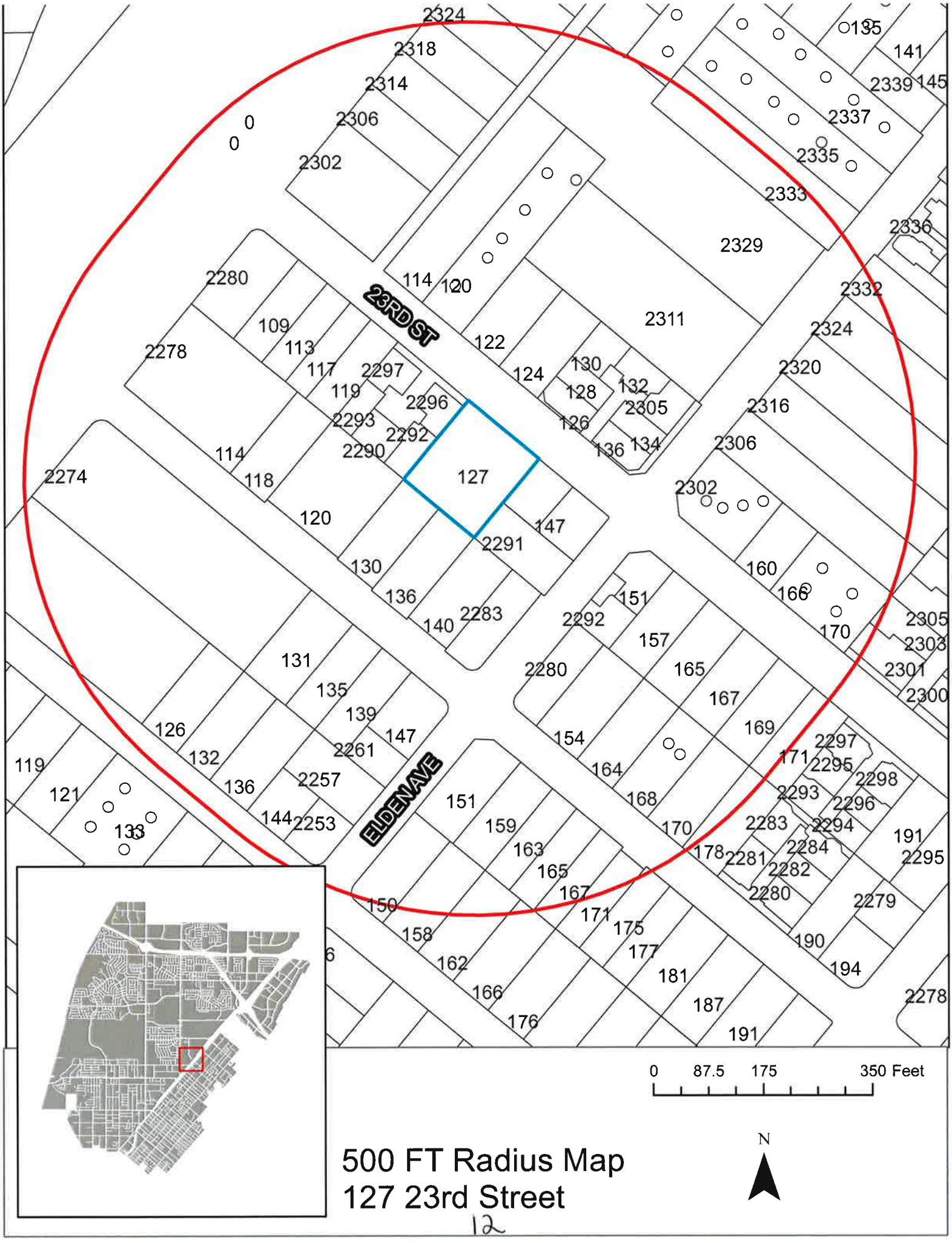
Vicinity of Site
127 23rd Street

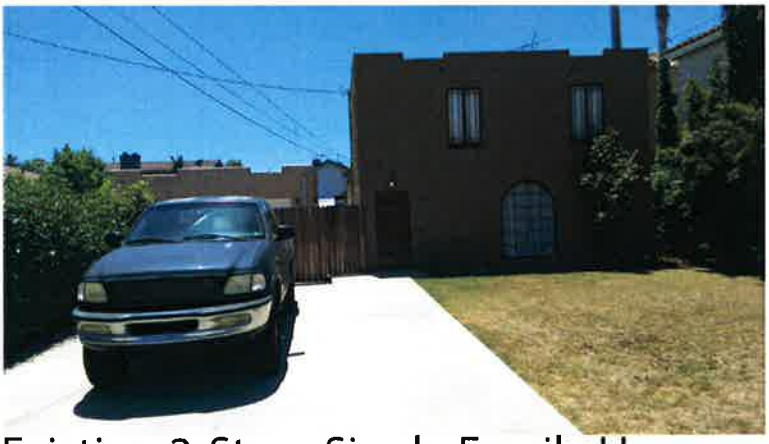


Zoning
127 23rd Street



500 FT Radius Map
127 23rd Street

ATTACHMENT 2



Existing 2-Story Single Family Home

Project Site

Similar Project Across the Street

Neighbor to the East

Neighbor to the North (Across 23rd)

Bird's Eyeview

Neighbor to the West

ATTACHMENT 3

CITY OF COSTA MESA

77 FAIR DRIVE

COSTA MESA, CA 92628

JAN. 25, 2016

RE: DESIGN REVIEW APPLICATION FOR 127 23RD STREET– APPLICANT LETTER

The project at 127 23rd Street consists of an older 2 story residence and a newer detached 3 car garage that will be removed to allow the oversized 16,335 square foot lot to be subdivided into (4) individual fee simple residential lots that will meet the SMALL LOT SUBDIVISION REQUIREMENTS for single family residences.

We are proposing (4) two story single family dwellings; (1) floor plan and (2) elevations. The square footage of the dwelling will be 2,110 SF. Each residence incorporates a two car garage, and 2 additional guest parking spaces per unit. Each residence will receive varied colored stucco, siding, fascia/trim and roofing color.

The architectural design and site orientation of these dwellings are in keeping with City of Costa Mesa's Design Standards and will be an enhancement to the surrounding area.

David A. Claudon

Blackmon Homes, Inc.

RESOLUTION NO. PC-16-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-16-23 AND TENTATIVE PARCEL MAP PM-2016-141 FOR PROPERTY LOCATED AT 127 23rd Street

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

WHEREAS, an application was filed by David Claudon, representing Barbara Jensen Trust, the property owner, requesting approval of the following:

1. ***Planning Application PA-16-23:*** Design Review to construct a four-unit, two-story, detached residential development on a 16,352 square foot lot
2. ***Tentative Parcel Map PM-2016-141:*** A Residential Small Lot Subdivision consisting of four fee simple lots.

WHEREAS, the project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City of Costa Mesa Environmental Guidelines, and has been found to be categorically exempt from CEQA under Section 15332 for In-Fill Development Projects.

WHEREAS, the CEQA categorical exemption for this project reflects the independent judgment of the City of Costa Mesa.

WHEREAS, a duly noticed public hearing was held by the Planning Commission on July 25, 2016 with all persons having the opportunity to speak for and against the proposal.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit A, and subject to the conditions of approval contained within Exhibit B, the Planning Commission hereby **APPROVES** Planning Application PA-16-23 and Tentative Parcel Map PM- 2016- 141.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the staff report for Planning Application PA-16-23 and Tentative Parcel Map PM- 2016- 141 and upon the applicant's compliance with each and all of the conditions in Exhibit B and compliance of all applicable federal, state, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if

the applicant fails to comply with any of the conditions of approval 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 25th of July, 2016.

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

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, Gary Armstrong, acting secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on July 25, 2016, by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

_____
Gary Armstrong, Acting Secretary
Costa Mesa Planning Commission

EXHIBIT A

FINDINGS (APPROVAL)

A The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(14) in that:

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

Facts in Support of Findings: The architectural design of the development meets the intent of the City's Residential Development Standards and Design Guidelines and promotes design excellence with consideration given to site planning and building orientation, overall open space, landscaping and architectural design. Second floor windows will be required to be offset or frosted to minimize direct views onto adjacent second floor residential windows, and the elevations will have exterior elevation treatments as recommended in the City's Residential Design Guidelines.

Finding: The visual prominence associated with the construction of two-story homes in a predominately one-story neighborhood has been reduced through appropriate transitions between the first and second floors and the provision of second floor offsets to avoid long unarticulated two-story walls.

Facts in Support of Findings: The proposed two-story structures are in keeping with the rest of the neighborhood which has a variety of two-story buildings. The elevations of the proposed residences include a variety of materials, articulating roof lines, and use of window treatments to highlight the vertical offsets and horizontal floor to floor transitions.

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

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

B. The proposed Tentative Parcel Map 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 Findings:** The creation of the subdivision is consistent with General Plan Land Use Element in that the project complies with Objectives LU-1A, LU-1A.4, and LU-2 by developing owner-occupied housing to improve the balance between rental and ownership housing opportunities, the project provides sufficient amenities as a small lot subdivision development, and encourages increased private market investment that requires no greater demand for infrastructure.

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

> **Facts in Support of Findings:** The density for the residential component is 11 units per acre (4 units), which complies with allowable density of 12 units per acre (4 units maximum) per the General Plan.

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 Findings:** The overall design reflects a quality project that is consistent with the intent of the Zoning Code and General Plan. The project site is developed with a single family residence, and does not have any sensitive environmental resources. The proposed project will provide for high-quality housing and not impede upon the health, safety, and welfare of the surrounding community.

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 Findings:** The proposed buildings include openings in an east-west direction toward sea breezes but for a parcel this shape providing multiple single family homes require this orientation. There are portions of the roof which are south facing therefore have the potential to provide for active solar heating and energy generation through the use of solar panels.

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 Findings:** As conditioned, the proposed project does not interfere with the public right-of-way nor public utility right of way dedication or easements. The project will be required to underground utility

wires which extend over 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 Findings: The applicant will be required to comply with all regulations set forth by the Costa Mesa Sanitation District as well as the Irvine Water District.

C. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City's environmental procedures. The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15332 for In-Fill Development Projects. This exemption allows for the construction of up to six multi-family residential structures in urbanized areas, which have been determined not to have a significant effect on the environment.

D. The project, as conditioned, is consistent with ChapterXII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code in that the development project's traffic impacts will be mitigated by the payment of traffic impact fees.

EXHIBIT B

CONDITIONS OF APPROVAL

Plng.

1. The expiration of Planning Application PA-16-23 shall coincide with the expiration of the approval of the Tentative Parcel Map PM-2016-141 which is valid for two years. An extension request is needed to extend the expiration for each additional year after the initial two-year period.
2. The conditions of approval of PA-16-23 and T-17974 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
3. The Tentative Parcel Map shall be processed as a tentative map consistent with Chapter XI. Subdivisions, Article 1. Tentative Maps, of the Zoning Code.
4. Prior to issuance of building permits, the applicant shall provide proof of recordation of Tentative Parcel Map T-17974.
5. A decorative 6-foot high perimeter block wall approved by the Development Services Director, shall be constructed along the side, rear, and front boundaries of the development lot prior to issuance of certificates of occupancy unless otherwise approved by the Development Services Director. Where walls on adjacent properties already exist, the applicant shall work with the adjacent property owner(s) to prevent side-by-side walls with gaps in between them and/or provide adequate privacy screening by trees and landscaping.
6. The interior fences or walls between the individual dwelling units shall be a minimum of six feet in height.
7. All future walls and fences within front yard setback along 23rd Street shall conform to the standards per the Walls, Fences, and Landscaping Standards and Specifications.
8. To avoid an alley-like appearance, the driveway shall not be developed with a center concrete swale. The driveway shall be complemented by pavers in order to reduce damage caused by sanitary trucks entering site for trash pickup.
9. The open, unassigned parking space located between at the end of the common drive shall be clearly marked as guest parking space only. Signage shall be posted to indicate that this space is available only to guests and visitors and not used for resident parking.
10. No modification(s) of the approved building elevations including, but not limited to, change of architectural type, changes that increase the building height, removal of building articulation, or a change of the finish material(s), shall be made during construction without prior Planning Division written approval. This includes any modification not consistent with the proposed composition shingle and standing metal seam roofs, horizontal lap and vertical wood siding, sand finish stucco, 24-inch and 12-inch board and batten siding, stacked block decorative material, decorative metal roll-up garage doors, and columns along front entry porches. Any modification should be consistent to originally proposed colors, including the various grays and earthen tones. Failure to obtain

prior Planning Division approval of the modification could result in the requirement of the applicant to (re)process the modification through a discretionary review process or a variance, or in the requirement to modify the construction to reflect the approved plans.

11. 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.

12. Prior to issuance of grading permits, developer shall submit for review and approval a Construction Management Plan. This plan features methods to minimize disruption to the neighboring residential uses to the fullest extent that is reasonable and practicable. The plan shall include construction parking and vehicle access and specifying staging areas and delivery and hauling truck routes. The plan should mitigate disruption to residents during construction. The truck route plan shall preclude truck routes through residential areas and major truck traffic during peak hours. The total truck trips to the site shall not exceed 200 trucks per day (i.e., 100 truck trips to the site plus 100 truck trips from the site) unless approved by the Development Services Director or Transportation Services Manager.

13. The applicant shall contact the Planning Division to arrange a Planning inspection of the site prior to the release of occupancy/utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.

14. The CC&Rs shall contain a notice that the open parking space (not leading to a garage) shall be unassigned and available for visitors. The CC&Rs shall also contain provisions related to use, preservation and maintenance of the common drive aisle and open space areas in perpetuity by the maintenance or homeowner's association

15. The CC&Rs shall contain provisions requiring that the maintenance or homeowner's association effectively manage parking and contract with a towing service to enforce the parking regulations.

16. The Homeowner's Association or Maintenance Association shall submit a signed affidavit to the City of Costa Mesa on an annual basis to certify the following:

a. The two-car garages in the residential community are being used for vehicle parking by the resident(s).

b. The vehicle parking areas within the garage are not obstructed by storage items, including but not limited to, toys, clothing, tools, boxes, equipment, etc.

c. The resident(s) have consented to voluntary inspections of the garage to verify the parking availability, as needed.

The form and content of the affidavit shall be provided by the City Attorney's office. Failure to file the annual affidavit is considered a violation of this condition.

17. Transformers, backflow preventers, and any other approved above-ground utility improvement shall be located outside of the required street setback area and shall be screened from view, under direction of Planning staff. Any deviation from this requirement shall be subject to review and approval of the Development Services Director.

18. The applicant shall defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers and employees from any claim, action, or proceeding (collectively referred to as "proceeding") brought against the City, its elected and appointed officials, agents, officers or employees arising out of (1) City's approval of the project, including but not limited to any proceeding under the California Environmental Quality Act. The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, the City and/or the parties initiating or bringing such proceeding. This indemnity provision shall include the applicant's obligation to indemnify the City for all the City's costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth in this section.

19. Applicant is encouraged to increase the depth of landscape planters by two feet to allow curbing to serve as a wheel stop.

20. The landscaping of this project shall comply with the City's landscaping requirements and guidelines.

21. Second floor windows will be offset from neighboring residence windows to avoid privacy issues to the second story windows of abutting properties. Windows which cannot be offset or still have a large impact on privacy must be frosted or elevated to maintain privacy.

22. Prior to issuance of building permit, developer shall provide a revised site plan which shows the proposed project meeting the full ten-foot setback requirement from the rear property line. The modification shall not result in any changes to the currently proposed project summary within the staff report with the exception of the proposed rear setback.

Trans 23. Prior to issuance of building permit, developer shall remit traffic impact fee pursuant to the prevailing schedule of charges adopted by City Council at the time the vesting Tentative Parcel Map was deemed complete. The

Traffic Impact fee is currently estimated at **$650.00**, as determined by the date the vesting Tentative Parcel Map was deemed complete. Developer shall contact the Transportation Services Division for a final estimate prior to issuance of building permits. Developer shall remit the traffic impact fee to the Planning Division.

Eng 24. Comply with the requirements contained in the letter prepared by the City Engineer (Exhibit B1).

25. Maintain the public right-of-way in a "wet-down" condition to prevent excessive dust and promptly remove any spillage from the public right-of-way by sweeping or sprinkling.

26. Slurry seal the entire width of 23rd Street for the entire property frontage as determined by City Engineer.

Pkwys 27. Plant one 24-inch box tree along 23rd Street parkway. Species may be proposed by applicant but type of tree must be approved by Public Services.

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. Applicant shall provide the City with proof of general liability insurance including endorsements concerning "additional named insured", "advance notice", and "primary coverage" as approved by the City attorney's office.

3. 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.

4. Prior to issuance of building permits, applicant shall contact the US 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.

5. Prior to issuance of occupancy permits, the Developer shall pay a park impact fee or dedicate parkland to meet the demands of the proposed development.

6. A minimum 20-foot by 20-foot clear interior dimension shall be provided for all garages.

7. Minimum garage door width shall be 16 feet.

8. All garages shall be provided with automatic garage door openers.
9. Hours of construction shall comply with Section 13-279, Title 13, of the Costa Mesa Municipal Code.
10. 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.
11. Two sets of landscape and irrigation plans, approved by the Planning Division, shall be attached to two of the final building plan sets.
12. All on-site utility services shall be installed underground.
13. Installation of all utility meters shall be performed in a manner so as to obscure the installation from view from any place on or off the property. The installation shall be in a manner acceptable to the public utility and shall be in the form of a vault, wall cabinet, or wall box under the direction of the Planning Division.
14. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.
15. Prior to approval of plans, the project shall fulfill the City of Costa Mesa Drainage Ordinance No. 06-19 requirements.
16. If present and/or projected exterior noise exceeds 60 CNEL, California Noise Insulation Standards, Title 25, California Code of Regulations require a maximum interior noise level of 45 CNEL for residential structures. If required interior noise levels are achieved by requiring that windows be inoperable or closed, the design for the structure must also specify the means that will be employed to provide ventilation, and cooling if necessary, to provide a habitable interior environment.
17. 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 Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
18. Planning Commission action on PA-16-23 shall not become final until seven days following final action.
19. Landscaping and irrigation shall be installed in accordance with the approved plans prior to final inspection or occupancy clearance.
20. The project shall comply with Title 24 of the California Code of Regulations established by the energy conservation standards. The project Applicant shall incorporate the following in building plans:

    a. Double paned glass or window treatment for energy conservation shall be used in all exterior windows.

b. Building shall be oriented north/south where feasible.

21. Trash facilities shall be screened from view, and designed and located appropriately to minimize potential noise and odor impacts to residential areas.

22. Prior to issuance of building permits, the applicant shall provide the Conditions, Covenants, and Restrictions (CC&Rs) to the Development Services Director and City Attorney's office for review. The CC&Rs must be in a form and substance acceptable to, and shall be approved by the Development Services Director and City Attorney's office.

    a. The CC&R's shall contain restrictions requiring residents to park vehicles in garage spaces provided for each unit. Storage of other items may occur only to the extent that vehicles may still be parked within the required garage at the number for which the garage was originally designed and to allow for inspections by the association to verify compliance with this condition.

    b. Any subsequent revisions to the CC&Rs related to these provisions must be reviewed and approved by the City Attorney's office and the Development Services Director before they become effective.

23. Prior to final inspection the applicant shall file and record a declaration of covenants, conditions, and restrictions (CC&Rs) on the property. The establishment of a homeowner's association shall be optional. Prior to issuance of a building permit, a draft of the CC&Rs shall be remitted to the Development Services Director and City Attorney's office for review and approval. Because there are no common areas for circulation, parking, or landscape purposes, the CC&Rs shall be limited to the ground rules related to: architectural control over future building modifications or additions, architectural design and guidelines for the property, and engagement in alternative dispute resolution before filing a lawsuit to resolve conflicts. The Development Services Director has the discretion to request any other provisions in the CC&Rs to promote self-governance between the two property owners.

Bldg. 24. Comply with the requirements of the 2013 California Building Code, 2013 California Residential Code, 2013 California Electrical Code, 2013 California Mechanical Code, 2013 California Plumbing Code, 2013 California Green Building Standards Code and 2013 California Energy Code (or the applicable adopted, California 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. Areas of alteration and additions shall comply with 2013 California Green Building Standards Code section 5.303.2 and 5.303.2.

25. Submit a precise grading plans, an erosion control plan and a hydrology

study. If it is determined that a grading plan is not required a drainage plan shall be provided. A precise grading plan shall not be required if any of the following are met:

1. An excavation which does not exceed 50 CY on any one site and which is less than 2 FT in vertical depth, or which does not create a cut slope greater than 1 ½:1 (excluding foundation area).

2. A fill less than 1 foot in depth placed on natural grade with a slope flatter than 5:1, which does not exceed 50 CY on any one lot and does not obstruct a drainage course.

3. A fill less than 3 FT in depth, not intended to support structures, which does not exceed 50 CY on any one lot and does not obstruct a drainage course.

26. Submit a soils report for this project. Soil's report recommendations shall be blueprinted on both the architectural and grading plans. For existing slopes or when new slopes are proposed, the soils report shall address how existing or new slopes will be maintained to avoid erosion or future failure.

27. On graded sites the top of exterior foundation shall extend above the elevation of the street gutter at point of discharge or the inlet of an approved discharge devise a minimum of 12 inches plus 2 percent. 2013 California Building Code CRC 403.1.7.3.

28. Lots shall be graded to drain surface water away from foundation walls. The grade shall fall a minimum of six inches within the first 10 feet. CRC R401.3.

29. Projections, including eaves, shall be one-hour fire resistive construction, heavy timber or noncombustible material if they project into the 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).

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 onsite soils to cause unstable conditions. Design, grading, and construction shall be performed in accordance with the requirements of the California Building Code applicable at the time of grading, appropriate local grading regulations, and the recommendations of the geotechnical consultant as summarized in a final written report, subject to review by the City of Costa Mesa Department of Building Safety.

31. 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.

32. 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.

33. All construction contractors shall comply with South Coast Air Quality Management District (SCAQMD) regulations, including Rule 403, Fugitive Dust. All grading (regardless of acreage) shall apply best available control measures for fugitive dust in accordance with Rule 403. To ensure that the project is in full compliance with applicable SCAQMD dust regulations and that there is no nuisance impact off the site, the contractor would implement each of the following:

    a. Moisten soil not more than 15 minutes prior to moving soil or conduct whatever watering is necessary to prevent visible dust emissions from exceeding 100 feet in any direction.
    b. Apply chemical stabilizers to disturbed surface areas (completed grading areas) within five days of completing grading or apply dust suppressants or vegetation sufficient to maintain a stabilized surface.
    c. Water excavated soil piles hourly or covered with temporary coverings.
    d. Water exposed surfaces at least twice a day under calm conditions. Water as often as needed on windy days when winds are less than 25 miles per day or during very dry weather in order to maintain a surface crust and prevent the release of visible emissions from the construction site.
    e. Wash mud-covered tired and under-carriages of trucks leaving construction sites.
    f. Provide for street sweeping, as needed, on adjacent roadways to remove dirt dropped by construction vehicles or mud, which would otherwise be carried off by trucks departing project sites.
    g. Securely cover loads with a tight fitting tarp on any truck leaving the construction sites to dispose of debris.
    h. Cease grading during period when winds exceed 25 miles per hour.

34. Prior to issuing the Building permit the conditions of approval shall be required to be incorporated on the approved Architectural plans

Trans. 35. Construct all proposed driveway approaches to comply with city standards.

36. Fulfill mitigation of off-site traffic impacts at the time of issuance of occupancy by submitting to the Planning Division the required traffic

impact fee pursuant to the prevailing schedule of charges adopted by the City Council. The traffic impact fee is calculated including credits for all existing uses. The current estimate is $700.00. NOTE: The Traffic Impact Fee will be recalculated at the time of issuance of building permit/certificate of occupancy based upon any changes in the prevailing schedule of charges adopted by the City Council and in effect at that time.

37. Close unused drive approaches, or portion of, with full height curb and gutter that comply with City Standards.

Fire

38. 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.
39. The project shall provide an automatic fire sprinkler system according to NFPA 13D.
40. Street addresses shall be visible from the public street and may be displayed either on the front door, on the fascia adjacent to the main entrance, or on another prominent location. When the property has alley access, address numerals shall be displayed in a prominent location visible from the alley. Numerals shall be a minimum six (6) inches in height with not less than one-half-inch stroke and shall contrast sharply with the background.

Eng

41. At the time of development submit for approval an Offsite Plan to the Engineering Division and Grading Plan to the Building Division that shows Sewer, Water, Existing Parkway Improvements and the limits of work on the site, and hydrology calculations, both prepared by a registered Civil Engineer or Architect. Construction Access approval must be obtained prior to Building or Engineering Permits being issued by the City of Costa Mesa. Pay Offsite Plan Check fee per Section 13-231 of the C.C.M.M.C. and an approved Offsite Plan shall be required prior to Engineering Permits being issued by the City of Costa Mesa.
42. Maintain the public Right-of-Way in a "wet-down" condition to prevent excessive dust and remove any spillage from the public Right-of-Way by sweeping or sprinkling.
43. Obtain an encroachment permit from the Engineering Division for any work in the City public right-of-way. Pay required permit fee & cash deposit or surety bond to guarantee construction of off-site street improvements at time of permit per section 15-31 & 15-32, C.C.M.M.C. as approved by City Engineer. Cash deposit or surety bond amount to be determined by City Engineer.
44. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then construct P.C.C. driveway approaches per City of Costa Mesa Standards as shown on the Offsite Plan. Location and dimensions are subject to the approval of the Transportation Services Manager. ADA compliance required for new driveway approaches.
45. Obtain a permit from the City of Costa Mesa, Engineering Division, at

the time of development and then construct P.C.C. Residential sidewalk per City of Costa Mesa Standards as shown on the Off-site Plan, including four (4) feet clear around obstructions in the sidewalk.

46. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then remove any existing driveways and/or curb depressions that will not be used and replace with full height curb and sidewalk at applicant's expense.
47. Fulfill Drainage Fee requirements per City of Costa Mesa Ordinance No. 06-19 prior to approval of Final Map/Approval of Plans.
48. 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, using latest version of template dated August 2011, shall be 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.
49. Pay Offsite Plan Check fee per Section 13-231 of the C.C.M.M.C. and an approved Offsite Plan shall be required prior to Engineering Permits being issued by the City of Costa Mesa.
50. Two copies of the Final Map and one copy of the Property Boundary closure calculations shall be submitted to the City of Costa Mesa Engineering Division for checking.
51. Submit updated Title Report of subject property.
52. The Parcel Map shall be developed in full compliance of CCMMC Sec. 13-208 through 13-261 inclusive.
53. Release and relinquish all vehicular and pedestrian access rights to 23rd Street to the City of Costa Mesa except at approved locations.
54. Submit an electronic copy of recorded map or signed plan to Engineering Division, City of Costa Mesa, prior to occupancy.
55. Prior to recordation of a final map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor and shall submit to the City Engineer and the County Surveyor a digital-graphic file of said map in a manner described in Subarticle 11/12, Sections 7-9-330/7-9-337 of the Orange County Subdivision Code.
56. Survey Monuments shall be preserved and referenced or set pursuant to Section 8771 of the Professional Land Surveyors Act and Business and Professional code.
57. Submit cash deposit or surety bond to guarantee monumentation prior to approval of the map. Amount to be determined by City Engineer.

SPECIAL DISTRICT REQUIREMENTS

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

Sani.	1.	Applicant will be required to construct sewers to serve this project, at his own expense, meeting the approval of the Costa Mesa Sanitary District.
	2.	County Sanitation District fees, fixture fees, inspection fees, and sewer permit are required prior to installation of sewer.
	3.	Applicant shall submit a plan showing sewer improvements that meets the District Engineer's approval to the Building Division as part of the plans submitted for plan check.
	4.	The applicant is required to contact the Costa Mesa Sanitary District at (949) 645-8400 to arrange final sign-off prior to certificate of occupancy being released.
	5.	Unless an off-site trash hauler is being used, applicant shall contact the Costa Mesa Sanitary District at (949) 645-8400 to pay trash collection program fees and arrange for service for all new residences. Residences using bin or dumpster services are exempt from this requirement.
	6.	Applicant shall contact Costa Mesa Sanitary District at (949) 654-8400 for any additional district requirements.
AQMD	7.	Applicant shall contact the Air Quality Management District (AQMD) at (800) 288-7664 for potential additional conditions of development or for additional permits required by AQMD.
Water	8.	Customer shall contact the Irvine 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 Irvine District.
School	9.	Pay applicable Newport Mesa Unified School District fees to the Building Division prior is issuance of building permits.
State	10.	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.
Cable	11.	The applicant shall contact the current cable company prior to issuance of building permits to arrange for pre-wiring for future cable communication service.

RESOLUTION NO. PC-16-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DENYING PLANNING APPLICATION PA-16-23 AND TENTATIVE PARCEL MAP PM- 2016- 141 FOR PROPERTY LOCATED AT 127 23rd Street

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

WHEREAS, an application was filed by David Claudon, representing Barbara Jensen Trust, the property owner, requesting approval of the following:

1. ***Planning Application PA-16-23:*** Design Review to construct a 4-unit, two-story, detached residential development on a 16,352 square foot lot.
2. ***Tentative Parcel Map PM-2016-141:*** A Residential Small Lot Subdivision consisting of four fee simple lots.

WHEREAS, a duly noticed public hearing was held by the Planning Commission on July 25, 2016, with all persons having the opportunity to speak for and against the proposal.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit A, the Planning Commission hereby **DENIES** Planning Application PA-16-23 and Tentative Parcel Map PM-2016-141.

PASSED AND ADOPTED this 25th day of July, 2016.

_____

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

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, Gary Armstrong, acting secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on July 25, 2016, by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

_____
Gary Armstrong, Acting Secretary
Costa Mesa Planning Commission

EXHIBIT A

FINDINGS (DENIAL)

A. The information presented does not comply with Costa Mesa Municipal Code Section 13-29(g)(14) in that:

Finding: The project does not comply with the City of Costa Mesa Zoning Code or meets the purpose and intent of the Residential Design Guidelines, which are intended to promote design excellence in new residential construction, with consideration being given to compatibility with the established residential community. This design review includes site planning, preservation of overall open space, landscaping, appearance, mass and scale of structures, location of windows, varied roof forms and roof plane breaks, and any other applicable design features.

Finding: The visual prominence associated with the construction of two-story homes in a predominately one-story neighborhood has not been reduced through appropriate transitions between the first and second floors and the provision of second floor offsets to avoid long unarticulated two-story walls.

Finding: The proposed development plan and subdivision does not meet the broader goals of the General Plan, and the Zoning Code by exhibiting excellence in design, site planning, integration of uses and structures and protection of the integrity of neighboring development.

B. The information presented does not comply with Costa Mesa Municipal Code Section 13-29(g)(1) in that:

Findings:

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

C. The information presented does not comply with Costa Mesa Municipal Code Section 13-29(g)(6) in that:

Findings:

- The improvement will be materially 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.
- The improvement is not compatible and does not enhance 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.

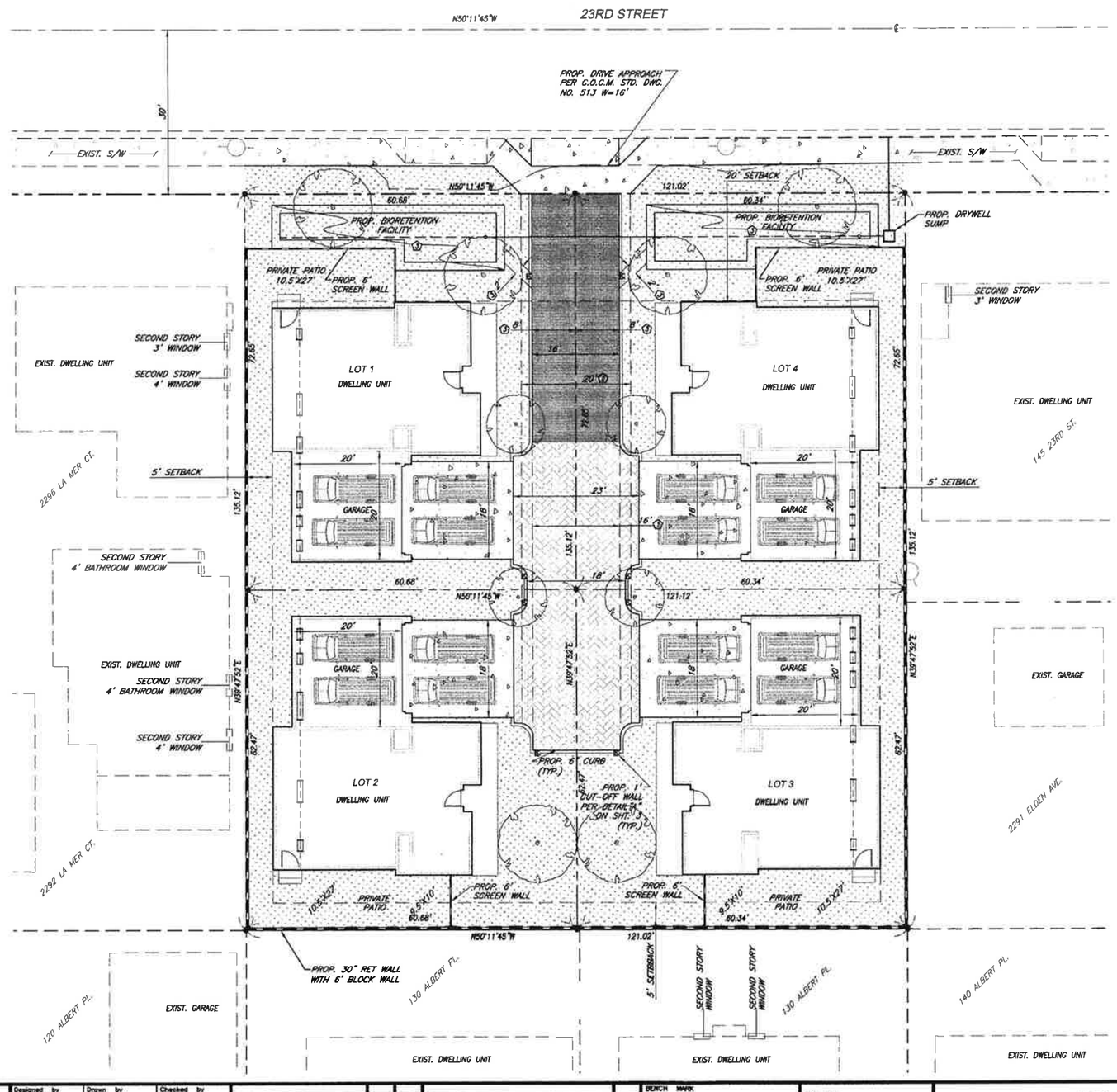
D. The subdivision of the property for a residential common interest development is not consistent with the City's General Plan and Zoning Code.

E. The Costa Mesa Planning Commission has denied Planning Application PA-16-23 and Tentative Parcel Map PM-2016-141. Pursuant to Public Resources Code Section 21080(b) (5) and CEQA Guidelines Section 15270(a) CEQA does not apply to this project because it has been rejected and will not be carried out.

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

ATTACHMENT 5

SITE PLAN
COSTA MESA, CALIFORNIA



10 0 10 20

SCALE 1" = 10'

ASSESSOR'S PARCEL NO.
426-054-09

SITE ADDRESS
127 23RD ST.
COSTA MESA, CA. 92627

TOPOGRAPHY
EXISTING TOPOGRAPHY COMPILED FROM FIELD SURVEY PERFORMED BY CORREIA SURVEY, INC. DATED MARCH 2016.

SITE ACREAGE:
GROSS ACREAGE = 0.38 ACRES
NET ACREAGE = 0.38 ACRES

STREET LINEAR FOOTAGE:

EXISTING 23RD ST	121 L.F.

LOT AREAS

LOT NO.	LOT AREA (SF)	WIDTH (FT)	DEPTH (FT)
1	4,411	61	73
2	3,790	61	62
3	3,769	60	62
4	4,382	60	73
AVG.	4,088		

LAND AREAS:

BUILDINGS	5,506 S.F. (34%)
DRIVE WAY	3,379 S.F. (21%)
OPEN SPACE	7,465 S.F. (45%)

DWELLING UNITS:

DWELLING UNITS (2)	4 EA.

PARKING:

2-CAR GARAGE	4 EA.
TOTAL PARKING	8 SPACES

EASEMENTS:

RECIPROCAL INGRESS/EGRESS EASEMENT	①
UTILITY EASEMENT	②
CROSS SITE DRAINAGE EASEMENT	③

Underground Service Alert
CALL BEFORE YOU DIG
Call: TOLL FREE
1-800 422-4133
TWO WORKING DAYS BEFORE YOU DIG

SEAL: REGISTERED PROFESSIONAL ENGINEER DENNIS G. ARMSTRONG No. 48726 Exp. 9/30/18 CIVIL STATE OF CALIFORNIA

PREPARED BY:
ARMSTRONG & BROOKS CONSULTING ENGINEERS
PLANNING INFRASTRUCTURE SITE DEVELOPMENT WATER RESOURCES
1830 EAST CHASE DRIVE CORONA, CA 92881
MAIL: P.O. BOX 78088 CORONA, CA 92877-998
P: 951 - 272 - 8400 F: 951 - 272 - 8430

Designed by	Drawn by	Checked by
DM	WH	DA

PLANS PREPARED UNDER SUPERVISION OF
Date _____ DENNIS G. ARMSTRONG R.C.E. 48726 Exp. 9-30-18

Reference Plans for these improvements

Date	By	REVISIONS	App'd

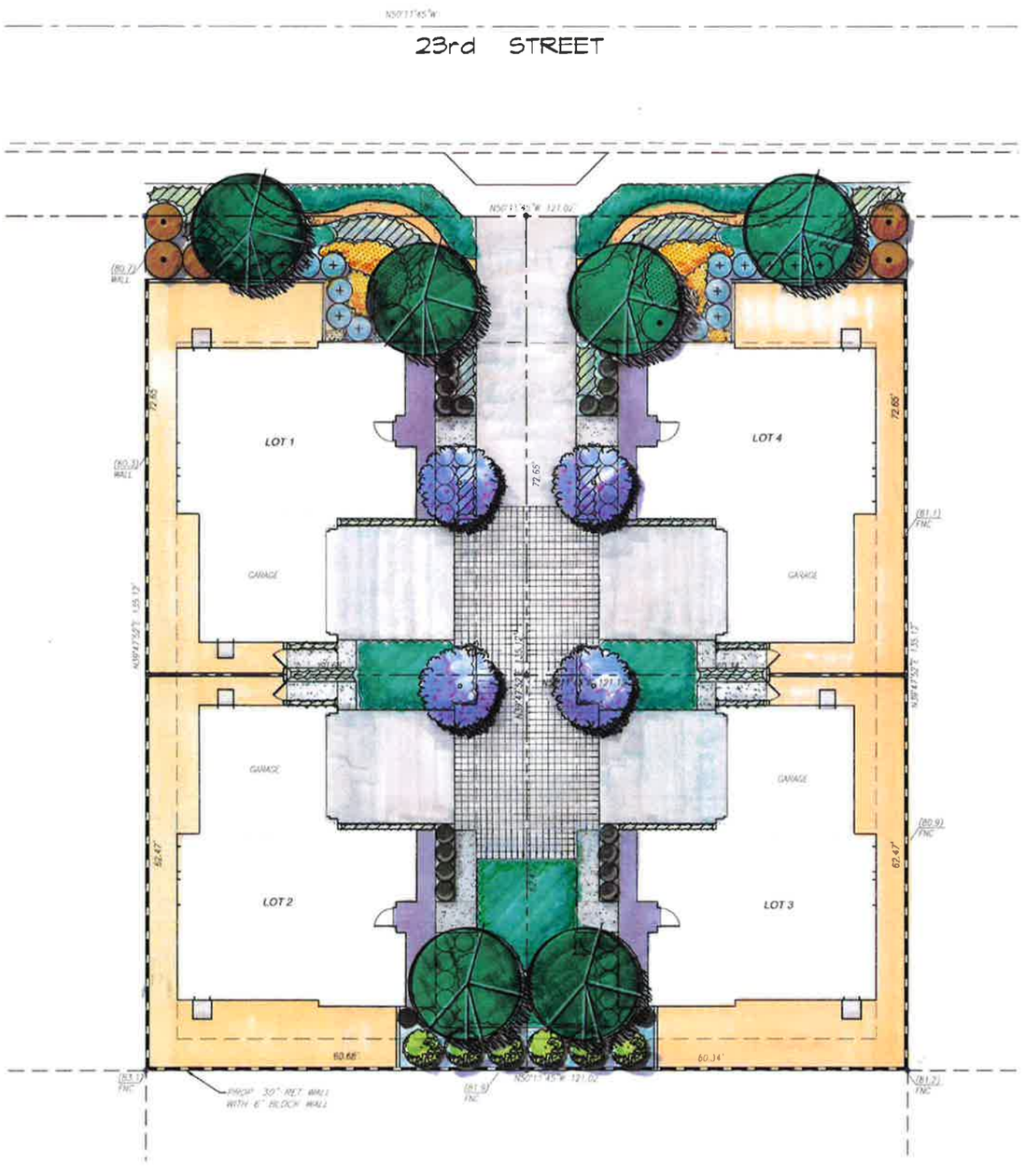
BENCH MARK:
Scale

Engineering _____
Fire _____

Approved _____
By _____ R.C.E. No. 25267 Exp. 12-31-01 City Engineer

CITY OF COSTA MESA
MONARCH COURT
PROPOSED RESIDENTIAL

Drawing No.
Sh 1 of 1



PLANTING LEGEND:

PROJECT THEME / ACCENT TREES (MATCHED STANDARDS)
(IE: LAGERSTROEMIA INDICA - "CRAPE MYRTLE") - 36" BOX MIN.

EVERGREEN CANOPY TREES - MATCHED STANDARDS
(IE: TRISTANIA CONFERTA - "BRISBANE BOX") - 24" BOX MIN.

VERTICAL SHRUB-TREES, MAINTAIN AT 12'-15' H. (24" BOX MIN.)
IE: PITOSPORUM TENUIFOLIUM ("SILVER SHEEN" - "SILVER SHEEN KOHUHU")

LOW / MEDIUM - HEIGHT ORNAMENTAL GRASS PLANTINGS - TYP.
INDICATION (IE):
PENNISETUM SPATHEOLATUM - ("RYE PUFFS"): 2'-3' H/W

LOW / MEDIUM - HEIGHT FLOWERING SHRUBS (IE):
WESTRINGIA "BLUE GEM" - ("BLUE GEM COAST ROSEMARY"): 3'-4' H/W

MEDIUM - HEIGHT ORNAMENTAL GRASS-LIKE PLANTINGS - TYP.
INDICATION: 4'-6' H/W (IE):
PHORMIUM TENAX ("NEW ZEALAND FLAX)

LOW SUCCULENT GROUNDCOVER PLANTINGS - TYP. INDICATION: 1'-2' HIGH (IE):
SENECIO MANDRALISCAE ("BLUE PICKLE")

FLOWERING SHRUB / G.C. MASS - TYP. INDICATION:
12"-18" HIGH IE:
LANTANA x "NEW GOLD" (NEW GOLD TRAILING LANTANA)

HEDGED PLANTINGS TYP. INDICATION - 2'-3' H/W (IE):
RHAPHIOLEPIS UMBELLATA 'MINOR' (DWARF YEDDO HAWTHORN),

DECOMPOSED GRANITE SURFACING, MECHANICALLY-COMPACTED & STABILIZED. MINIMUM 4" THICK, CONTAINED BY 1"x4" RECYCLED PLASTIC BENDER BOARD.

NOTES:

LANDSCAPE IRRIGATION:
ALL PLANTING AREAS SHALL BE IRRIGATED VIA AN AUTOMATIC IRRIGATION SYSTEM, DESIGNED TO PROVIDE FOR REDUCED WATER CONSUMPTION, IN COMPLIANCE W/ ALL CITY & STATE CRITERIA (IE.: DRIP and/or LOW PRECIPITATION SPRAY HEADS). ALL EQUIPMENT, INCLUDING BACKFLOW PREVENTION DEVICES WILL BE RESTRICTED TO THE SUBJECT PROPERTY, SCREENED FROM PUBLIC RIGHT-OF-WAY AREAS.

FOLLOWING PLANTING, ALL SHRUB/GROUNDCOVER BEDS SHALL RECEIVE A 2" MINIMUM LAYER OF MEDIUM GRIND MULCH.

0' 10' 20' 30'
SCALE : 1"=10'-0"

Robert ClarkGraves Inc. LANDSCAPE ARCHITECTS
262 Dupont Drive Suite 255
Irvine, California 92612
Tel. (949) 955-1424
Email: rcgassist@cox.global.net

Proposed Landscape Improvements for:
MONARCH COURT
J & D BLACKMON TRUST
127 23rd Street
Costa Mesa, CA 92627

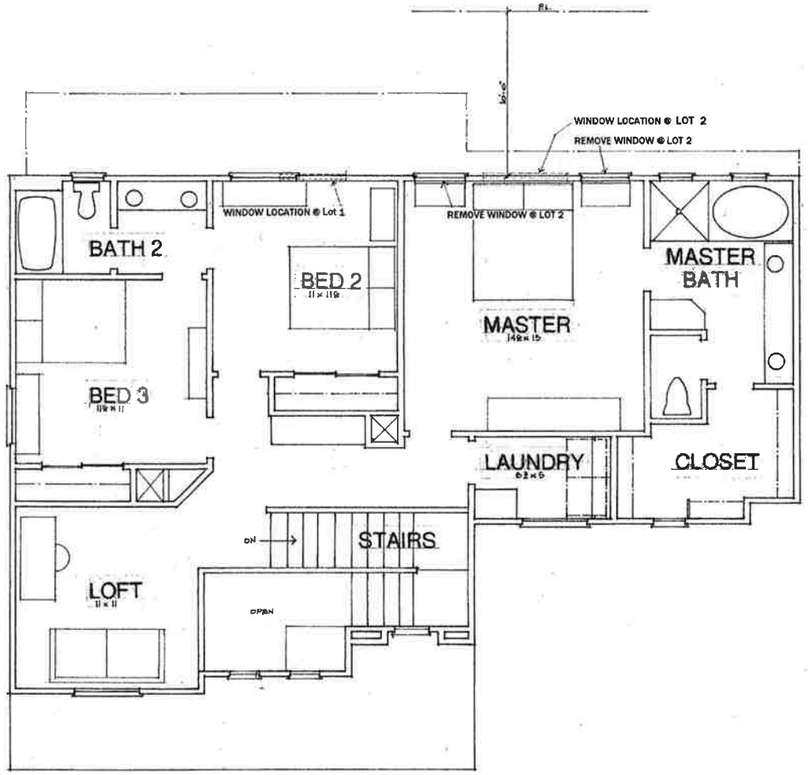
PRELIMINARY LANDSCAPE PLAN

REVISIONS

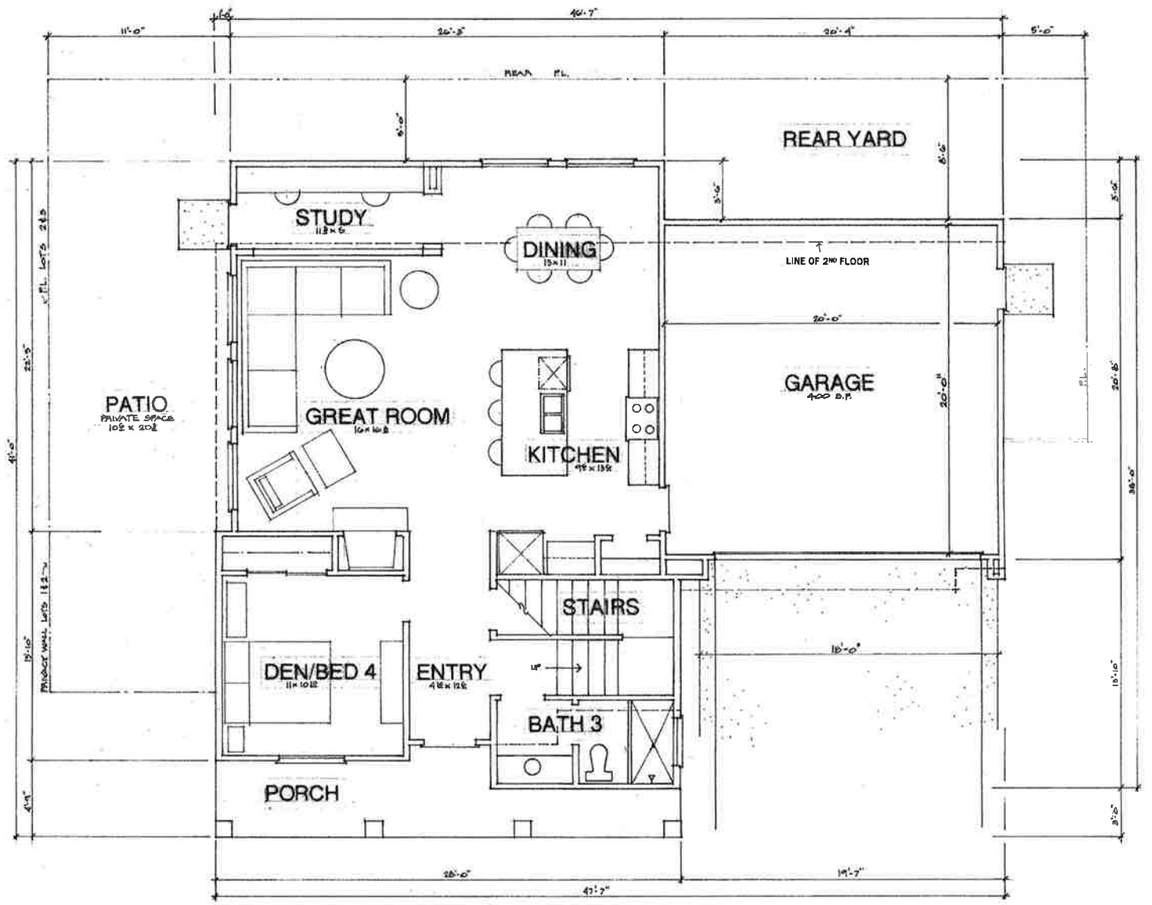
SCALE 1" = 10'-0"
DATE 3-31-2016
DRAWN R.C.G.
CHECKED

SHEET
L-1
OF

JOB 127 23rd Street



SECOND FLOOR
SCALE: 1/4"=1'-0"
1120 S.F.



FIRST FLOOR
SCALE: 1/4"=1'-0"
990 S.F.

BUILDING DATA

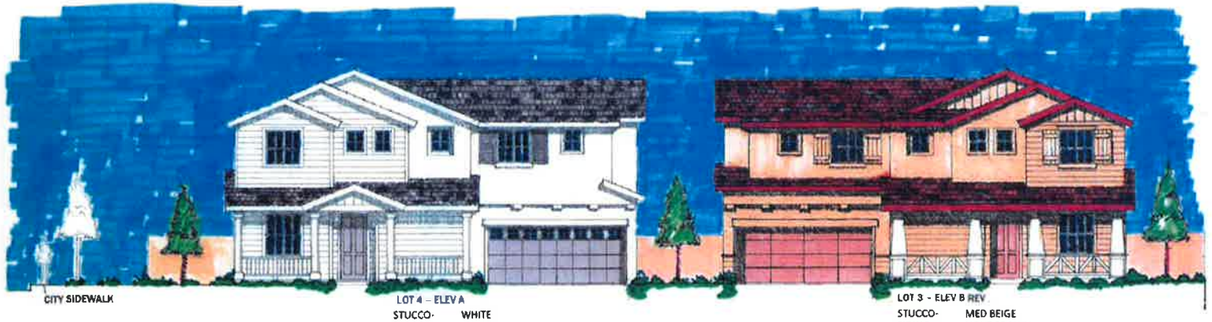
FIRST FLOOR	990 SF
SECOND FLOOR	1120 SF
TOTAL LIVING	2110 SF
GARAGE	400 SF

APPLICANT/ARCHITECT:
BLACKMON HOMES, INC.
1041 W. 18TH STREET A206
COSTA MESA, CA 92627
949 631 8101 XT 105
DAVID A CLAUDON

OWNER: J & D BLACKMON TRUST
1041 W. 18TH STREET A206
COSTA MESA, CA 92627
949 631 8101

SITE LOCATION: 127 23RD STREET
PROJECT NAME: MONARCH COURT

FLOOR PLAN



CITY SIDEWALK

LOT 4 – ELEV A

STUCCO-	WHITE
SIDING-	WHITE
FASCIA-	WHITE
SHUTTER-	MED/LIGHT GREY
DOORS-	MED/LIGHT GREY
ROOF-	MED GREY

LOT 3 - ELEV B REV

STUCCO-	MED BEIGE
SIDING-	LIGHT BROWN
FASCIA-	DARK BROWN
SHUTTER-	LIGHT/MED BROWN
ROOF-	DAR/MED BROWN

STREET VIEW FACING EAST

SCALE: 1/8" = 1'-0"

LOT 2 - ELEV A

STUCCO-	WHITE
SIDING-	BEIGE
FASCIA-	MED BROWN
SHUTTER-	BEIGE
ROOF-	LIGHT BROWN

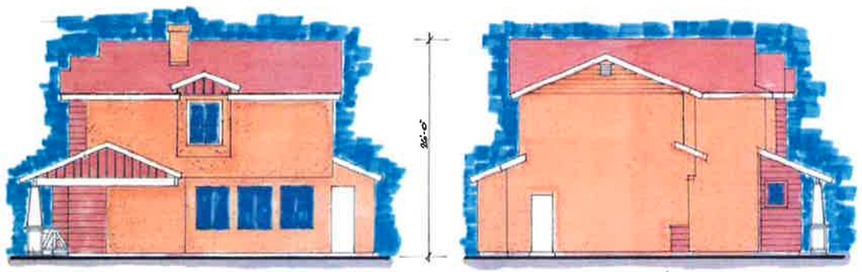
STREET VIEW FACING WEST

SCALE: 1/8" = 1'-0"

LOT 1 - ELEV B REV

STUCCO-	LIGHT BAIGE
SIDING-	MED BROWN
FASCIA-	OFF WHITE
SHUTTER-	MED/DARK BROWN
ROOF-	MEDIUM BROWN
PROCH POST-	OFF WHITE

CITY SIDEWALK

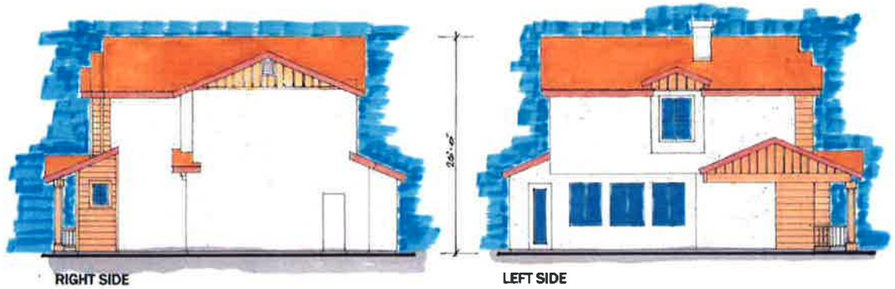


RIGHT SIDE

SCALE: 1/8" = 1'-0"

LEFT SIDE

SCALE: 1/8" = 1'-0"

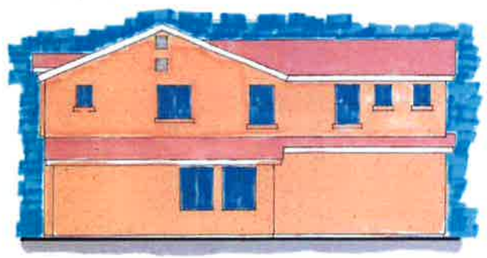


RIGHT SIDE

SCALE: 1/8" = 1'-0"

LEFT SIDE

SCALE: 1/8" = 1'-0"



REAR ELEVATION

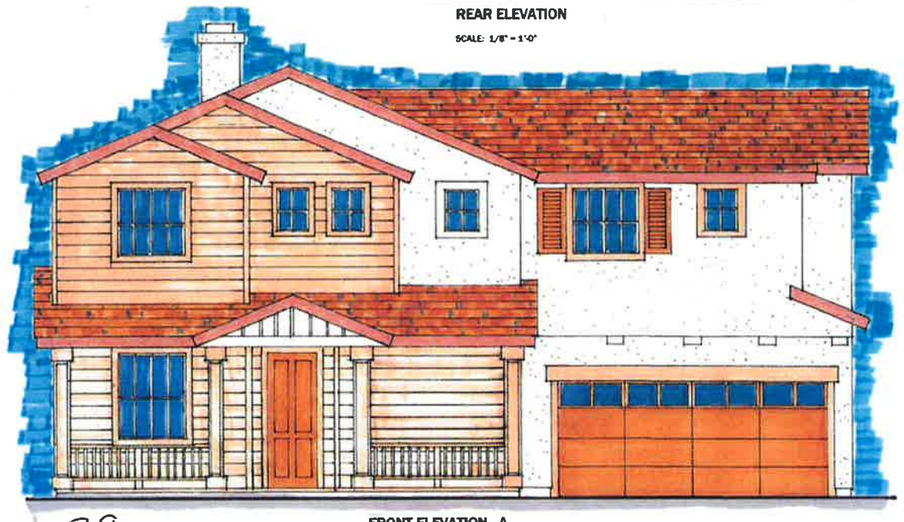
SCALE: 1/8" = 1'-0"

FRONT ELEVATION – B

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

REAR ELEVATION

SCALE: 1/8" = 1'-0"



FRONT ELEVATION - A

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

39

APPLICANT//ARCHITECT:
BLACKMON HOMES, INC.
1041 W. 18TH STREET A206
COSTA MESA, CA 92627
949 631 8101 XT 105
DAVID A CLAUDON

OWNER: J & D BLACKMON TRUST
1041 W. 18TH STREET A206
COSTA MESA, CA 92627
949 631 8101

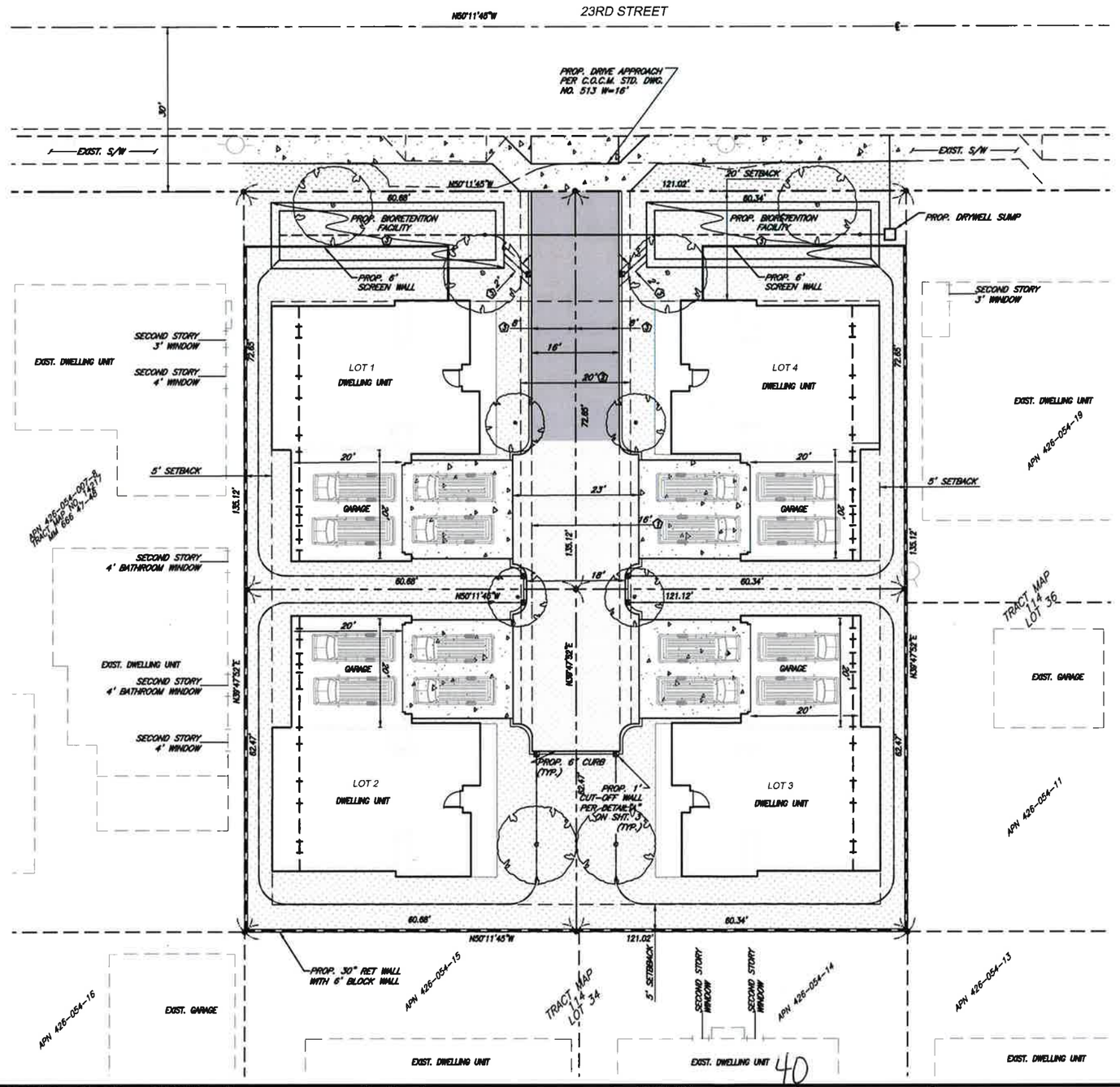
SITE LOCATION: 127 23RD STREET

PROJECT NAME: MONARCH COURT

COLORED ELEVATIONS

STREET VIEW

127 32RD STREET
COSTA MESA, CALIFORNIA



ASSESSOR'S PARCEL NO.
426-054-09

SITE ADDRESS
127 32ND ST.
COSTA MESA, CA. 92627

TOPOGRAPHY
EXISTING TOPOGRAPHY COMPILED FROM FIELD SURVEY PERFORMED BY CORBIN SURVEY, INC. DATED MARCH 2016.

SITE ACREAGE:
GROSS ACREAGE = 0.39 ACRES
NET ACREAGE = 0.39 ACRES

STREET LINEAR FOOTAGE:

EXISTING 32ND ST	121 L.F.

LOT AREAS

LOT NO.	LOT AREA (SF)	WIDTH (FT)	DEPTH (FT)
1	4,411	61	73
2	3,780	61	62
3	3,780	60	62
4	4,383	60	73
AVG.	4,088		

LAND AREAS:

BUILDING	5,808 S.F. (34%)
DRIVE WAY	3,379 S.F. (21%)
OPEN SPACE	7,465 S.F. (45%)

DWELLING UNITS:

DWELLING UNITS (T)	4 EA.

PARKING:

2-CAR GARAGE	4 EA.
TOTAL PARKING	8 SPACES

EASEMENTS:

RECIPROCAL INGRESS/EGRESS EASEMENT	1
UTILITY EASEMENT	2
CROSS SITE DRAINAGE EASEMENT	3

10 0 10 20
SCALE 1" =10'

Underground Service Alert
CALL BEFORE YOU DIG
Call: TOLL FREE
1-800
422-4133
TWO WORKING DAYS BEFORE YOU DIG

SEAL: REGISTERED PROFESSIONAL ENGINEER DENNIS G. ARMSTRONG No. 46726 Exp. 9/30/18 CIVIL STATE OF CALIFORNIA

PREPARED BY:
ARMSTRONG & BROOKS CONSULTING ENGINEERS
PLANNING INFRASTRUCTURE SITE DEVELOPMENT WATER RESOURCES
1350 EAST CHASE DRIVE CORONA, CA 92881
MAIL: P.O. BOX 78068 CORONA, CA 92877-998
P: 951 - 372 - 8400 F: 951 - 372 - 8430

Designed by	Drawn by	Checked by
DM	WH	DA

PLANS PREPARED UNDER SUPERVISION OF
Date _____ DENNIS G. ARMSTRONG R.C.E. 46726 Exp. 9-30-18

Reference Plans for these improvements

Date	By	REVISIONS	App'd

BENCH MARK
Basis

Engineering _____
Fire _____

Approved _____
By _____ R.C.E. No. 25287 Exp. 12-31-01 City Engineer

CITY OF COSTA MESA
PROPOSED RESIDENTIAL

Drawing No.
Sh 4 of 4

PARCEL MAP ASSIGNMENT

TO: County of Orange
Office of the County Surveyor
300 N. Flower Ste. 252
Santa Ana, CA 92703

PARCEL MAP NUMBER 2016-141

I J&D Blackmon Trust the record owner of the herein described land depose and state: that the subdivider named hereon has consent to file a Parcel Map thereon. Request is hereby made that a Tentative Parcel Map number be assigned to said map.

Dated: 05.11.2016

Signed: [signature] OWNER

ASSESSOR PARCEL No. 426-054-09

127 23rd Street, Costa Mesa CA. 92627
ADDRESS

LEGAL DESCRIPTION:
LOT 37 AS SHOWN BY MAP ON FILE IN BOOK 11 PAGE 14, FILED IN THE OFFICE OF THE COUNTY RECORDER OF ORANGE COUNTY, STATE OF CALIFORNIA.

PROPOSED SUBDIVIDER:

Blackmon Homes
COMPANY OR NAME

1041 W. 18th Street "A-206"
ADDRESS

Costa Mesa, CA. 92627
CITY

SUBDIVIDER'S ENGINEER / SURVEYOR

Armstrong & Brooks Consulting Engineers
COMPANY OR NAME

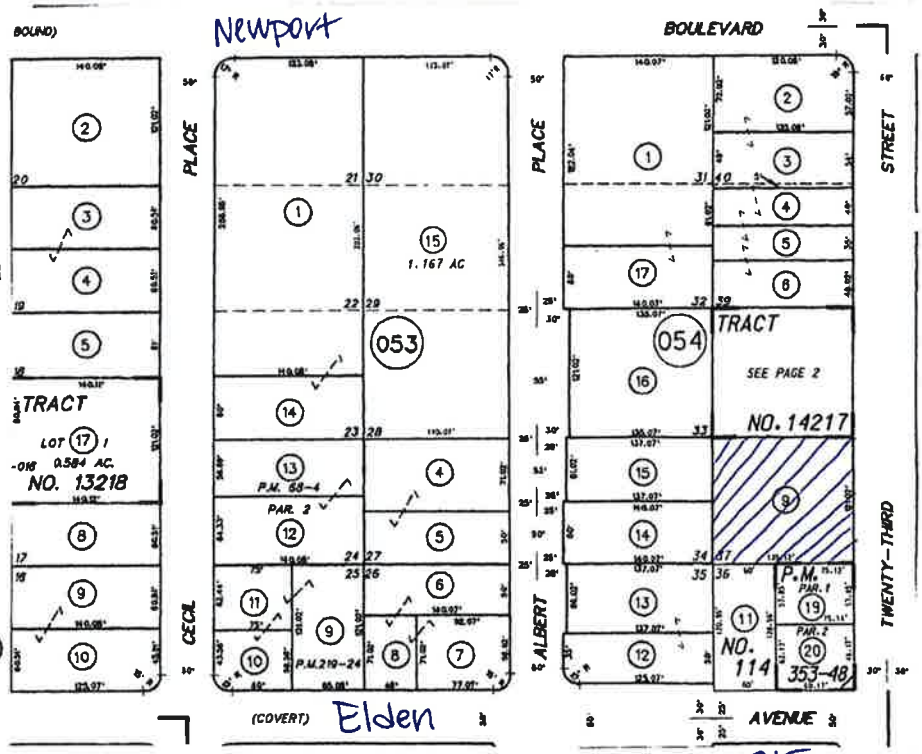
1350 E. Chase Drive, Corona, CA. 92881
ADDRESS OR ENGINEER / SURVEYOR

(951) 372-8400
PHONE No

Subdivision will be in
(Unincorporated Territory)
or
(City of Costa Mesa)

This is a unit of
Tentative Parcel Map No. _____

SKETCH



The above Tentative Parcel Map number is assigned to the owner of the land described herein ONLY.
Fraudulent statements hereon shall be cause for cancellation.

WALL MAP NUMBER: 31E
SUPERVISORIAL DIST: 2
THOMAS BROTHERS PAGE: 889 E2
BLOCK & MODULE: _____

Authorization and Receipt number: _____

Dated: 5/12/2016 By: [signature]
County Surveyor's Office

F0250-833 (R7/84)

MONARCH COURT

MATERIAL BOARD

STUCCO — **MERLEX SAND FINISH**

P-100 GLACIER WHITE (A Base)

P-171 FLINTRIDGE (B Base)

P-525 NAVAJO WHITE (A Base)

P-174 DESERT BEIGE (B Base)

SIDING	**HARDIE PLANK COMPOSITE MATERIAL**
SIDING	**HARDIE PANEL WITH BATTEN BOARDS (GABLE ENDS)**
SHUTTER	**HARDIE FIBERBOARD COMPOSITE MATERIAL**
COLUMNS	**HARDIE FIBERBOARD COMPOSITE MATERIAL**
HANDRAIL	**DOUGLAS FIR #1 OR BETTER**

ROOFING — **EAGLE ROOFING CONCRETE TILE – BEL AIR**

No: 4697
Name: Slate Range ★★

No: 4606
Name: Vallejo Range ★★

PLANNING COMMISSION SUPPLEMENTAL MEMORANDUM

MEETING DATE: JULY 25, 2016 **ITEM NUMBER:** PH-1

SUBJECT: **PLANNING APPLICATION PA-16-23 AND TENTATIVE PARCEL MAP NO. 2016-141 FOR A DESIGN REVIEW AND SUBDIVISION MAP FOR A DETACHED FOUR-UNIT SMALL LOT SUBDIVISION AT 127 23RD.**

DATE: **JULY 25, 2016**

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

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

FOR FURTHER INFORMATION CONTACT: **DANIEL INLOES, AICP (714) 754-5088**
daniel.inloes@costamesaca.gov

The modifications listed below do not alter the design, site planning, or any other aspect of the proposed projects. This project, as conditioned, continues to meet all Small Lot Subdivision standards and residential guidelines.

1. Within the description section the second bullet point under, *"The proposed project involves the following:"* refers to Tentative Tract Map TT-17839 is incorrect. The bullet point header should read Tentative Parcel Map 2016-141. This same correction was required and is reflected within the attached revised conditions of approval two and four.

2. Within the resolution the owner is incorrectly identified as Barbara Jenson Trust. The application was filed by David Claudon, representing J & D Blackmon Trust, the property owner. This correction is reflected within the attached revised resolution.

3. The applicant also provided a revised parcel map that refers to each subdivision as a parcel not a lot and a title which includes the parcel map number. This is included as attachment two.

4. A condition of approval which read; "Comply with the requirements contained in the letter prepared by the City Engineer (Exhibit B1)," was removed since there was no Exhibit B1 for this project.

Attachment: 1. Revised Draft Planning Commission Resolutions and Exhibits

2. Revised Parcel Map 2016-141

Distribution: Director of Economic & Development Services/Deputy CEO
Senior Deputy City Attorney

Public Services Director
City Engineer
Transportation Services Manager
Fire Protection Analyst
File (2)

Owner: J&D Blackmon Trust
1041 W. 18th Street A206
Costa Mesa CA 92627

Agent: David CLaudon
1041 W. 18th Street A206
Costa Mesa CA 92627

ATTACHMENT 1

RESOLUTION NO. PC-16-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-16-23 AND TENTATIVE PARCEL MAP PM-2016-141 FOR PROPERTY LOCATED AT 127 23rd Street

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

WHEREAS, an application was filed by David Claudon, representing J&D Blackmon Trust, the property owner, requesting approval of the following:

1. ***Planning Application PA-16-23:*** Design Review to construct a four-unit, two-story, detached residential development on a 16,352 square foot lot
2. ***Tentative Parcel Map PM-2016-141:*** A Residential Small Lot Subdivision consisting of four fee simple lots.

WHEREAS, the project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City of Costa Mesa Environmental Guidelines, and has been found to be categorically exempt from CEQA under Section 15332 for In-Fill Development Projects.

WHEREAS, the CEQA categorical exemption for this project reflects the independent judgment of the City of Costa Mesa.

WHEREAS, a duly noticed public hearing was held by the Planning Commission on July 25, 2016 with all persons having the opportunity to speak for and against the proposal.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit A, and subject to the conditions of approval contained within Exhibit B, the Planning Commission hereby **APPROVES** Planning Application PA-16-23 and Tentative Parcel Map PM- 2016- 141.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the staff report for Planning Application PA-16-23 and Tentative Parcel Map PM- 2016- 141 and upon the applicant's compliance with each and all of the conditions in Exhibit B and compliance of all applicable federal, state, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if

the applicant fails to comply with any of the conditions of approval 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 25th of July, 2016.

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

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, Gary Armstrong, acting secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on July 25, 2016, by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

_____
Gary Armstrong, Acting Secretary
Costa Mesa Planning Commission

EXHIBIT A

FINDINGS (APPROVAL)

A The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(14) in that:

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

Facts in Support of Findings: The architectural design of the development meets the intent of the City's Residential Development Standards and Design Guidelines and promotes design excellence with consideration given to site planning and building orientation, overall open space, landscaping and architectural design. Second floor windows will be required to be offset or frosted to minimize direct views onto adjacent second floor residential windows, and the elevations will have exterior elevation treatments as recommended in the City's Residential Design Guidelines.

Finding: The visual prominence associated with the construction of two-story homes in a predominately one-story neighborhood has been reduced through appropriate transitions between the first and second floors and the provision of second floor offsets to avoid long unarticulated two-story walls.

Facts in Support of Findings: The proposed two-story structures are in keeping with the rest of the neighborhood which has a variety of two-story buildings. The elevations of the proposed residences include a variety of materials, articulating roof lines, and use of window treatments to highlight the vertical offsets and horizontal floor to floor transitions.

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

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

B. The proposed Tentative Parcel Map 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 Findings: The creation of the subdivision is consistent with General Plan Land Use Element in that the project complies with Objectives LU-1A, LU-1A.4, and LU-2 by developing owner-occupied housing to improve the balance between rental and ownership housing opportunities, the project provides sufficient amenities as a small lot subdivision development, and encourages increased private market investment that requires no greater demand for infrastructure.

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

Facts in Support of Findings: The density for the residential component is 11 units per acre (4 units), which complies with allowable density of 12 units per acre (4 units maximum) per the General Plan.

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 Findings: The overall design reflects a quality project that is consistent with the intent of the Zoning Code and General Plan. The project site is developed with a single family residence, and does not have any sensitive environmental resources. The proposed project will provide for high-quality housing and not impede upon the health, safety, and welfare of the surrounding community.

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 Findings: The proposed buildings include openings in an east-west direction toward sea breezes but for a parcel this shape providing multiple single family homes require this orientation. There are portions of the roof which are south facing therefore have the potential to provide for active solar heating and energy generation through the use of solar panels.

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 Findings: As conditioned, the proposed project does not interfere with the public right-of-way nor public utility right of way dedication or easements. The project will be required to underground utility

wires which extend over 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 Findings: The applicant will be required to comply with all regulations set forth by the Costa Mesa Sanitation District as well as the Irvine Water District.

C. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City's environmental procedures. The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15332 for In-Fill Development Projects. This exemption allows for the construction of up to six multi-family residential structures in urbanized areas, which have been determined not to have a significant effect on the environment.

D. The project, as conditioned, is consistent with ChapterXII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code in that the development project's traffic impacts will be mitigated by the payment of traffic impact fees.

EXHIBIT B

CONDITIONS OF APPROVAL

Plng.

1. The expiration of Planning Application PA-16-23 shall coincide with the expiration of the approval of the Tentative Parcel Map PM-2016-141 which is valid for two years. An extension request is needed to extend the expiration for each additional year after the initial two-year period.
2. The conditions of approval of PA-16-23 and PM-2016-141 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
3. The Tentative Parcel Map shall be processed as a tentative map consistent with Chapter XI. Subdivisions, Article 1. Tentative Maps, of the Zoning Code.
4. Prior to issuance of building permits, the applicant shall provide proof of recordation of Tentative Parcel Map PM-2016-141.
5. A decorative 6-foot high perimeter block wall approved by the Development Services Director, shall be constructed along the side, rear, and front boundaries of the development lot prior to issuance of certificates of occupancy unless otherwise approved by the Development Services Director. Where walls on adjacent properties already exist, the applicant shall work with the adjacent property owner(s) to prevent side-by-side walls with gaps in between them and/or provide adequate privacy screening by trees and landscaping.
6. The interior fences or walls between the individual dwelling units shall be a minimum of six feet in height.
7. All future walls and fences within front yard setback along 23rd Street shall conform to the standards per the Walls, Fences, and Landscaping Standards and Specifications.
8. To avoid an alley-like appearance, the driveway shall not be developed with a center concrete swale. The driveway shall be complemented by pavers in order to reduce damage caused by sanitary trucks entering site for trash pickup.
9. The open, unassigned parking space located between at the end of the common drive shall be clearly marked as guest parking space only. Signage shall be posted to indicate that this space is available only to guests and visitors and not used for resident parking.
10. No modification(s) of the approved building elevations including, but not limited to, change of architectural type, changes that increase the building height, removal of building articulation, or a change of the finish material(s), shall be made during construction without prior Planning Division written approval. This includes any modification not consistent with the proposed composition shingle and standing metal seam roofs, horizontal lap and vertical wood siding, sand finish stucco, 24-inch and 12-inch board and batten siding, stacked block decorative material, decorative metal roll-up garage doors, and columns along front entry porches. Any modification should be consistent to originally proposed colors, including the various grays and earthen tones. Failure to obtain

prior Planning Division approval of the modification could result in the requirement of the applicant to (re)process the modification through a discretionary review process or a variance, or in the requirement to modify the construction to reflect the approved plans.

11. 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.

12. Prior to issuance of grading permits, developer shall submit for review and approval a Construction Management Plan. This plan features methods to minimize disruption to the neighboring residential uses to the fullest extent that is reasonable and practicable. The plan shall include construction parking and vehicle access and specifying staging areas and delivery and hauling truck routes. The plan should mitigate disruption to residents during construction. The truck route plan shall preclude truck routes through residential areas and major truck traffic during peak hours. The total truck trips to the site shall not exceed 200 trucks per day (i.e., 100 truck trips to the site plus 100 truck trips from the site) unless approved by the Development Services Director or Transportation Services Manager.

13. The applicant shall contact the Planning Division to arrange a Planning inspection of the site prior to the release of occupancy/utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.

14. The CC&Rs shall contain a notice that the open parking space (not leading to a garage) shall be unassigned and available for visitors. The CC&Rs shall also contain provisions related to use, preservation and maintenance of the common drive aisle and open space areas in perpetuity by the maintenance or homeowner's association

15. The CC&Rs shall contain provisions requiring that the maintenance or homeowner's association effectively manage parking and contract with a towing service to enforce the parking regulations.

16. The Homeowner's Association or Maintenance Association shall submit a signed affidavit to the City of Costa Mesa on an annual basis to certify the following:

a. The two-car garages in the residential community are being used for vehicle parking by the resident(s).

b. The vehicle parking areas within the garage are not obstructed by storage items, including but not limited to, toys, clothing, tools, boxes, equipment, etc.

c. The resident(s) have consented to voluntary inspections of the garage to verify the parking availability, as needed.

The form and content of the affidavit shall be provided by the City Attorney's office. Failure to file the annual affidavit is considered a violation of this condition.

17. Transformers, backflow preventers, and any other approved above-ground utility improvement shall be located outside of the required street setback area and shall be screened from view, under direction of Planning staff. Any deviation from this requirement shall be subject to review and approval of the Development Services Director.

18. The applicant shall defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers and employees from any claim, action, or proceeding (collectively referred to as "proceeding") brought against the City, its elected and appointed officials, agents, officers or employees arising out of (1) City's approval of the project, including but not limited to any proceeding under the California Environmental Quality Act. The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, the City and/or the parties initiating or bringing such proceeding. This indemnity provision shall include the applicant's obligation to indemnify the City for all the City's costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth in this section.

19. Applicant is encouraged to increase the depth of landscape planters by two feet to allow curbing to serve as a wheel stop.

20. The landscaping of this project shall comply with the City's landscaping requirements and guidelines.

21. Second floor windows will be offset from neighboring residence windows to avoid privacy issues to the second story windows of abutting properties. Windows which cannot be offset or still have a large impact on privacy must be frosted or elevated to maintain privacy.

22. Prior to issuance of building permit, developer shall provide a revised site plan which shows the proposed project meeting the full ten-foot setback requirement from the rear property line. The modification shall not result in any changes to the currently proposed project summary within the staff report with the exception of the proposed rear setback.

Trans 23. Prior to issuance of building permit, developer shall remit traffic impact fee pursuant to the prevailing schedule of charges adopted by City Council at the time the vesting Tentative Parcel Map was deemed complete. The

Traffic Impact fee is currently estimated at **$650.00**, as determined by the date the vesting Tentative Parcel Map was deemed complete. Developer shall contact the Transportation Services Division for a final estimate prior to issuance of building permits. Developer shall remit the traffic impact fee to the Planning Division.

Eng 24. Comply with the requirements contained in the letter prepared by the City Engineer (Exhibit B1).

25. Maintain the public right-of-way in a "wet-down" condition to prevent excessive dust and promptly remove any spillage from the public right-of-way by sweeping or sprinkling.

26. Slurry seal the entire width of 23rd Street for the entire property frontage as determined by City Engineer.

Pkwys 27. Plant one 24-inch box tree along 23rd Street parkway. Species may be proposed by applicant but type of tree must be approved by Public Services.

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. Applicant shall provide the City with proof of general liability insurance including endorsements concerning "additional named insured", "advance notice", and "primary coverage" as approved by the City attorney's office.

3. 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.

4. Prior to issuance of building permits, applicant shall contact the US 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.

5. Prior to issuance of occupancy permits, the Developer shall pay a park impact fee or dedicate parkland to meet the demands of the proposed development.

6. A minimum 20-foot by 20-foot clear interior dimension shall be provided for all garages.

7. Minimum garage door width shall be 16 feet.

8. All garages shall be provided with automatic garage door openers.
9. Hours of construction shall comply with Section 13-279, Title 13, of the Costa Mesa Municipal Code.
10. 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.
11. Two sets of landscape and irrigation plans, approved by the Planning Division, shall be attached to two of the final building plan sets.
12. All on-site utility services shall be installed underground.
13. Installation of all utility meters shall be performed in a manner so as to obscure the installation from view from any place on or off the property. The installation shall be in a manner acceptable to the public utility and shall be in the form of a vault, wall cabinet, or wall box under the direction of the Planning Division.
14. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.
15. Prior to approval of plans, the project shall fulfill the City of Costa Mesa Drainage Ordinance No. 06-19 requirements.
16. If present and/or projected exterior noise exceeds 60 CNEL, California Noise Insulation Standards, Title 25, California Code of Regulations require a maximum interior noise level of 45 CNEL for residential structures. If required interior noise levels are achieved by requiring that windows be inoperable or closed, the design for the structure must also specify the means that will be employed to provide ventilation, and cooling if necessary, to provide a habitable interior environment.
17. 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 Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
18. Planning Commission action on PA-16-23 shall not become final until seven days following final action.
19. Landscaping and irrigation shall be installed in accordance with the approved plans prior to final inspection or occupancy clearance.
20. The project shall comply with Title 24 of the California Code of Regulations established by the energy conservation standards. The project Applicant shall incorporate the following in building plans:

    a. Double paned glass or window treatment for energy conservation shall be used in all exterior windows.

b. Building shall be oriented north/south where feasible.

21. Trash facilities shall be screened from view, and designed and located appropriately to minimize potential noise and odor impacts to residential areas.

22. Prior to issuance of building permits, the applicant shall provide the Conditions, Covenants, and Restrictions (CC&Rs) to the Development Services Director and City Attorney's office for review. The CC&Rs must be in a form and substance acceptable to, and shall be approved by the Development Services Director and City Attorney's office.

    a. The CC&R's shall contain restrictions requiring residents to park vehicles in garage spaces provided for each unit. Storage of other items may occur only to the extent that vehicles may still be parked within the required garage at the number for which the garage was originally designed and to allow for inspections by the association to verify compliance with this condition.

    b. Any subsequent revisions to the CC&Rs related to these provisions must be reviewed and approved by the City Attorney's office and the Development Services Director before they become effective.

23. Prior to final inspection the applicant shall file and record a declaration of covenants, conditions, and restrictions (CC&Rs) on the property. The establishment of a homeowner's association shall be optional. Prior to issuance of a building permit, a draft of the CC&Rs shall be remitted to the Development Services Director and City Attorney's office for review and approval. Because there are no common areas for circulation, parking, or landscape purposes, the CC&Rs shall be limited to the ground rules related to: architectural control over future building modifications or additions, architectural design and guidelines for the property, and engagement in alternative dispute resolution before filing a lawsuit to resolve conflicts. The Development Services Director has the discretion to request any other provisions in the CC&Rs to promote self-governance between the two property owners.

Bldg.

24. Comply with the requirements of the 2013 California Building Code, 2013 California Residential Code, 2013 California Electrical Code, 2013 California Mechanical Code, 2013 California Plumbing Code, 2013 California Green Building Standards Code and 2013 California Energy Code (or the applicable adopted, California 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. Areas of alteration and additions shall comply with 2013 California Green Building Standards Code section 5.303.2 and 5.303.2.

25. Submit a precise grading plans, an erosion control plan and a hydrology

study. If it is determined that a grading plan is not required a drainage plan shall be provided. A precise grading plan shall not be required if any of the following are met:

1. An excavation which does not exceed 50 CY on any one site and which is less than 2 FT in vertical depth, or which does not create a cut slope greater than 1 ½:1 (excluding foundation area).

2. A fill less than 1 foot in depth placed on natural grade with a slope flatter than 5:1, which does not exceed 50 CY on any one lot and does not obstruct a drainage course.

3. A fill less than 3 FT in depth, not intended to support structures, which does not exceed 50 CY on any one lot and does not obstruct a drainage course.

26. Submit a soils report for this project. Soil's report recommendations shall be blueprinted on both the architectural and grading plans. For existing slopes or when new slopes are proposed, the soils report shall address how existing or new slopes will be maintained to avoid erosion or future failure.

27. On graded sites the top of exterior foundation shall extend above the elevation of the street gutter at point of discharge or the inlet of an approved discharge devise a minimum of 12 inches plus 2 percent. 2013 California Building Code CRC 403.1.7.3.

28. Lots shall be graded to drain surface water away from foundation walls. The grade shall fall a minimum of six inches within the first 10 feet. CRC R401.3.

29. Projections, including eaves, shall be one-hour fire resistive construction, heavy timber or noncombustible material if they project into the 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).

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 onsite soils to cause unstable conditions. Design, grading, and construction shall be performed in accordance with the requirements of the California Building Code applicable at the time of grading, appropriate local grading regulations, and the recommendations of the geotechnical consultant as summarized in a final written report, subject to review by the City of Costa Mesa Department of Building Safety.

31. 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.

32. 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.

33. All construction contractors shall comply with South Coast Air Quality Management District (SCAQMD) regulations, including Rule 403, Fugitive Dust. All grading (regardless of acreage) shall apply best available control measures for fugitive dust in accordance with Rule 403. To ensure that the project is in full compliance with applicable SCAQMD dust regulations and that there is no nuisance impact off the site, the contractor would implement each of the following:

    a. Moisten soil not more than 15 minutes prior to moving soil or conduct whatever watering is necessary to prevent visible dust emissions from exceeding 100 feet in any direction.
    b. Apply chemical stabilizers to disturbed surface areas (completed grading areas) within five days of completing grading or apply dust suppressants or vegetation sufficient to maintain a stabilized surface.
    c. Water excavated soil piles hourly or covered with temporary coverings.
    d. Water exposed surfaces at least twice a day under calm conditions. Water as often as needed on windy days when winds are less than 25 miles per day or during very dry weather in order to maintain a surface crust and prevent the release of visible emissions from the construction site.
    e. Wash mud-covered tire and under-carriages of trucks leaving construction sites.
    f. Provide for street sweeping, as needed, on adjacent roadways to remove dirt dropped by construction vehicles or mud, which would otherwise be carried off by trucks departing project sites.
    g. Securely cover loads with a tight fitting tarp on any truck leaving the construction sites to dispose of debris.
    h. Cease grading during period when winds exceed 25 miles per hour.

34. Prior to issuing the Building permit the conditions of approval shall be required to be incorporated on the approved Architectural plans

Trans. 35. Construct all proposed driveway approaches to comply with city standards.

36. Fulfill mitigation of off-site traffic impacts at the time of issuance of occupancy by submitting to the Planning Division the required traffic

impact fee pursuant to the prevailing schedule of charges adopted by the City Council. The traffic impact fee is calculated including credits for all existing uses. The current estimate is $700.00. NOTE: The Traffic Impact Fee will be recalculated at the time of issuance of building permit/certificate of occupancy based upon any changes in the prevailing schedule of charges adopted by the City Council and in effect at that time.

37. Close unused drive approaches, or portion of, with full height curb and gutter that comply with City Standards.

Fire

38. 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.
39. The project shall provide an automatic fire sprinkler system according to NFPA 13D.
40. Street addresses shall be visible from the public street and may be displayed either on the front door, on the fascia adjacent to the main entrance, or on another prominent location. When the property has alley access, address numerals shall be displayed in a prominent location visible from the alley. Numerals shall be a minimum six (6) inches in height with not less than one-half-inch stroke and shall contrast sharply with the background.

Eng

41. At the time of development submit for approval an Offsite Plan to the Engineering Division and Grading Plan to the Building Division that shows Sewer, Water, Existing Parkway Improvements and the limits of work on the site, and hydrology calculations, both prepared by a registered Civil Engineer or Architect. Construction Access approval must be obtained prior to Building or Engineering Permits being issued by the City of Costa Mesa. Pay Offsite Plan Check fee per Section 13-231 of the C.C.M.M.C. and an approved Offsite Plan shall be required prior to Engineering Permits being issued by the City of Costa Mesa.
42. Maintain the public Right-of-Way in a "wet-down" condition to prevent excessive dust and remove any spillage from the public Right-of-Way by sweeping or sprinkling.
43. Obtain an encroachment permit from the Engineering Division for any work in the City public right-of-way. Pay required permit fee & cash deposit or surety bond to guarantee construction of off-site street improvements at time of permit per section 15-31 & 15-32, C.C.M.M.C. as approved by City Engineer. Cash deposit or surety bond amount to be determined by City Engineer.
44. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then construct P.C.C. driveway approaches per City of Costa Mesa Standards as shown on the Offsite Plan. Location and dimensions are subject to the approval of the Transportation Services Manager. ADA compliance required for new driveway approaches.
45. Obtain a permit from the City of Costa Mesa, Engineering Division, at

the time of development and then construct P.C.C. Residential sidewalk per City of Costa Mesa Standards as shown on the Off-site Plan, including four (4) feet clear around obstructions in the sidewalk.

46. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then remove any existing driveways and/or curb depressions that will not be used and replace with full height curb and sidewalk at applicant's expense.
47. Fulfill Drainage Fee requirements per City of Costa Mesa Ordinance No. 06-19 prior to approval of Final Map/Approval of Plans.
48. 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, using latest version of template dated August 2011, shall be 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.
49. Pay Offsite Plan Check fee per Section 13-231 of the C.C.M.M.C. and an approved Offsite Plan shall be required prior to Engineering Permits being issued by the City of Costa Mesa.
50. Two copies of the Final Map and one copy of the Property Boundary closure calculations shall be submitted to the City of Costa Mesa Engineering Division for checking.
51. Submit updated Title Report of subject property.
52. The Parcel Map shall be developed in full compliance of CCMMC Sec. 13-208 through 13-261 inclusive.
53. Release and relinquish all vehicular and pedestrian access rights to 23rd Street to the City of Costa Mesa except at approved locations.
54. Submit an electronic copy of recorded map or signed plan to Engineering Division, City of Costa Mesa, prior to occupancy.
55. Prior to recordation of a final map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor and shall submit to the City Engineer and the County Surveyor a digital-graphic file of said map in a manner described in Subarticle 11/12, Sections 7-9-330/7-9-337 of the Orange County Subdivision Code.
56. Survey Monuments shall be preserved and referenced or set pursuant to Section 8771 of the Professional Land Surveyors Act and Business and Professional code.
57. Submit cash deposit or surety bond to guarantee monumentation prior to approval of the map. Amount to be determined by City Engineer.

SPECIAL DISTRICT REQUIREMENTS

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

Sani.	1.	Applicant will be required to construct sewers to serve this project, at his own expense, meeting the approval of the Costa Mesa Sanitary District.
	2.	County Sanitation District fees, fixture fees, inspection fees, and sewer permit are required prior to installation of sewer.
	3.	Applicant shall submit a plan showing sewer improvements that meets the District Engineer's approval to the Building Division as part of the plans submitted for plan check.
	4.	The applicant is required to contact the Costa Mesa Sanitary District at (949) 645-8400 to arrange final sign-off prior to certificate of occupancy being released.
	5.	Unless an off-site trash hauler is being used, applicant shall contact the Costa Mesa Sanitary District at (949) 645-8400 to pay trash collection program fees and arrange for service for all new residences. Residences using bin or dumpster services are exempt from this requirement.
	6.	Applicant shall contact Costa Mesa Sanitary District at (949) 654-8400 for any additional district requirements.
AQMD	7.	Applicant shall contact the Air Quality Management District (AQMD) at (800) 288-7664 for potential additional conditions of development or for additional permits required by AQMD.
Water	8.	Customer shall contact the Irvine 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 Irvine District.
School	9.	Pay applicable Newport Mesa Unified School District fees to the Building Division prior is issuance of building permits.
State	10.	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.
Cable	11.	The applicant shall contact the current cable company prior to issuance of building permits to arrange for pre-wiring for future cable communication service.

RESOLUTION NO. PC-15-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DENYING PLANNING APPLICATION PA-16-23 AND TENTATIVE PARCEL MAP PM- 2016- 141 FOR PROPERTY LOCATED AT 127 23rd Street

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

WHEREAS, an application was filed by David Claudon, representing J&D Blackmon Trust, the property owner, requesting approval of the following:

1. ***Planning Application PA-16-23:*** Design Review to construct a 4-unit, two-story, detached residential development on a 16,352 square foot lot.
2. ***Tentative Parcel Map PM-2016-141:*** A Residential Small Lot Subdivision consisting of four fee simple lots.

WHEREAS, a duly noticed public hearing was held by the Planning Commission on July 25, 2016, with all persons having the opportunity to speak for and against the proposal.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit A, the Planning Commission hereby **DENIES** Planning Application PA-16-23 and Tentative Parcel Map PM-2016-141.

PASSED AND ADOPTED this 25th day of July, 2016.

_____

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

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, Gary Armstrong, acting secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on July 25, 2016, by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

_____
Gary Armstrong, Acting Secretary
Costa Mesa Planning Commission

EXHIBIT A

FINDINGS (DENIAL)

A. The information presented does not comply with Costa Mesa Municipal Code Section 13-29(g)(14) in that:

Finding: The project does not comply with the City of Costa Mesa Zoning Code or meets the purpose and intent of the Residential Design Guidelines, which are intended to promote design excellence in new residential construction, with consideration being given to compatibility with the established residential community. This design review includes site planning, preservation of overall open space, landscaping, appearance, mass and scale of structures, location of windows, varied roof forms and roof plane breaks, and any other applicable design features.

Finding: The visual prominence associated with the construction of two-story homes in a predominately one-story neighborhood has not been reduced through appropriate transitions between the first and second floors and the provision of second floor offsets to avoid long unarticulated two-story walls.

Finding: The proposed development plan and subdivision does not meet the broader goals of the General Plan, and the Zoning Code by exhibiting excellence in design, site planning, integration of uses and structures and protection of the integrity of neighboring development.

B. The information presented does not comply with Costa Mesa Municipal Code Section 13-29(g)(1) in that:

Findings:

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

C. The information presented does not comply with Costa Mesa Municipal Code Section 13-29(g)(6) in that:

Findings:

- The improvement will be materially 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.
- The improvement is not compatible and does not enhance 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.

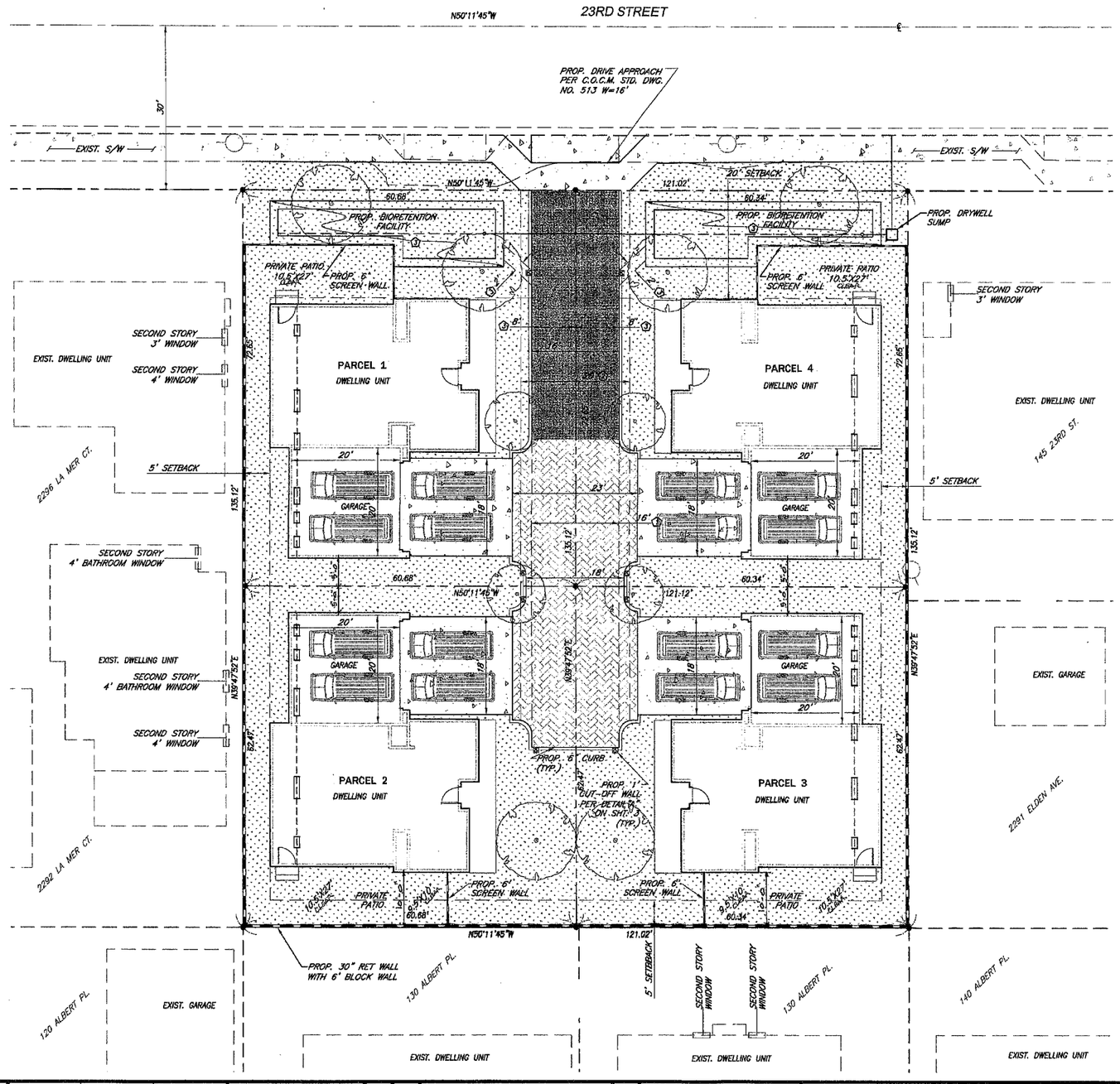
D. The subdivision of the property for a residential common interest development is not consistent with the City's General Plan and Zoning Code.

E. The Costa Mesa Planning Commission has denied Planning Application PA-16-23 and Tentative Parcel Map PM-2016-141. Pursuant to Public Resources Code Section 21080(b) (5) and CEQA Guidelines Section 15270(a) CEQA does not apply to this project because it has been rejected and will not be carried out.

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

PARCEL NO. 2016 - 141

COSTA MESA, CALIFORNIA



ASSESSOR'S I

426-054-09

SITE ADDRESS

127 23RD ST.
COSTA MESA, CA. 92627

TOPOGRAPHY

EXISTING TOPOGRAPHY COMPILED FROM FIELD SURVEY PREFORMED BY CORREIA SURVEY, INC. DATED MARCH 2016.

SITE ACREAGE:

GROSS ACREAGE = 0.38 ACRES
NET ACREAGE = 0.38 ACRES

STREET LINEAR FOOTAGE:

EXISTING 23RD ST 121 L.F.

LOT AREAS

LOT NO.	LOT AREA (SF)	WIDTH (FT)	DEPTH (FT)
1	4,411	61	73
2	3,780	61	62
3	3,769	60	62
4	4,362	60	73
AVG.	4,068		

LAND AREAS:

BUILDINGS	5,508 S.F. (34%)
DRIVE WAY	3,379 S.F. (21%)
OPEN SPACE	7,465 S.F. (45%)

DWELLING UNITS:

DWELLING UNITS (2)	4 EA.

PARKING:

2-CAR GARAGE	4 EA.
TOTAL PARKING	8 SPACES

EASEMENTS:

RECIPROCAL INGRESS/EGRESS EASEMENT	(1)
UTILITY EASEMENT	(2)
CROSS SITE DRAINAGE EASEMENT	(3)

10 0 10 20

SCALE 1" =10'

Underground Service Alert

CALL BEFORE YOU DIG
Call: TOLL FREE
1-800
422-4133
TWO WORKING DAYS BEFORE YOU DIG

SEAL: REGISTERED PROFESSIONAL ENGINEER DENNIS G. ARMSTRONG No. 46758 Exp. 6/30/16 CIVIL STATE OF CALIFORNIA

PREPARED BY:

ARMSTRONG & BROOKS CONSULTING ENGINEERS
PLANNING INFRASTRUCTURE SITE DEVELOPMENT WATER RESOURCES
1350 EAST CHASE DRIVE - CORONA, CA 92881
MAIL: P.O. BOX 78088 CORONA, CA 92877-998
P: 951 - 372 - 8400 F: 951 - 372 - 8430

Designed by	Drawn by	Checked by
DN	WH	DA

PLANS PREPARED UNDER SUPERVISION OF
DENNIS G. ARMSTRONG
Date R.C.E. 46758 Exp. 6-30-16

Reference Plans for these Improvements

Date	By	REVISIONS	App'd

BENCH MARK

Scale

Engineering

Fire

Approved

By R.C.E. No. 25267 Exp. 12-31-01
City Engineer

CITY OF COSTA MESA
"MONARCH COURT"
PROPOSED RESIDENTIAL

Drawing No.
Sh 1 of 1

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