

City of Costa Mesa

Inter Office Memorandum

TO: JENNIFER LE, DIRECTOR OF ECONOMIC AND DEVELOPMENT SERVICES

FROM: CAITLYN CURLEY, ASSISTANT PLANNER

DATE: November 30, 2023

SUBJECT: MINOR MODIFICATION PMND-23-0001 FOR A REDUCED FRONT YARD SETBACK AT 1592 REDLANDS PLACE, IN CONJUNCTION WITH BUILDING PERMIT BC23-00197

BACKGROUND

The property at 1592 Redlands Place is zoned Multiple-Family Residential District, Medium Density and has obtained Planning Commission approval for a design review and tentative parcel map under planning applications PA-22-32 and PM-22-08 for two new single-family homes under the City's residential small lot subdivision ordinance. The two new single-family homes are currently under review for building permits under permit numbers BC23-00197 and BC23-00198. The property is currently developed with two detached residences, which will be demolished to accommodate the construction of two new single-family homes. The front single-family residence (1592 Redlands Place) will have 2,530 square feet of livable floor area, with an attached, 423-square-foot two-car garage. The rear single-family residence (1594 Redlands Place) will have 2,571 square feet of livable floor area, with an attached 423-square-foot two-car garage. During plan check, it was brought to Staff's attention that the proposed front unit (1592 Redlands Place) has a 2-foot 1-inch encroachment into the required 20-foot front setback along Redlands Place. Staff has determined that a minor modification is required to permit the encroachment into the front setback.

DESCRIPTION

The applicant is proposing to subdivide the existing parcel into two lots and to construct one new single-family home on each lot, under the residential small lot subdivision ordinance. Currently, the two new single-family homes are under review for building permits. The applicant has applied for a minor modification in order to allow the front residence (1592 Redlands Place) to encroach into the required 20-foot front setback. As a condition of approval for PM-22-08, an easement for street purposes was required by Public Works. Since setbacks are measured from the ultimate property line (after considering street dedications), this easement dedication resulted in the front single-family home encroaching into the front setback by 2-feet and 1-inch. Table 1 provides further information on the requested encroachment.

ANALYSIS

With the exception of the front yard setback requirement, the proposed single-family home meets all development requirements of the Costa Mesa Municipal Code (CMMC). The new single-family home proposes a 10-foot rear setback (6 feet required), a 5-foot side setback to the south (5 feet required), a 12-foot 6-inch side setback to the north (5 feet required), and a 17-foot 11-inch front setback (20 feet required), and a building height of 26-feet 8-inches (27 feet max allowed).

Further, per the City of Costa Mesa Public Works Department, although the easement dedication was required for public street purposes in order to comply with street width standards, based on preliminary designs for the public street the easement is not intended to be used for sidewalk at the point of the encroachment. Rather, the easement area will be landscaped to match the front yard. Therefore, visually, the residence will appear to have a conforming front setback.

Pursuant to CMMC Section 13-28(j)(1), a minor modification, if approved, allows for minor deviations from certain Code requirements. Specifically, the minor modification can allow a decrease in required front yard depth up to 20% (4 feet). The applicant has applied for a minor modification to allow for a deviation in the front yard setback. All requested deviations from the development standards are within the limits established in CMMC Section 13-28(j)(1).

Deviation Type	Code Requirement	Proposed Deviation	Maximum Deviation Permitted ¹
Front Yard Setback	20'	2'-1" (10.4%)	4' (20%)

¹ Maximum deviation permitted via minor modification per CMMC Table 13-28(j)(1)

MINOR MODIFICATION FINDINGS

Pursuant to CMMC 13-29(g)(6), two findings must be made in order to approve a minor modification, subject to the discretion of the Director of Economic and Development Services. The findings and facts in support of the findings are as follows:

Finding I: The improvement will not 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.

Facts in Support of Finding:

- a) The proposed residence, as approved under design review PA-23-32, will encroach 2-feet, 1-inch into the front setback, however, its placement is a substantial distance from the street such that it does not create fire or emergency access concerns. Further, the residence will maintain the required 5-foot side yard setback, further providing code-compliant emergency access. Therefore, approving the minor modification to allow the building to be constructed within the front setback will not be materially detrimental to the health, safety and general welfare of persons residing or working within the immediate vicinity of the property.

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

Facts in Support of Finding:

- a) The portion of the residence that encroaches into the front setback would be constructed to align with the rest of the residence in scale, height, setback, and eave depth. Therefore, the encroachment is compatible and enhances the design of the overall residence.
- b) The proposed residence would provide a building footprint, lot coverage, open space, scale and height consistent with the neighborhood character. Therefore, the improvement is compatible and enhances the design of other properties in the vicinity.
- c) The proposed encroachment would not be aesthetically prominent, as the new public street and sidewalk easement would not be utilized for a sidewalk in front of the encroachment, but rather would be landscaped consistent with the residence's front yard. Therefore, visually, the front setback would appear compliant and would be compatible with neighboring development in overall appearance.

The proposed residence would provide 36% open space, total, between the two new parcels. The municipal code requires 35% total open space under the small lot subdivision ordinance. All development standards are met except for the front setback, for which a minor modification is allowed and has been requested by the homeowner. As proposed, the residence will be consistent with development in the surrounding neighborhood and will not negatively impact the safety of the surrounding neighborhood.

RECOMMENDATION

Approve the minor modification.