City of Costa Mesa
Inter Office Memorandum

TO: CITY COUNCIL AND PLANNING COMMISSION

CC: TOM HATCH, PETER NAGHAVI, AND CLAIRE FLYNN

FROM: WILLA BOUWENS-KILLEEN, ZONING ADMINISTRATOR

DATE: OCTOBER 18, 2012

SUBJECT: ZONING ADMINISTRATOR DECISION(S)

This is to advise you of the following decision(s) made by the Zoning Administrator within the last week. The decision(s) will become final unless a member of the Planning Commission or City Council requests a review of the decision(s) or an interested party files an appeal by 5:00 p.m. on October 25, 2012. Project descriptions have been kept brief for this notice. As a result, there may be details to the project or conditions of approval that would be of interest to you in deciding whether to request a review of a decision. Please feel free to contact me by e-mail at willa.bouwens-killeen@costamesaca.gov if you have any questions or would like further details.

ZA-12-25 1926 Kauai Drive

Minor Design Review to construct a two-story residence in the R1 zone with a minor modification for rear yard setback related to second floor balconies (20 feet required, 16 feet proposed), an oversized three-car garage (869 square feet proposed; 700 square feet maximum allowed); and deviation from Residential Design Guidelines related to average second floor side yard setbacks (10 feet recommended, five feet proposed) and second floor to first floor ratio (80% recommended; 88% proposed).

Approved, subject to conditions.

Comments received: None.

CITY OF COSTA MESA

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

DEVELOPMENT SERVICES DEPARTMENT

October 18, 2012

Gary Jackson
675 Masters Circle
Brea, CA 92821

RE: ZONING APPLICATION ZA-12-25
MINOR DESIGN REVIEW FOR A NEW TWO-STORY, SINGLE-FAMILY RESIDENCE
1926 KAUAI DRIVE, COSTA MESA

Dear Mr. Jackson:

Zoning Application ZA-12-25 has been approved, based on the findings and subject to the conditions of approval as described in the attached pages. The decision will become final at 5 p.m. on October 25, 2012 (seven days from the date of this letter), unless appealed by an affected party (including filing of the necessary application and payment of the appropriate fee), or is called up for review by a member of the Planning Commission or City Council.

If you have any questions regarding this letter, please contact the project planner, Minoo Ashabi at (714) 754-5610 or minoo.ashabi@costamesaca.gov.

Sincerely,

WILLA BOUWENS-KILLEEN
Zoning Administrator

Attachments: Project description
Findings
Conditions of approval & Code requirements
Approved conceptual plans

cc: Fire Protection Analyst
Building Division

Mr. and Mrs. Davis
21082 Spurney Lane
Huntington Beach, CA 92646

PROJECT DESCRIPTION

The property is located at 1926 Kauai Drive in a single-family residential neighborhood in the R1 zone. The immediate neighboring properties include: a single-story single-family residences on the east, a two-story residence on the west and a two-story single-family residence on the south. The property abuts the golf course on the north.

The proposed project involves the following:

- Demolition of the 3,230 SF existing single-family residence including a two-car garage. Construction of a new two-story, 4,002 square-foot single-family residence with a new attached 869 square-foot three-car garage and workshop.

- Minor Design Review ZA-12-25 is required because of proposed deviations from the Residential Design Guidelines for the average second story side setback (five-foot proposed on both sides; average 10-foot setback recommended) and the second floor area exceeds the 80% ratio in relation to first floor.

- Minor Modification is required to allow a four-foot encroachment for the second floor balconies in the rear yard setback (20 feet required, 16 feet proposed).

- Minor conditional use permit (MCUP) is required since the three-car garage is over 700 square feet in area. Although this request was not included in the original notification, it requires the same public notification as the design review. Consequently, staff has proceeded with the project and will include the MCUP information in the future correspondence.

ANALYSIS

A minor design review is required since the proposed second floor does not meet the recommended 10-foot average side setback on the sides and the second floor to first floor ratio is 82 percent instead of 80 percent.

Staff considers these minor deviations from the residential design guidelines. The Residential Design Guidelines were adopted to promote quality and compatible design by promoting design excellence. However, the guidelines also allow consideration to be given for designs that promote design excellence without satisfying the specific criteria.

The proposed project contains many elements desired by the guidelines:

- Variation on elevations is achieved through the provision of a covered entry porch, second floor offsets, rear yard balconies, and various exterior materials such as wood siding and wood trims, and belly bands.
- Privacy impact on neighbors should be limited. The neighboring structure to the east is a one-story residence. The two-story structure to the west is located on an angle so there are no direct views to the balconies or bedroom windows. The side yards windows include three bathroom windows (limited in size) and two bedroom windows, one with more than 10 feet setback, and the other facing the

neighboring garage. In addition, the balconies are situated where they are not directly overlooking the neighboring backyards.

- The two-story residence is designed with a gable roof with the gable ends facing the front and rear and the sides sloping away from the neighboring properties, which reduces the overall height on the sides to approximately 22 feet at the 10-foot side setback.
- The variations in the building elevations (i.e, materials, offsets, balconies, front porch) provide adequate articulation on all four sides.
- The proposed building massing and height is consistent with other two-story structures within the neighborhood.

A minor conditional use permit is required since the three-car garage is over 700 square feet. The oversized garage is 869 square feet and includes three garage spaces and a small workshop (approximately 100 square feet). The double-car garage portion is 23 feet deep and includes a counter and storage cabinets. In addition, the garage provides a small hallway in between the double-car garage and single-car garage for easy access to the house. The 869 square-foot garage is still ancillary to the proposed 4,002 square-foot house. The new proposed house includes five bedrooms; therefore a minimum three-car garage and two open parking spaces are required. To ensure that the garage spaces are maintained and the workshop is not converted into living space, a land use restriction is required to be recorded.

The reduced rear yard setback related to the balconies is subject to approval of a minor modification. A minimum 16-foot setback is provided to the balconies on the south side that slightly increases to the north. The footprints of the neighboring structures on both sides are very similar in comparison to the proposed structure. The proposed balconies extend beyond the neighboring structures; therefore, the reduced setback does not compromise the privacy of the neighbors. In addition, there are no structures on the golf course side which would have been directly affected by the reduced setback.

The General Plan designation for the property is Low Density Residential, which allows a maximum density of one dwelling unit per 5,445 square-foot of lot area. The site contains one dwelling unit on a 5,992 square-foot lot and consequently consistent with the lot's General Plan designation.

FINDINGS

A. The information presented substantially complies Costa Mesa Municipal Code Section 13-29(g)(14) in that the proposed construction is substantially compatible and harmonious with existing and/or anticipated development on surrounding properties. This includes site planning, landscaping, appearance, scale of structures, location of windows, and any other applicable features relative to a compatible and attractive development.

   Privacy impacts will be limited because of the limited number of windows on the side elevations of the proposed residence and the location of the balconies. The neighboring structure to the east is a one-story residence. The two-story structure to the west is located on a slight angle so there are limited direct views to the

balconies or bedroom windows. The side yard windows include three bathroom windows (limited in size) and two bedroom windows, one with more than 10 feet setback, and the other facing the neighboring garage.

Even though, the second floor to first floor ratio exceeds 80 percent the variations on the elevations with use of off-sets, first floor porch and second floor balconies reduce a boxy appearance and meet the intent of the guidelines. The proposed setbacks, height and massing is consistent with other homes in the area.

The reduced rear yard setback will not directly affect any property owners since the property abuts a golf course at the rear. The neighboring homes to the east and west are similar in footprint and rear yard setback; the proposed balconies are directed toward the rear and extend beyond the homes reducing privacy impacts to these neighboring homes.

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

1. The proposed use is compatible and harmonious with uses on both onsite as well as those on surrounding properties.
2. Safety and compatibility of the design of the buildings, parking areas, landscaping, and other site features including functional aspects of the site development have been considered.
3. The project is consistent with both the General Plan and Zoning designations because only one dwelling unit is proposed for the lot.
4. The zoning application is for a project-specific case and does not establish a precedent for future development.
5. The proposed residence meets the intent of the residential design guidelines except as noted above.

C. The information presented complies with Costa Mesa Municipal Code Section 13-29(g)(2) in that the proposed use is compatible with developments in the same general area. Granting the minor conditional use permit will not be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity. Granting the minor conditional use permit will not allow a use, density or intensity that is not in accordance with the general plan designation for the property. The oversized garage is as a result of a spacious three-car garage and small workshop area designed with adequate separation to allow use of the garage and easy access to the house. The oversized garage is ancillary to the proposed 4,002 square foot house.

D. The information presented complies with Costa Mesa Municipal Code Section 13-29(g)(6) since:

- The improvement will not be materially detrimental to the heath, 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 proposed improvement is compatible and enhances the architecture and design of the existing and anticipated development in the vicinity.

Specifically, the two-story structure is compatible in scale and massing with other residential structures in the neighborhood and the reduced setbacks apply to balconies that are directly facing the golf course.

E. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA pursuant to Section 15303, New Construction.

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

CONDITIONS OF APPROVAL

Plng.

1. The landscaping plans shall incorporate water efficient landscaping. No artificial turf is permitted.
2. No modification(s) of the approved building elevations including, but not limited to, changes that increase the building height, removal of building articulation, or a change of the finish material(s), shall be made during construction without prior Planning Division written approval. Failure to obtain prior Planning Division approval of the modification could result in the requirement of the applicant to (re)process the modification through a discretionary review process such as a minor design review or a variance, or in the requirement to modify the construction to reflect the approved plans.
3. The subject property's ultimate finished grade level may not be filled/raised unless necessary to provide proper drainage, and in no case shall it be 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 stormwater 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 stormwater 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.
4. Demolition permits for existing structures shall be obtained and all work and inspections completed prior to final building inspections. Applicant is notified that written notice to the Air Quality Management District may be required ten (10) days prior to demolition.
5. It is recommended that the project incorporate green building design and construction techniques where feasible. The applicant may contact the Building Safety Division at (714) 754-5273 for additional information.

6. The workshop shall be used for ancillary uses allowed in residential structures only and subject to the home occupation requirements.
7. 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.
8. Existing mature trees shall be retained wherever possible. Should it be necessary to remove existing trees, the applicant shall submit a written request and justification to the Planning Division. A report from a California licensed arborist may be required as part of the justification. Replacement trees shall be of a size consistent with trees to be removed and may be required on a 1:1 basis. This requirement shall be completed under the direction of the Planning Division.
9. Relocation or expansion of the second-story windows is prohibited without prior written approval of the Zoning Administrator.
10. The conditions of approval, Code provisions, and special district requirements of Zoning Application ZA-12-25 shall be blueprinted on the face of the site plan as part of the building plan check submittal package.
11. The applicant shall contact the Planning Division to arrange for Planning inspection of the site prior to obtaining a building final inspection. This inspection is to confirm that the conditions of approval and Code requirements have been satisfied.
12. A Land Use Restriction executed by and between the applicant and the City of Costa Mesa shall be recorded prior to the issuance of building permits. The Land Use Restriction shall reference Code provisions prohibiting the use of the workshop as living space and maintaining the three-car garage per parking requirements. Applicant shall submit to the Planning Division a copy of the legal description for the property, and either a Lot Book Report or current Title Report identifying the current legal property owner so that the document may be prepared.
13. The front driveway area shall be reduced by providing additional landscaping between driveways or along the edges reducing the overall size to maximum 532 square feet in order to meet the minimum open space requirements.

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. Approval of the planning application is valid for one (1) year from the effective date of this approval and will expire at the end of that period unless applicant establishes the use by obtaining building permits for the authorized construction and initiates construction. If the applicant is unable to obtain building permits within the one-year time period, the applicant may request an extension of time. The Planning Division must

receive a written request for the time extension prior to the expiration of the planning application.

2. All construction-related activity shall be limited to between the hours of 7 a.m. and 7 p.m., Monday through Friday, and 9 a.m. to 6 p.m. Saturday. Construction is prohibited on Sundays and federal holidays.
3. Any new mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division. All roof-mounted equipment is prohibited.
4. 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.
5. Development shall comply with all requirements of Article 1, Chapter 5, and Article 9, Chapter 5 of Title 13 of the Costa Mesa Municipal Code relating to development standards for residential projects including the maximum 27-feet height restriction (measured from the adjacent grade).

Bus. Lic.

6. 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.

Bldg.

7. Comply with the requirements of the 2010 California Residential Code, 2010 California Electrical code, 2010 California Mechanical code, 2010 California Plumbing code, 2010 California Green Building Standards Code and 2010 California Energy Code (or the applicable adopted, 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) and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa.
8. Submit grading plans, an erosion control and a hydrology study.
9. Submit a soils report for this project. Soil's Report recommendations shall be blueprinted on both the architectural and grading plans.
10. Provide T-24 energy compliance.
11. Submit grading plans, an erosion control plan and a hydrology study.
12. Submit a soils report for this project. Soil's Report recommendations shall be blueprinted on both the architectural and grading plans.
13. 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. 2010 California Residential Code section R403.1.7.3. 2010 California Building Code CBC 1808.7.4.
14. Lots shall be graded to drain surface water away from foundation walls. The grade shall be a minimum of 6 inches within the first 10 feet -2010 California Residential Code sec.R401.3 , See exception too.

15. The ground immediately adjacent to the foundation shall be sloped away from the building at a slope of not less than 5% for a minimum of 10 ft. measured perpendicular to the face of the wall. CBC 1803.3.
16. Provide complete mechanical, electrical and plumbing plans per the 2007 California Building Codes.

Eng.

17. A Construction Access Permit and deposit of **$580.00** will be required by City of Costa Mesa, Engineering Division prior to start of any on-site work, necessary during construction for street sweeping and to guarantee replacement costs in case of damage to existing public improvements.
18. 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.
19. 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. Cross lot drainage shall not occur. 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.
20. A Construction Access Permit and deposit of $580 will be required by City of Costa Mesa, Engineering Division prior to start of any on-site work, necessary during construction for street sweeping and to guarantee replacement costs in case of damage to existing public improvements.
21. 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.
22. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then reconstruct P.C.C. driveway approach per City of Costa Mesa Standards as shown on the Offsite Plan to comply with ADA.
23. Dedicate a 3-foot sidewalk easement behind existing right of way line on Kauai Drive.
24. Submit legal description for new area of dedication, plat of new dedication area, both prepared by a registered Civil Engineer or Land Surveyor, and updated Title Report of subject property.
25. Fulfill City of Costa Mesa Drainage Ordinance No. 06-19 requirements prior to approval of plans.

SPECIAL DISTRICT REQUIREMENTS

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

Sani.	1.	It is recommended that the developer contact the Costa Mesa Sanitary District at (949) 645-8400 for current district requirements.
AQMD	2.	Applicant shall contact the Air Quality Management District (800) 288 7664 for potential additional conditions of development or for additional permits required by the district.
CDFA	3.	Comply with the requirements of the California Department of Food and Agriculture (CDFA) to determine if red imported fire ants exist on the property prior to any soil movement or excavation. Call CDFA at (714) 708-1910 for information.

PLANNING APPLICATION SUMMARY

Location: 1926 Kauai Drive Application: ZA-12-25
Request: Construct a two-story single-family residence and three-car attached garage.

SUBJECT PROPERTY:

Zone: R1
General Plan: Low Density Residential
Lot Dimensions: Irregular (approx. 60' x 100')
Lot Area: 5,992 SF
Existing Development: Single family home and garage – to be demolished

SURROUNDING PROPERTY:

North: Golf Course
South: R1
East: R1
West: R1

DEVELOPMENT STANDARD COMPARISON

Development Standard	Required/Allowed	Proposed/Provided
Lot Size:		
Lot Width	50 FT	50 FT
Lot Area	6,000 SF	6,006 SF (existing)
Density:		
Zone	1 du/6,000 SF	1 du/6,006 SF (existing)
General Plan	1 du/5,445 SF	
Building Coverage:		
Buildings	NA	3,077 SF (51%) including porch
Paving	NA	Approx. 594 SF (10 %)
Open Space	2,397 SF (40%)	Approx. 2,329 SF (39 %)*
Building Height -- Residence:	2 Stories/27 FT	*2 stories/27 feet maximum*
First/Second Floor Ratio:*		
First Floor Area	NA	3,077 SF
Second Floor Area	NA	2,532 SF (includes volume ceiling at entry)
2nd Floor % of 1st Floor*	80%	82 %
Setbacks -- Residence:		
Front	20 FT	20 FT
Side (left/right) **	5 FT (1-Sty) 10 FT Avg. (2-Sty)	5 FT/5 FT (1-Sty) 5 on both sides
Rear ***	10 FT (1-Sty) 20 FT (2-Sty)	20 FT 16' Balconies
Covered	2 spaces	3 spaces
Open	2 space	3 spaces
TOTAL	4 spaces	6 SPACES

NA = Not Applicable or No Requirement.
* Maximum driveway allowed is 532 SF to meet 40% open space requirement - see conditions.
** Deviation from Residential Design Guidelines – see staff report
*** Minor modification for 4-foot reduction in rear yard related to balconies – see staff report

CEQA Status	Exempt, Class 3 (New Construction)
Final Action	Zoning Administrator