



CITY OF COSTA MESA

PLANNING COMMISSION

Agenda - Final Amended

Monday, May 13, 2024

6:00 PM

**City Council Chambers
77 Fair Drive**

ONE ITEM HAS BEEN ADDED UNDER ANNOUNCEMENTS AND PRESENTATIONS.

The Commission meetings are presented in a hybrid format, both in-person at City Hall and as a courtesy virtually via Zoom Webinar. If the Zoom feature is having system outages or experiencing other critical issues, the meeting will continue in person.

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Please contact the City Clerk at (714) 754-5225 to request language interpreting services for City meetings. Notification at least 48 hours prior to the meeting will enable the City to make arrangements.

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Members of the public can view the Commission meetings live on COSTA MESA TV (SPECTRUM CHANNEL 3 AND AT&T U-VERSE CHANNEL 99) or http://costamesa.granicus.com/player/camera/2?publish_id=10&redirect=true and online at [youtube.com/costamesatv](https://www.youtube.com/costamesatv).

Zoom Webinar:

Please click the link below to join the webinar:

<https://zoom.us/j/96060379921?pwd=N2lvbzhJM2hWU3puZkk1T3VYTXhoQT09>

Or sign into Zoom.com and “Join a Meeting”

Enter Webinar ID: 960 6037 9921 / Password: 595958

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- Select “Join Audio via Computer.”
- The virtual conference room will open. If you receive a message reading, “Please wait for the host to start this meeting,” simply remain in the room until the meeting begins.
- During the Public Comment Period, use the “raise hand” feature located in the participants’ window and wait for city staff to announce your name and unmute your line when it is your turn to speak. Comments are limited to 3 minutes, or as otherwise directed.

Participate via telephone:

Call: 1 669 900 6833 Enter Webinar ID: 960 6037 9921 / Password: : 595958

During the Public Comment Period, press *9 to add yourself to the queue and wait for city staff to announce your name/phone number and press *6 to unmute your line when it is your turn to speak. Comments are limited to 3 minutes, or as otherwise directed.

4. Additionally, members of the public who wish to make a written comment on a specific agenda item, may submit a written comment via email to the PCPublicComments@costamesaca.gov. Comments received by 12:00 p.m. on the date of the meeting will be provided to the Commission, made available to the public, and will be part of the meeting record.

5. Please know that it is important for the City to allow public participation at this meeting. If you are unable to participate in the meeting via the processes set forth above, please contact the City Clerk at (714) 754-5225 or cityclerk@costamesaca.gov and staff will attempt to accommodate you. While the City does not expect there to be any changes to the above process for participating in this meeting, if there is a change, the City will post the information as soon as possible to the City’s website.

Note that records submitted by the public will not be redacted in any way and will be posted online as submitted, including any personal contact information.

All pictures, PowerPoints, and videos submitted for display at a public meeting must be previously reviewed by staff to verify appropriateness for general audiences. No links to YouTube videos or other streaming services will be accepted, a direct video file will need to be emailed to staff prior to each meeting in order to minimize complications and to play the video without delay. The video must be one of the following formats, .mp4, .mov or .wmv. Only one file may be included per speaker for public comments. Please e-mail to PCPublicComments@costamesaca.gov NO LATER THAN 12:00 Noon on the date of the meeting.

Note regarding agenda-related documents provided to a majority of the Commission after distribution of the agenda packet (GC §54957.5): Any related documents provided to a majority of the Commission after distribution of the Agenda Packets will be made available for public inspection. Such documents will be posted on the city's website and will be available at the City Clerk's office, 77 Fair Drive, Costa Mesa, CA 92626.

All cell phones and other electronic devices are to be turned off or set to vibrate. Members of the audience are requested to step outside the Council Chambers to conduct a phone conversation.

Free Wi-Fi is available in the Council Chambers during the meetings. The network username available is: CM_Council. The password is: cmcouncil1953.

As a LEED Gold Certified City, Costa Mesa is fully committed to environmental sustainability. A minimum number of hard copies of the agenda will be available in the Council Chambers. For your convenience, a binder of the entire agenda packet will be at the table in the foyer of the Council Chambers for viewing. Agendas and reports can be viewed on the City website at <https://costamesa.legistar.com/Calendar.aspx>.

In compliance with the Americans with Disabilities Act, Assistive Listening headphones are available and can be checked out from the City Clerk. If you need special assistance to participate in this meeting, please contact the City Clerk at (714) 754-5225. Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102.35.104 ADA Title II].

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PLANNING COMMISSION REGULAR MEETING

MAY 13, 2024 – 6:00 P.M.

**ADAM ERETH
CHAIR**

**RUSSELL TOLER
VICE CHAIR**

**JOHNNY ROJAS
PLANNING COMMISSIONER**

**ANGELY ANDRADE
PLANNING COMMISSIONER**

**KAREN KLEPACK
PLANNING COMMISSIONER**

**JON ZICH
PLANNING COMMISSIONER**

**DAVID MARTINEZ
PLANNING COMMISSIONER**

**TARQUIN PREZIOSI
ASSISTANT CITY ATTORNEY**

**SCOTT DRAPKIN
ASSISTANT DIRECTOR**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

ANNOUNCEMENTS AND PRESENTATIONS

1. OATH OF OFFICE FOR NEWLY-APPOINTED PLANNING COMMISSIONER BY CITY CLERK.

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA

Comments are limited to three (3) minutes, or as otherwise directed.

PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS

CONSENT CALENDAR:

All matters listed under the Consent Calendar are considered to be routine and will be acted upon in one motion. There will be no separate discussion of these items unless members of the Planning Commission, staff, or the public request specific items to be discussed and/or removed from the Consent Calendar for discussion. The public can make this request via email at PCPublicComments@costamesaca.gov and should include the item number to be addressed. Items removed from the Consent Calendar will be discussed and voted upon immediately following Planning Commission action on the remainder of the Consent Calendar

1. **MINUTES** **24-207**

RECOMMENDATION:

Planning Commission approve the Regular Meeting Minutes of March 25, 2024 and April 8, 2024.

Attachments: [1. March 25, 2024 Unofficial Meeting Minutes](#)
[2. April 8, 2024 Unofficial Meeting Minutes](#)

PUBLIC HEARINGS:

1. **DESIGN REVIEW PDES-24-0001 AND TENTATIVE PARCEL MAP 24-208 2023-187 FOR A TWO-UNIT RESIDENTIAL SMALL LOT SUBDIVISION DEVELOPMENT AT 1022 WEST WILSON STREET**

RECOMMENDATION:

Staff recommends the Planning Commission adopt a Resolution to:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15315 (Class 15) Minor Division of Land, and Section 15303 (Class 3) New Construction or Conversion of Small Structures; and
2. Approve Design Review PDES-24-0001 and Parcel Map PTPM-24-0001 (Tentative Parcel Map 2023-187), based on findings of fact and subject to conditions of approval.

Attachments: [Agenda Report](#)
[1. Planning Commission Draft Resolution](#)
[2. Applicant Letter](#)
[3. Vicinity Map](#)
[4. Zoning Map](#)
[6. Historic Resources Survey](#)
[7. Project Plans](#)

2. [PDEV-23-0001, AMENDING CERTAIN PROVISIONS TO ONE METRO 24-209 WEST DEVELOPMENT AGREEMENT \(DA-20-02\), ORDINANCES AND RESOLUTIONS](#)

RECOMMENDATION:

Staff recommends the Planning Commission recommend approval to the City Council of the requested amendments as detailed in the following report, and adopt a Resolution to:

1. Find pursuant to CEQA Guidelines Section 15162 that the proposed amendments are in substantial conformance with the Final Environmental Impact Report (EIR) for the One Metro project (State Clearing House No. 2019050014), including a mitigation monitoring program and statement of overriding considerations, which was certified by the City Council on July 20, 2021, and that no further environmental review under CEQA is required; and
2. Adopt Resolution 2024-XX recommending that the City Council:
 - Introduce for first reading an ordinance amending Development Agreement DA-20-02 regarding the timing of payment for impact fees and community benefit funds;
 - Introduce for first reading an Ordinance clarifying the project's effective approval date contained in Development Agreement 20-02, Rezone 20-01 and Specific Plan 20-01; and
 - Approve modifications to City Council Resolution 2021-55 amending certain conditions of approval regarding the artwork on Building A along the I-405 Freeway.

Attachments: [Agenda Report](#)

[1. Draft Planning Commission Resolution](#)

[Exhibit B](#)

[2. Applicant Letters](#)

[3. City Council Report June 15, 2021, 1st Reading](#)

[4. City Council Report July 20, 2021, 2nd Reading](#)

[5. Ordinance No. 2021-11](#)

[6. Ordinance No. 2021-12](#)

[7. Ordinance No. 2021-13](#)

[8. Resolution No. 2021-55](#)

[9. Resolution No. 2021-54](#)

3. [PLANNING APPLICATION 21-02 FOR A CONDITIONAL USE PERMIT 24-210 TO ALLOW A TRANSITIONAL HOUSING AND SUPPORT SERVICES USE WITH UP TO 16 INDIVIDUALS AT LIGHTHOUSE CHURCH \(1885 ANAHEIM AVENUE\)](#)

RECOMMENDATION:

Staff recommends that the Planning Commission adopt a Resolution to:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 (Existing Facilities); and
2. Approve Planning Application 21-02, based on findings of fact and subject to conditions of approval.

Attachments: [Agenda Report](#)

- [1. Draft Planning Commission Resolution](#)
- [2. Applicant Exhibits](#)
- [3. Vicinity Map](#)
- [4. Zoning Map](#)
- [5. Site Photos](#)
- [6. Plans](#)
- [7. Public Comments](#)

OLD BUSINESS: NONE

NEW BUSINESS:

1. [REVIEW OF THE ONE YEAR \(FY 2024-2025\) AND FIVE YEAR \(FY 24-211 2024-2025 TO FY 2028-2029\) CAPITAL IMPROVEMENT PROGRAM FOR CONSISTENCY WITH THE COSTA MESA 2015-2035 GENERAL PLAN](#)

RECOMMENDATION:

Staff recommends the Planning Commission adopt a Resolution to:

1. Find that the City's Capital Improvement Program is a fiscal planning and budgeting activity, which allows the City to plan for future specific capital improvement projects and does not commit the City to implement any specific project or project design, and, therefore, is not a "project" per California Environmental Quality Act (CEQA) Guidelines Section 15378; and
2. Approve a resolution finding that the One Year (FY 2024-2025) and Five Year (FY 2028-2029) Capital Improvement Program is consistent with the Costa Mesa 2015-2035 General Plan.

Attachments: [Agenda Report](#)

[1. Planning Commission Draft Resolution](#)

[2. FY 2024-25 One Year CIP](#)

[3. FY 2024-25 to FY 2028-29 Five Year CIP](#)

DEPARTMENTAL REPORTS:

1. PUBLIC WORKS REPORT
2. DEVELOPMENT SERVICES REPORT

CITY ATTORNEY REPORTS:

1. CITY ATTORNEY REPORT

ADJOURNMENT

PLANNING COMMISSION MEETING:

Costa Mesa Planning Commission meets on the second and fourth Monday of each month at 6:00 p.m.

APPEAL PROCEDURE:

Unless otherwise indicated, the decision of the Planning Commission is final at 5:00 p.m., seven (7) days following the action, unless an affected party files an appeal to the City Council, or a member of City Council requests a review. Applications for appeals are available through the City Clerk's Office; please call (714) 754-5225 for additional information.

CONTACT CITY STAFF:

77 Fair Drive, Costa Mesa, CA 92626
Planning Division (714) 754-5245
planninginfo@costamesaca.gov



CITY OF COSTA MESA

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 24-207

Meeting Date: 5/13/2024

TITLE:

MINUTES

DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT/ PLANNING
DIVISION

RECOMMENDATION:

Planning Commission approve the Regular Meeting Minutes of March 25, 2024 and April 8, 2024.

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**MEETING MINUTES OF THE CITY OF
COSTA MESA PLANNING COMMISSION**

March 25, 2024

CALL TO ORDER

The Chair called the meeting to order at 6:07 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG

Chair Ereth led the Pledge of Allegiance.

ROLL CALL

Present: Chair Adam Ereth, Vice Chair Russell Toler, Commissioner Angely Andrade, Commissioner Jonny Rojas, and Commissioner Vivar

Absent: Commissioner Karen Klepack, Commissioner Jon Zich

Officials Present: Assistant City Manager Cecilia Gallardo-Daly, Assistant Director of Development Services Scott Drapkin, Planning and Sustainable Development Manager Bill Rodrigues, Assistant City Attorney Tarquin Preziosi, Principal Planner Phayvanh Nanthavongdouangsy, Senior Planner Michelle Hallagan, City Engineer Seung Yang and Recording Secretary Anna Partida

ANNOUNCEMENTS AND PRESENTATIONS:

None.

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA:

Ida Wolf expressed her concerns and opposition to the proposed housing project to be built in the senior center parking lot.

Jay Humphrey expressed his concerns for the number of Cannabis store fronts opening under Conditional Use Permits.

PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:

Commissioner Vivar thanked the public for their attendance.

Vice Chair Toler thanked the public for their attendance. He commented on a recent event he attended with Orange County Strong Towns. He encouraged the public to research Strong Towns mission and to get involved.

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CONSENT CALENDAR:

No member of the public nor Commissioner requested to pull a Consent Calendar item.

1. APPROVAL OF MEETING MINUTES: FEBRUARY 26, 2024

MOVED/SECOND: Vivar/Ereth

MOTION: Approve recommended action for Consent Calendar Item No. 1.

The motion carried by the following roll call vote:

Ayes: Ereth, Toler, Andrade, Rojas, Vivar

Nays: None

Absent: Klepack, Zich

Abstained: None

Motion carried: 5-0-2

ACTION: Planning Commission approved the minutes of the regular meeting of February 26, 2024.

PUBLIC HEARINGS:

1. PLANNING APPLICATION 22-08 FOR A RETAIL CANNABIS STOREFRONT BUSINESS WITH DELIVERY LOCATED AT 2490 NEWPORT BOULEVARD (NEWPORT WELLNESS)

Project Description: Planning Application 22-08 is a request for a Conditional Use Permit to allow an approximate 2,000-square-foot retail cannabis storefront use with delivery in an existing single-story commercial building located at 2490 Newport Boulevard.

Environmental Determination: The project is exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 (Class 1), Existing Facilities.

The following two ex-parte Planning Commission communications were reported:

Commissioner Vivar spoke on the phone with Kate Klimow.

Chair Ereth spoke on the phone with Kate Klimow. and spoke with Attorney Alexander Haberbusch who is representing some Eastside Costa Mesa residents.

Michelle Halligan, Senior Planner, presented the staff report.

The Commission asked questions of staff including discussion of number of units on the property, proposed trash enclosure, security lighting impacts on nearby

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vacant or occupied residential units, light shielding and light fixtures, type of fence proposed to be built, existing businesses, overnight security guards, proximity to other approved cannabis applications, neighborhood compatibility, and employee parking requirements.

The Chair opened the Public Hearing.

Sean Maddocks, applicant's representative, stated he had read and agreed to the conditions of approval.

The Commission asked questions of the applicant including discussion of community outreach, unhoused individuals in the surrounding area, reason for holding community outreach meeting in January, and current tenants onsite.

The Chair opened Public Comments.

Speaker one spoke in opposition of the item.

Robert White spoke in opposition to the item.

Speaker three spoke in opposition of the item.

Speaker four spoke in opposition of the item.

Alexander Haberbush spoke in opposition to the item.

The Chair closed Public Comments.

The Commission asked additional questions of applicant and staff regarding property owners' decision to lease to a cannabis business, whom the community can contact for more information, reduced hours of operation, disadvantages of reducing operation hours are reduced, if there are sensitive uses located nearby, and for staff to elaborate on the pending Cannabis Ordinance update.

The Chair closed the Public Hearing.

The Commission deliberation included the number of cannabis storefronts already approved, the proposed cannabis ordinance changes, community concerns, neighboring residential uses, adequate security lighting and if it impacts the neighboring residents, positive and negative impacts on the community, General Plan, compliance findings, and codes the Commission must abide by.

Commissioner Vivar made a motion to Deny Planning Application 22-08. Seconded by Commissioner Andrade.

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The Commission discussed the motion including that the proposed development may not be compatible with residential units on the property and nearby, the potential negative impacts on the neighborhood, and that maintenance of the property should be done by the property owner.

Vice Chair Toler made a substitute motion to approve Planning Application 22-08. Seconded by Commissioner Rojas.

The Commission discussed the motion and added conditions to have the applicant come back to the Planning Commission if the 24-hour security condition is revised, and to require a parking attendant for three months and then after the three months, the staff will decide if the parking attendant will continue.

MOVED/SECOND: Toler/Rojas

MOTION: Approve staff's recommendation.

The motion carried by the following roll call vote:

Ayes: Ereth, Toler, Rojas

Nays: Andrade, Vivar

Absent: Klepack, Zich

Abstain: None

Motion carried: 3-2-2

ACTION: The Planning Commission adopted a resolution to:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 (Class 1) Existing Facilities; and
2. Approve Planning Application 22-08 subject to the conditions of approval as contained in the Resolution.

RESOLUTION PC-2024-09 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING PLANNING APPLICATION 22-08 FOR A STOREFRONT RETAIL CANNABIS BUSINESS WITH DELIVERY (NEWPORT WELLNESS) IN THE C1 ZONE AT 2490 NEWPORT BOULEVARD

The Chair explained the appeal process.

OLD BUSINESS:

None.

NEW BUSINESS:

1. FAIRVIEW DEVELOPMENTAL CENTER PROJECT UPDATE

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Cecilia Gallardo-Daly, Assistant City Manager, Phayvanh Nanthavongdouangsy, Principal Planner, Karen Gulley and Suzanne Schwab from Placeworks, the City's Consultant team presented the staff report.

The Commission, Staff and Consultants discussed if there was a possible opportunity to increase the affordability percentage, feedback received by the public, community members asking for an advisory committee to be formed, state funding, project milestones, adding a bus stop, improvements to the ingress and egress of the site, pedestrian/transit compatibility, adding a community garden, adding a park with play structure, elimination of the helipad, possibility of a land swap to provide better access to the neighborhoods, existing utility services onsite, possible barriers that would hinder development, housing needs within the City and how that information is reflected in the draft report, community outreach events, and upcoming Joint Study Session with City Council.

The Chair opened Public Comments.

Speaker one expressed his support for a land swap.

Jay Humphrey spoke on his support for a land swap. He spoke about density, development, and expressed his concerns about not gathering enough information from the public. He expressed his desire to see an advisory committee formed.

Richard Huffman expressed his opinion on the public outreach thus far and requested that an advisory committee be established.

Cynthia McDonald expressed her opinion on public outreach. She asked for more transparency in all matters relating to this item. She voiced her support for a land swap.

The Chair closed Public Comments.

The Commission, staff and consultant discussed the redundancy of forming an advisory committee, open space, density, stormwater infrastructure, car dependency, shared parking, greenbelt extending from the back bay, ingress, and egress.

Chair Ereth made a motion to receive and file. Seconded by Commissioner Rojas.

MOVED/SECOND: Ereth/Rojas

MOTION: To Receive and File.

The motion carried by the following roll call vote:

Ayes: Ereth, Andrade Toler, Rojas, Vivar

Nays: None

Absent: Klepack, Zich

Abstain: None

Motion carried: 5-0-2

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DEPARTMENTAL REPORTS:

1. Public Works Report – None.
2. Development Services Report – None.

CITY ATTORNEY’S OFFICE REPORT:

1. City Attorney – None.

ADJOURNMENT AT 9:55 PM

Submitted by:

SCOTT DRAPKIN, SECRETARY
COSTA MESA PLANNING COMMISSION

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**MEETING MINUTES OF THE CITY OF
COSTA MESA PLANNING COMMISSION**

April 8, 2024

CALL TO ORDER

Vice Chair Toler called the meeting to order at 6:02 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG

Vice Chair Toler led the Pledge of Allegiance.

ROLL CALL

Present: Vice Chair Russell Toler, Commissioner Angely Andrade, Commissioner Karen Klepack, Commissioner Jonny Rojas, Commissioner Vivar, Commissioner Jon Zich

Absent: Chair Adam Ereth

Officials Present: Assistant Director of Development Services Scott Drapkin, Planning and Sustainable Development Manager Bill Rodrigues, Assistant City Attorney Tarquin Preziosi, Principal Planner Phayvanh Nanthavongdouangsy, Assistant Planner Caitlyn Curley, City Engineer Seung Yang and Recording Secretary Anna Partida

ANNOUNCEMENTS AND PRESENTATIONS:

1. RECOGNITION OF COMMISSIONER VIVAR'S SERVICE ON THE PLANNING COMMISSION.

Vice Chair Toler read and presented a proclamation commending Commissioner Vivar for his years of service on the Planning Commission.

Vice Chair Toler reordered the agenda to allow commissioner comments before public comment.

PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:

Vice Chair Toler thanked Commissioner Vivar for his time on the Planning Commission.

Commissioner Klepack thanked Commissioner Vivar for his service on the Planning Commission.

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Commissioner Andrade thanked Commissioner Vivar for his time on the planning commission and stated that he would be missed.

Commissioner Zich thanked Commissioner Vivar for his service and stated he will be missed.

Commissioner Rojas stated Commissioner Vivar will be missed and thanked him for his service.

Commissioner Vivar thanked the public, announced his recent marriage, thanked his family, his fellow Planning Commissioners, the City Council, and City Staff. He spoke about his time on the Planning Commission and his impact on the City.

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA:

Shirley McDaniels spoke against the Jamboree Housing Project located at the Senior Center site.

Ralph Taboada thanked Commissioner Vivar for his service on the Planning Commission and for his service on the Active Transportation Committee.

Speaker Three spoke against the Jamboree Housing Project located at the Senior Center site.

Hank Castinetti thanked Commissioner Vivar for his service on the Planning Commission.

CONSENT CALENDAR:

No member of the public nor Commissioner requested to pull a Consent Calendar item.

1. APPROVAL OF MEETING MINUTES: MARCH 11, 2024

MOVED/SECOND: Toler/Rojas

MOTION: Approve recommended action for Consent Calendar Item No. 1.

The motion carried by the following roll call vote:

Ayes: Toler, Andrade, Rojas, Klepack, Vivar, Zich

Nays: None

Absent: Ereth

Abstain: None

Motion carried: 6-0-1

ACTION: Planning Commission approved the minutes of the regular meeting of the March 11, 2024.

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PUBLIC HEARINGS:

None.

OLD BUSINESS:

None.

NEW BUSINESS:**1. 2023 ANNUAL REVIEW OF THE COSTA MESA 2015-2035 GENERAL PLAN**

Phayvanh Nanthavongdouangsy, Principal Planner, presented the staff report.

Commission questions of staff included the pace of development activity, Jamboree Housing Project, future funding resources for Project Home Key, tenant protection program, tentative date for the City Council's consideration of the Pedestrian Master Plan (PMP), specific grants available due to Pedestrian Master Plan, Accessory Dwelling Units (ADU) affordability determination, how the term orderly growth is defined, parking requirement revision, and Rezoning to accommodate the City's Regional Housing Needs Allocation (RHNA) numbers.

Vice Chair Toler opened Public Comments.

Speaker One spoke against the Jamboree Housing project proposed to be built in the senior center parking lot due to the potential loss of parking.

Vice Chair Toler closed Public Comments.

Commissioner Vivar made a motion. Seconded by Commissioner Klepack.

The Commission discussed the motion, including the amount of good work the Economic and Development Services Department has completed, the consistency of the city's actions relative to its goals and objectives.

MOVED/SECOND: Vivar/Klepack

MOTION: Approve staff's recommendation.

The motion carried by the following roll call vote:

Ayes: Toler, Andrade, Rojas, Klepack, Vivar, Zich

Nays: None

Absent: Ereth

Abstain: None

Motion carried: 6-0-1

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ACTION: The Planning Commission recommended that the General Plan Annual Progress Report be sent to and approved by the City Council for submittal to both the State of California's Office of Planning and Research (OPR) and Department of Housing and Community Development (HCD).

DEPARTMENTAL REPORTS:

1. Public Works Report – Mr. Yang thanked Commissioner Vivar for his service on the Planning Commission.
2. Development Services Report – Mr. Drapkin thanked Commissioner Vivar for his service on the Planning Commission.

CITY ATTORNEY'S OFFICE REPORT:

1. City Attorney – Mr. Preziosi thanked Commissioner Vivar for his service on the Planning Commission and congratulated him on his recent marriage.

ADJOURNMENT AT 7:28 PM

Submitted by:

SCOTT DRAPKIN, SECRETARY
COSTA MESA PLANNING COMMISSION



CITY OF COSTA MESA

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 24-208

Meeting Date: 5/13/2024

TITLE:

DESIGN REVIEW PDES-24-0001 AND TENTATIVE PARCEL MAP 2023-187 FOR A TWO-UNIT RESIDENTIAL SMALL LOT SUBDIVISION DEVELOPMENT AT 1022 WEST WILSON STREET

DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT/ PLANNING DIVISION

PRESENTED BY: JEFFREY RIMANDO, ASSISTANT PLANNER

CONTACT INFORMATION: JEFFREY RIMANDO 714-754-5012
Jeffrey.Rimando@costamesaca.gov

RECOMMENDATION:

Staff recommends the Planning Commission adopt a Resolution to:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15315 (Class 15) Minor Division of Land, and Section 15303 (Class 3) New Construction or Conversion of Small Structures; and
2. Approve Design Review PDES-24-0001 and Parcel Map PTPM-24-0001 (Tentative Parcel Map 2023-187), based on findings of fact and subject to conditions of approval.



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: May 13, 2024

ITEM NUMBER: PH-1

SUBJECT: DESIGN REVIEW PDES-24-0001 AND TENTATIVE PARCEL MAP 2023-187 FOR A TWO-UNIT RESIDENTIAL SMALL LOT SUBDIVISION DEVELOPMENT AT 1022 WEST WILSON STREET

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

PRESENTATION BY: JEFFREY RIMANDO, ASSISTANT PLANNER

**FOR FURTHER INFORMATION CONTACT: JEFFREY RIMANDO
714-754-5012
Jeffrey.Rimando@costamesaca.gov**

RECOMMENDATION

Staff recommends the Planning Commission adopt a Resolution to:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15315 (Class 15) Minor Division of Land, and Section 15303 (Class 3) New Construction or Conversion of Small Structures; and
2. Approve Design Review PDES-24-0001 and Parcel Map PTPM-24-0001 (Tentative Parcel Map 2023-187), based on findings of fact and subject to conditions of approval.

APPLICANT OR AUTHORIZED AGENT

The authorized agent and property owner is Grant Bixby of 1022 W Wilson LLC.

PLANNING APPLICATION SUMMARY

Location:	1022 West Wilson Street	Application Numbers:	PDES-24-0001, PTPM-24-0001 (TPM 2023-187)
Request:	Design Review and Tentative Parcel Map for a residential small lot subdivision project consisting of two, two-story, detached single family dwelling units with attached two-car garages. Although included on the plans, detached accessory dwelling units (ADUs) would be added to the project site under separate permit at a future date.		

SUBJECT PROPERTY:

SURROUNDING PROPERTY:

Zone:	R2-MD (Multiple-Family Residential, Medium Density)	North:	R2-MD
General Plan:	Medium Density Residential	South:	R2-MD
Lot Dimensions:	106 FT x 102 FT	East:	R2-MD
Lot Area:	10,817 SF	West:	R2-MD
Existing Development:	Existing single-family dwelling (to be demolished).		

DEVELOPMENT STANDARDS COMPARISON

Development Standard	Small Lot Standards	Proposed/Provided
Lot Size		
Lot Width	N/A	Approx. 106 feet
Lot Area	N/A	Parcel 1: 5,502 square feet Parcel 2: 5,315 square feet
Density/Intensity		
DUs / AC (Residential)	1 DU/ 3,630 SF of Lot Area, 2 units maximum allowed	1 DU/min. 5,000 SF lot with 1 unit on each lot; 2 units total ¹
Building Height		
	2 stories / 27 FT	2 stories / 25 FT 9 IN
Building Coverage		
Building Footprint	N/A	5,096 SF
Driveways and Parking	N/A	800 SF
Overall Open Space	35% of development area	4,958 SF (45.8%)
Private Open Space	200 SF / Min. 10 FT	Unit 1: 933 SF / Min. 10 FT Unit 2: 903 SF / Min. 10 FT
Residential Design Guidelines		
2 nd floor to 1 st floor ratio	Maximum 100%	Unit 1: 71% Unit 2: 71%
Development Lot Building Setbacks		
Front	20 FT	20 FT
Side (left / right)	5 FT / 5 FT	10 FT / 5 FT
Rear	Main Buildings – 15 FT ADUs – 4 FT	Main Buildings – 34 FT ADUs – 4 FT
Distance Between Main Buildings	6 FT	6 FT min.
Roof or Eaves Overhang Projections	2 FT 6 IN (Side) 5 FT (Front/Rear)	1 FT(Right Side) 4 FT / 1 FT
Parking		
Garage	2-car garage per unit	2-car garage/unit (4 spaces)
Open	2 spaces per unit	2 spaces/unit (4 spaces)
TOTAL:	8 spaces	8 spaces
CEQA Status	Exempt per CEQA Guidelines Section 15315 (Minor Division of Land) and Section 15303 (New Construction or Conversion of Small Structures)	
Final Action	Planning Commission	

¹ Pursuant to California Government Code Section 65852.2(a)(C), ADUs do not count toward density.

BACKGROUND

The subject property is a 10,817-square-foot lot that is located on the southwest side of Rochester Street, between Newport Boulevard and Orange Avenue. The property is zoned Multi-Family Residential District, Medium Density (R2-MD) and has a General Plan land use designation of Medium Density Residential. The project site is currently developed with a single-family dwelling that was originally constructed in 1949 (see the below Exhibit 1). The surrounding neighborhood contains a mixture of single-family and multi-family residential units.

Exhibit 1 – Existing Property Street View

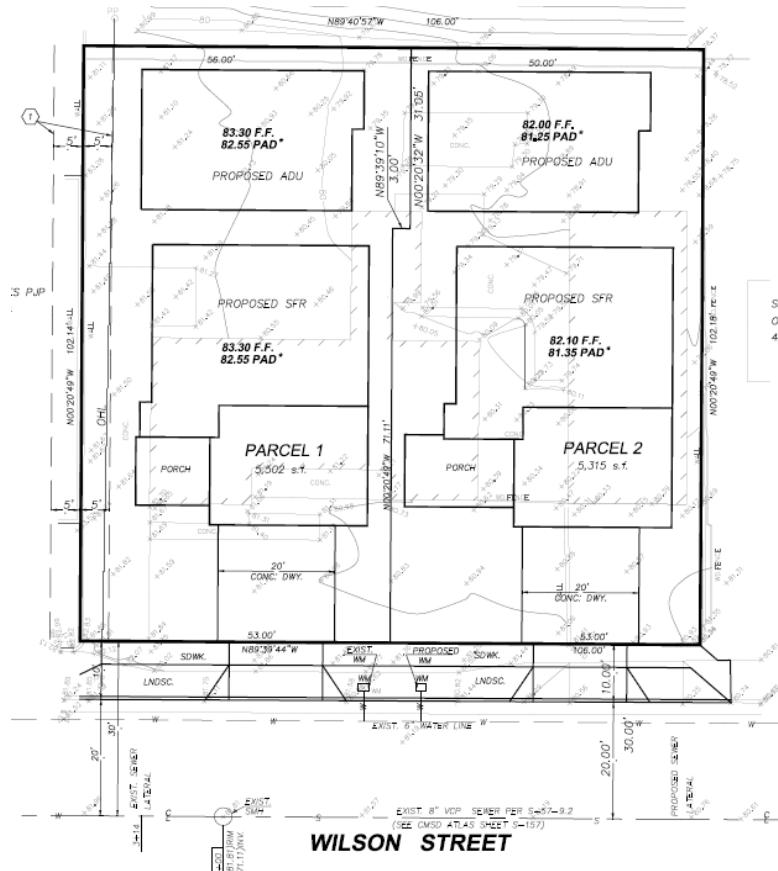


DESCRIPTION

The project includes a request for approval of a Design Review Planning Application (PDES-24-0001) and a Tentative Parcel Map 2023-187 (Application Number PTPM-24-0001). Approval of the applications would allow the demolition of the existing single-family dwelling for the subdivision of the property into two lots for the construction of two new single-family dwelling units (one unit on each lot). Subject to a separate permit, the applicant would also construct a detached accessory dwelling unit (ADU) in the rear yard of each parcel (two ADUs total).

Section 13-42.2 of the Costa Mesa Municipal Code (CMMC) requires that residential small lot subdivisions be processed through a “Design Review” application in addition to a tentative parcel map. The final review authority for the project is the Planning Commission.

Exhibit 2 – Parcel Map Site Plan



ANALYSIS

Residential Small Lot Subdivision

Pursuant to CMMC Section 13-42.1, a residential small lot subdivision is allowed in multi-family residential districts, and is intended to provide flexible development standards to promote a wider range of homeownership opportunities in the City. Pursuant to CMMC, small lot subdivisions shall be processed according to the City's "Design Review" and State Subdivision Map Act procedures.

The CMMC requires that the maximum density of a small lot subdivision is the same as the underlying zoning district (R2-MD Multiple-Family Residential, Medium Density District) and required development standards are specified pursuant to CMMC Section 13-42.3(b)(1-6). The R2-MD Multiple-Family Residential District, Medium Density is intended to promote the development of multi-family rental as well as ownership dwelling units. The maximum density allowed is one unit for every 3,630 square feet of lot area, which equals 12 dwelling units per gross acre. A comparison of the Small Lot Subdivision standards and the proposed project is provided above in the "Development Standards Comparison" table. As indicated in this table, the project is designed in compliance with the City's Residential Small Lot Subdivision development standards, which allows for one unit on each of the proposed lots.

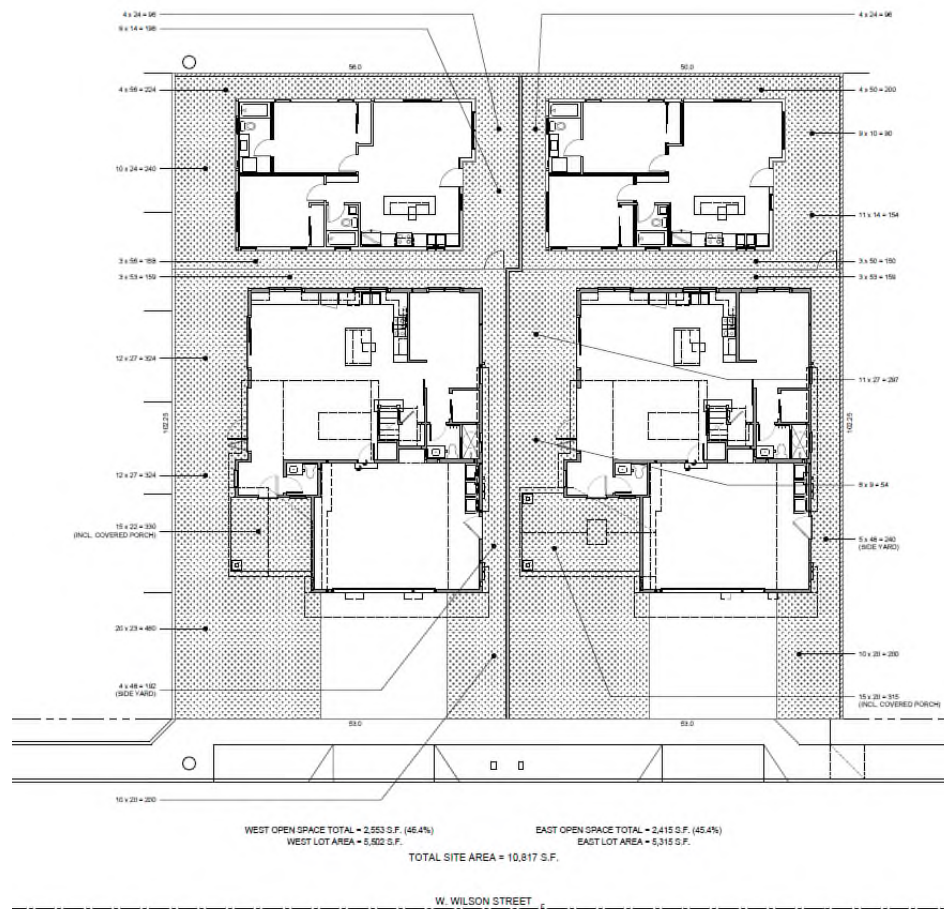
The proposed project consists of two, two-story single-family dwelling units with attached garages. The property is proposed to be subdivided to allow for individual ownership of the units. Each unit is separated by a minimum of 7' - 0", which exceeds the minimum standard of six feet. Table 1 below provides a summary description of each proposed unit.

Table 1: Unit Characteristics

	1 st Floor Area (including Garage)	2 nd Floor Area (including balconies)	2 nd Floor: 1 st Floor Ratio	Bedroom Count	Bathrooms (Full/Half)	Parking Spaces (Garage/Open)	Lot Area
West Home	1,664 SF	1,182 SF	0.71	4	3 Full	2/2	5,502 SF
East Home	1,664 SF	1,182 SF	0.71	4	3 Full	2/2	5,315 SF

The CMMC requires that each unit be provided a minimum of 200 square feet of open space with no dimension being smaller than 10 feet. The units are proposed to be constructed to comply with the CMMC required private open space (see the below Exhibit 3). Each unit is proposed to provide adequate space for three trash containers within the proposed garages and would not encumber required parking spaces.

Exhibit 3 – Open Space Plan



Additionally, the City's Residential Small Lot Subdivision Ordinance (pursuant to CMMC Section 13-42.3) also requires the following, which Staff is recommending as Conditions of Approval Nos. 17, 18 and 19:

1. **Common Space Care and Maintenance.** The developer of the project shall submit certain documents, such as a plan or manner of permanent care and maintenance of any project open spaces, recreational areas and commonly used areas/facilities, for review by the Planning Division and the City Attorney's Office as applicable;
2. **Buyer Disclosure.** The developer shall disclose general and specific information to buyers of issues regarding the property and its surroundings; and
3. **CC&Rs.** The developer shall provide a declaration of covenants that includes a homeowners association (HOA) or other maintenance association that requires membership of each new and successive property owner(s), provisions to manage parking, and that garages be kept available (clear) for resident parking.

Lastly, the State's Housing Accountability Act (Government Code Section 65589.5) applies to this project and generally requires that cities approve housing projects that are consistent with the General Plan and zoning, unless the City can make specific State mandated findings for denial (further discussed in the Alternatives section of this report). In this case, staff is recommending approval of the subject application.

Parking and Circulation

Each unit is proposed to include an attached two-car garage and two open parking spaces which is required specifically by the City's Small Lot Subdivision Standards (see the below Table 2). All open parking spaces are located directly adjacent to the proposed garages and are surrounded by landscaped areas.

Table 2 - Parking Requirements

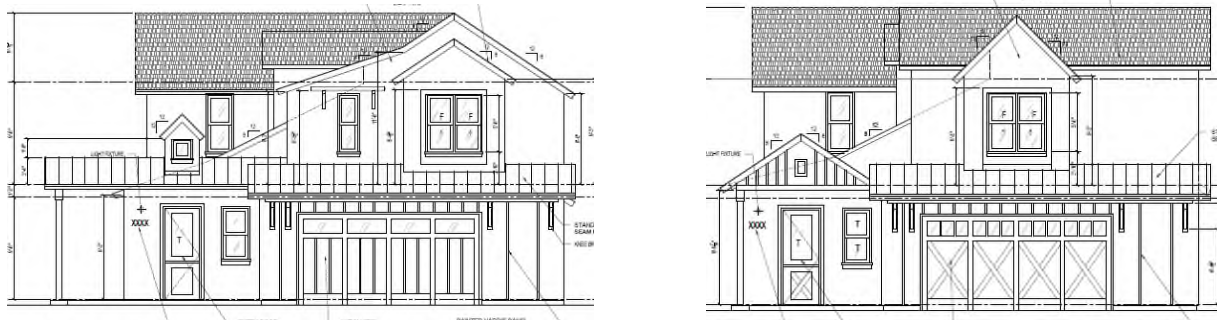
	Requirement	Proposed
Garage Parking Spaces	4 spaces (2 per unit)	4 spaces
Open Parking	2 spaces (2 per unit for three or more bedroom units)	4 spaces

The project complies with the minimum small lot subdivision driveway standards, including driveway length and width. In addition, the CMMC requires that all parking and driveways consist of decorative concrete, pavers, or other material subject to review by the Development Services Director. Condition of Approval (COA) No. 16 is included to ensure driveway material compliance, to be approved prior to issuance of a building permit. Pursuant to CMMC Section 13.42.3(b)(3)(a), each parcel is provided adequate driveway and walkways that are connected to the public sidewalk.

Residential Design Guidelines

The proposed small lot residential project has been designed with modern farmhouse design features (see the below Exhibit 4).

Exhibit 4 – Front Building Elevations



Small lot Subdivision are subject to the City's Design Review Procedures which requires compliance with the City's Residential Design Guidelines. The proposed design meets the intent of the City's Residential Design Guidelines as follows:

- **Second-Story Design and Building Mass:** Each of the houses have been designed with articulation and off-sets on the various elevations to avoid boxy appearances. The elevations for the proposed homes include multiple building planes and varied roof forms including multi-faced gables. The elevations also include varied facades and articulations with stucco plaster and vertical siding.
- **Second Story Setbacks:** According to the Residential Design Guidelines, the project is exempt from the required 10-foot average side yard setback because the units being constructed are less than 2,700 square feet of living space. The proposed units are 2,266 square feet each and the proposed second story setbacks along the right (west) and left (east) side property line is a minimum of five feet. Therefore, the project complies with the second-story setback requirements.
- **Elevation Treatments:** All units feature a variety of projections and feature articulation on each wall plan, varying roof types and materials. Building materials include stucco plaster and vertical siding and shingle and standing seam metal roofing.
- **Window Placement:** Consideration for design and privacy has been provided in locating the windows on the property. The provided "line of sight study" (Plan A-7.0) demonstrates that first story windows are located to eliminate any direct views into neighboring units. In addition, a six-foot block wall is proposed to be constructed on the property line between the neighboring properties, which would further eliminate any privacy impacts for the existing neighboring properties. Second-story windows facing west and east are located without direct views into the neighboring properties.

- **Consistency in Architectural Design:** The proposed design includes modern farmhouse features with materials and finishes that remain durable and require minimal maintenance. In addition, each façade features a variety of overhangs, materials, and roof forms, which provides visual interest and façade articulation.

The immediately surrounding neighborhood features a diverse collection of architectural styles including other residences with modern and eclectic influences, and residences with craftsman features, cape cod eclectic styles and traditional styles (see the below Exhibit 5).

Exhibit 5 – Neighboring Property Street View Examples



Fences and Walls

Pursuant to CMMC Section 13-75, the project includes a six-foot high block wall around the perimeter of the proposed development lot between the existing developments to the east, west and south. Within the required front setback area, the block wall will be reduced to a maximum height of three feet in the southern portion of the lot and 2' – 6" in the northern portion of the lot. The final design of the fences and walls will be reviewed as part of the building permit submittal. Any future modifications to fencing will be subject to review

and approval of the Planning Division and may require building permits to be issued prior to installation. The heights and locations of walls and fences shall comply with the CMMC requirements as well as applicable visibility standards for traffic safety.

Landscaping

CMMC Section 13-106 requires that all landscape areas consist of drought tolerant plant material and shall meet the minimum number of plants types based on the total landscape square footage. The project proposes a total of 1,639 square feet of landscaping with a mixture of usable and decorative landscaping. The number of plants proposed is provided in Table 2 below.

Table 2: Landscaping Requirements

	Requirement	Proposed
Tree Count	9 (one 15-gallon tree or larger per 200 square feet of landscape area)	12
Shrub Count	66 (one shrub for every 25 square feet of landscape area)	218
Groundcover coverage	70% with the remaining area to incorporate uncontaminated compost/mulch	71%

As part of the building permit plan check review, landscape plans shall be prepared and certified by a California licensed landscape architect confirming that they comply with the CMMC and water efficiency landscape guidelines (see Exhibits 6 and 7 which shows the proposed landscape plans for Parcel 1 and Parcel 2).

Exhibit 6 – Landscape Plans for Parcel 1

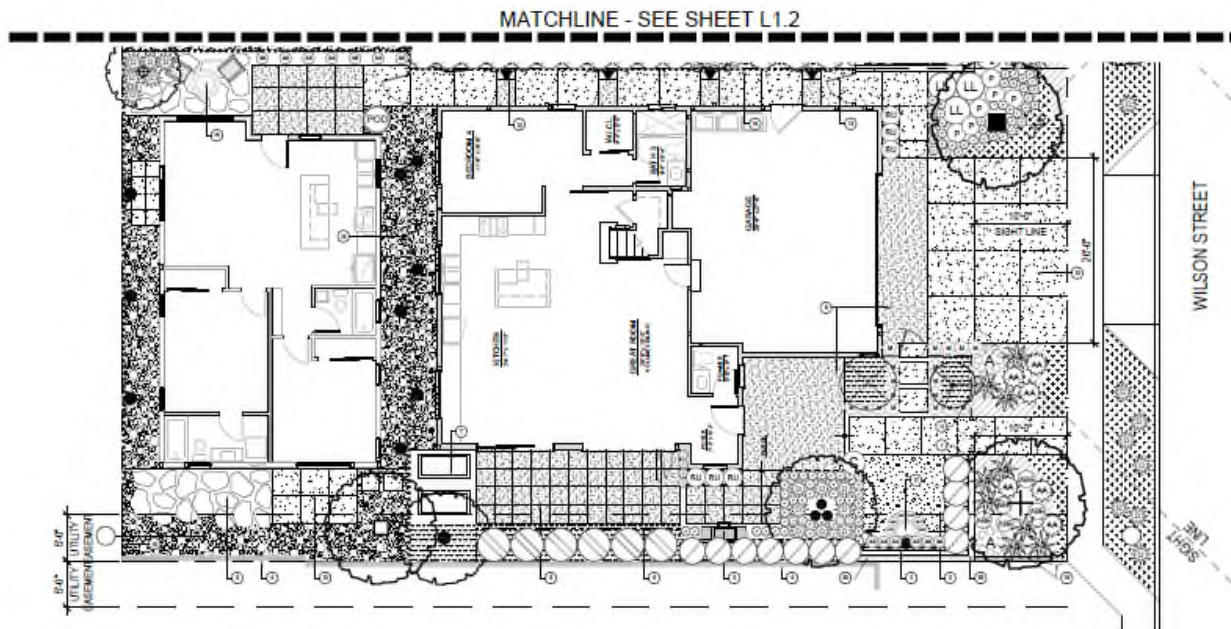
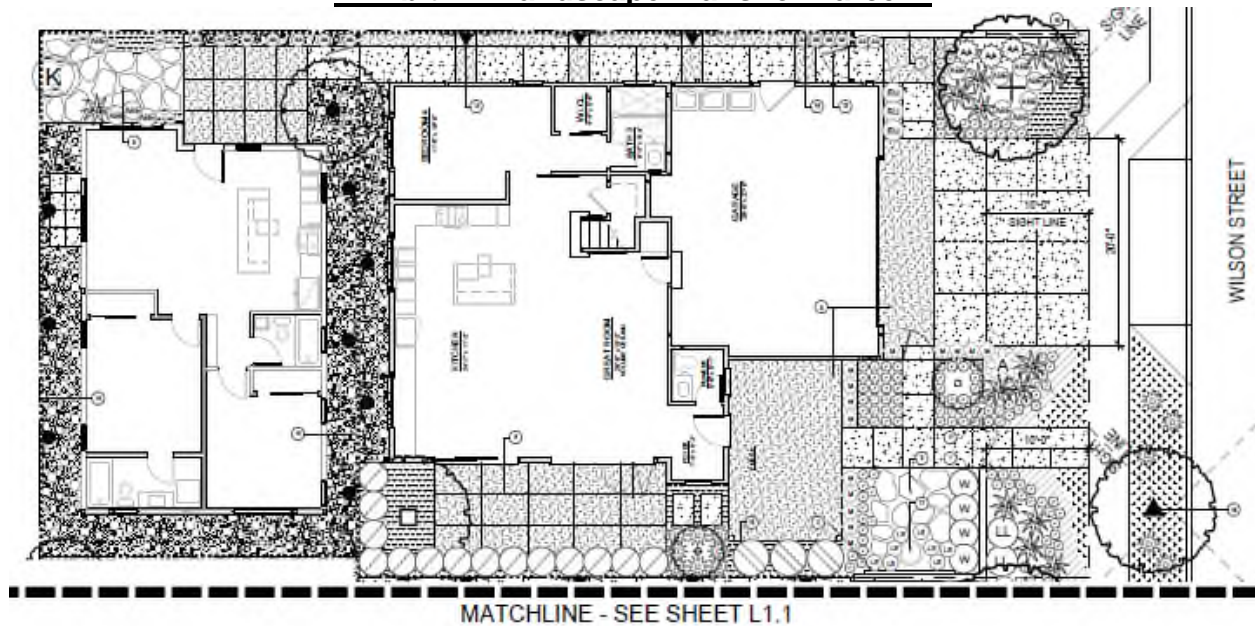


Exhibit 7 – Landscape Plans for Parcel 2



Lighting is also required to be provided in all parking areas, vehicular access areas, and on major walkways. The project is conditioned to have the applicant submit lighting plans with the building permit plan set.

Utilities

The CMMC requires that new construction provide undergrounding of all utilities on site, including existing utility poles. As required, all new utilities will be installed underground and that if any existing utilities are on site, they will also need to be undergrounded. Currently, utility poles are located along the public right-of-way; however, COA No. 13 requires that any new backflow preventers or related equipment be installed outside of the front landscape setback and be screened from view from any location on- or off-site. As required by the CMMC, all utility meters shall be screened from view from the public right of way and neighboring properties. COA No. 28, specifies that prior to building permit approval, the applicant shall submit for approval of a comprehensive utilities plan to ensure that the water and sewer mains are adequate, and utility upgrades will be required if the existing infrastructure is not adequate. The plan will be reviewed by both the City's Building Division and Public Works Department. Existing sidewalk is located along Wilson Street at this location and the application plans show that a new four-foot sidewalk will be installed with the site developments.

Accessory Dwelling Units

Each property would feature an approximate 884 square-foot ADU, with two bedrooms. Pursuant to CMMC Section 13-35(d)(1), any application for an ADU that meets the requirements of the ADU Ordinance shall be approved without a public hearing. The ADUs are shown on the plans for reference purposes only and would be reviewed separately as

a ministerial issuance of building permits. Pursuant to CMMC Section 13-35(b)(4)(a), single-family dwelling properties are eligible to construct up to one detached ADU on each parcel with new development. The proposed ADUs comply with all requirements of the ADU Ordinance including setbacks, unit size, number of units, and height.

Tentative Parcel Map 2023-187

The proposed tentative parcel map would subdivide a 10,817-square-foot parcel into two parcels of 5,502 square feet and 5,315 square feet respectively, which complies with the R2-MD Multiple-Family Residential, Medium Density District maximum density of one unit per 3,630 square feet of lot area. The newly created parcels would be generally rectangular in shape and are configured side-by-side with individual driveway aprons providing access from Wilson Street to each parcel. A five-foot wide utility easement is provided along the left-hand side of the west parcel.

As indicated in the Justifications for Approval below, the project complies with all required findings to approve the Tentative Parcel Map pursuant to CMMC 13-29(g)(13) (Tentative parcel or tract map findings). In addition, pursuant to Section 66474 of the California Subdivision Map Act, a parcel map must be denied if one or more findings are made:

1. *“That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451;*
2. *That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans;*
3. *That the site is not physically suitable for the type of development;*
4. *That the site is not physically suitable for the proposed density of development;*
5. *That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;*
6. *That the design of the subdivision or type of improvements is likely to cause serious public health problems; and*
7. *That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.”*

After careful consideration of the proposed development, staff believes that none of the above findings for denial can be made, as indicated further in the “Findings” section of this report. Therefore, staff supports the subdivision.

GENERAL PLAN CONFORMANCE

The proposed small lot residential development of two detached single-family dwelling units is consistent with the maximum allowable density of one dwelling unit per 3,630 square feet for the R2-MD zone and is consistent with the maximum density allowed for the Medium Density Residential General Plan land use designation, which is 12 dwelling units per acre. The following analysis further evaluates the proposed project’s consistency with specific policies and objectives of the 2015-2035 General Plan.

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

Consistency: The project is an infill residential project within the allowable density for the Medium Density Residential General Plan land use designation. Adequate infrastructure exists to serve the proposed project including water, electricity, gas, and sewer services. Therefore, the project is consistent with the General Plan objective. In addition, the project complies with the City’s Residential Design Guidelines, and CMMC Design Review/Residential Small Lot Subdivision standards.

2. **Policy LU-1.3:** *Strongly encourage the development of residential uses and owner-occupied housing (single-family detached residences, condominiums, townhouses) where feasible to improve the balance between rental and ownership housing ownership opportunities.*

Consistency: The project consists of demolishing one single-family residential ownership unit and constructing two detached, single-family residential ownership units on individually-owned lots. Because the project consists of a parcel map that creates an opportunity for an additional ownership housing unit, the project complies with Policy LU-1.3.

3. **Objective LU-2A:** *Promote land use patterns and development that contribute to community and neighborhood identity.*

Consistency: The project would redevelop a residential property that contains one unit built in 1949. The proposed project would construct two units with high quality designs and landscaping. The front unit is oriented toward the street and features a Juliette balcony and entry porch area facing the public right of way to improve the streetscape and overall neighborhood pedestrian scale. As a result, the project complies with the Objective.

4. **Policy HOU-3.4:** *Consider the potential impact of new housing opportunities and their impacts on existing residential neighborhoods when reviewing development applications affecting residential properties.*

Consistency: The project would be located in an established residential neighborhood, would increase the total number of housing units by one and increase the total opportunities for individual housing ownership in the City. The project would not negatively affect surrounding residential properties as privacy impacts have been considered in the development of the project and the proposed development will improve streetscape aesthetics.

FINDINGS

Pursuant to Title 13, Section 13-29(g)(13) and (14), Findings for Tentative Parcel Maps and Design Review, of the CMMC, in order to approve the project, the Planning Commission must find that the evidence presented in the administrative record substantially meets the following applicable required findings:

Tentative Parcel Map Findings – CMMC Section 13-29(g)(13)

- *The creation of the subdivision and related improvements is consistent with the general plan, any applicable specific plan, and the Zoning Code.*

The proposed parcel map is consistent with General Plan Land Use Objectives LU-1A, LU-2A, and Policy LU-1.3, in that adequate infrastructure exists to serve the proposed project; the subdivision allows for a project that would promote homeownership opportunities and improve the balance between rental and ownership housing in the City; the parcel map would allow for redevelopment of an existing parcel; and improve and maintain quality of environment and the neighborhood by improved architecture, aesthetics, and landscaping. The parcel map would allow for a new residential project that would not exceed the maximum allowable density of 12 units per acre and, therefore, would be consistent with the General Plan land use designation of Medium Density Residential and the R2-MD zone that allows for one unit per 3,630 square feet of lot area. The project design would also comply with all other development standards for a residential small lot subdivision. Lastly, the project would provide an additional housing unit consistent with satisfying the City's required Regional Housing Needs Assessment (RHNA).

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

The subject property has a General Plan land use designation of Medium Density Residential, which allows multi-family residential uses at a maximum of 12 dwelling units per acre. The Tentative Parcel Map proposes a residential use that does not exceed the maximum density allowed per the General Plan and therefore, the proposed use is compatible with the General Plan.

- 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.

The existing property is already developed for residential purposes. The property is flat, located within an established residential neighborhood and suitable to accommodate two residential units. The size of the lot is also suitable since the proposed development meets all applicable development standards including, setbacks, parking, and open space. The parcel map proposes to subdivide a parcel into two lots that does not exceed the minimum R2-MD maximum density of one dwelling unit for 3,630 of lot area. Adequate infrastructure exists to serve the proposed project and the project will not result in the loss of any habitat, result in a negative impact on the environment as a whole or require extensive infrastructure improvements to provide service to the site.

- 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.

The project would meet the applicable small lot development standards including minimum open space. The project provides 45.8 percent open space for the overall development and each unit will have over 200 square feet of private open space area. The open space will accommodate landscaping that can be provided throughout the site with adequate setbacks for airflow. The project is proposed to include operable windows and will be fully insulated as required by the building code.

- The division and development 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.

The project has been reviewed by the Public Works Department and there are no conflicts with the City's or other utility agencies' rights-of-way or easements.

- The discharge of sewage from this land division into the public sewer system will not violate the requirements of the State Regional Water Quality Control Board pursuant to Division 7 (commencing with State Water Code section 13000).

The lot has been previously graded and contains connections to the public sewer system for the existing onsite residential unit. The parcel map would allow for a residential project that would not include physical changes to the lot that would result in discharge into the public sewer system in violation of State requirements. Furthermore, the applicant will be required to comply with the regulations set forth by the Costa Mesa Sanitation District and Mesa Water District. Compliance with the Costa Mesa Sanitation District and Mesa Water District involves the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) for

construction-related activities, which will specify the Best Management Practices (BMPs) that the project will be required to implement during construction activities to ensure that all potential pollutants of concern (including sediment) are prevented, minimized, and/or otherwise appropriately treated prior to being discharged from the subject property.

Design Review Findings – CMMC Section 13-29(g)(14)

- *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.*

The project proposes a maximum density of one dwelling unit per 3,630 square feet of lot area, which is consistent with the maximum allowable density for the R2-MD zone and the Medium Density Residential General Plan land use designation. The project complies with all other applicable Zoning Code standards including setbacks, parking, and open space. The project design incorporates elevations with varied roof forms, articulation of roof forms, and projections including eaves and overhangs in order to provide visual interest from the street. The exterior materials include a combination of primarily stucco and vertical siding as an accent. The landscaping throughout the project provides larger and more trees than required by the Municipal Code. To avoid a boxy two-story appearance, articulation is provided by varying roof forms, wall planes, and exterior materials. The project will not result in privacy impacts to the surrounding residences based on the proposed window fenestration patterns and the proposed setbacks from the neighboring properties.

- *The visual prominence associated with the construction of a two-story house or addition in a predominantly single-story neighborhood has been reduced through appropriate transitions between the first and second floors and the provision of second floor offsets to avoid unrelieved two-story walls.*

The neighborhood includes a mixture of one-to-two-story residential properties. The abutting properties to the east and west also consist of two-story residential development. In addition, the second-story design proposes a second-to-first floor ratio in compliance with the design guidelines with articulation on both roof forms and wall planes.

ENVIRONMENTAL DETERMINATION

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315 (Class 15), Minor Land Divisions for the tentative parcel map application, and Section 15303 (Class 3), New Construction or Conversion of Small Structures for the design review application.

Under Class 15, the division of property in urbanized areas is exempt from the provisions of CEQA if the subdivision: is zoned for residential use, is being subdivided into four or fewer parcels, conforms with the General Plan and Zoning Code, is accessible and serviceable by utilities, was not involved in a division of a larger parcel within the previous two years, and has an average slope less than 20 percent. The proposed project meets the aforementioned conditions as described under CEQA Section 15315 in that:

- The project is entirely within the City of Costa Mesa and is consistent with the R2-MD Zoning Designation and the Medium Density Residential General Plan Designation because it proposes lot areas and dimensions in compliance with zoning requirements, and proposes a density below the allowed General Plan Land Use Density (12 units per acre);
- The project site is serviceable by all utilities and is accessible to the public right of way;
- The parcel has not been involved in a previous subdivision in the previous two years; and
- The parcel has been previously graded, is relatively flat and has an average slope less than 20 percent.

Under Class 3, a project is exempt from the provisions of CEQA if it includes the construction or conversion of less than three new single-family residences in an urbanized area. The proposed project meets this requirement in that it includes the replacement of an existing single-family residence with two new single-family residences in an urban area.

Furthermore, none of the exceptions that bar the application of a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies. Specifically, the project would not result in a cumulative environmental impact; would not have a significant effect on the environment due to unusual circumstances; would not result in damage to scenic resources; is not located on a hazardous site or location; and would not impact any historic resources. According to the City-Wide Historic Resources Survey for the City of Costa Mesa (Attachment 6), the property was acknowledged as ineligible for listing in the National Register.

ALTERNATIVES

Planning Commission alternatives include the following:

1. Approve the project with modifications. In consideration of any required findings or design criteria, the Planning Commission may suggest specific project changes. If any of the additional requested changes are substantial, the hearing would be continued to a future meeting to allow a redesign or additional analysis. In the event of significant modifications to the proposal, 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, the Planning Commission must deny the application, provide facts in support of denial, and direct staff to incorporate the

findings into a Resolution for denial. If the project is denied, the applicant could not submit substantially the same type of application for six months.

Pursuant to the Housing Accountability Act (Government Code Section 65589.5), if the Planning Commission denies or reduces the proposed density of the proposed housing project, and the development is determined to be consistent with applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, the Planning Commission must also make the following written findings for denial:

- The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density; and
- There is no feasible method to satisfactorily mitigate or avoid the adverse impact, other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density. Feasible means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

LEGAL REVIEW

The draft Resolution and this report have been 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 and occupants within a 500-foot radius of the project site. The required notice radius is measured from the external boundaries of the property.
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 the date this report was circulated, no written public comments have been received. Any public comments received prior to the May 13, 2024 Planning Commission meeting will be provided separately.

CONCLUSION

Approval of the project would allow the subdivision of one lot into two lots, and the development of two detached single-family dwellings, one on each lot, on an R2-MD

zoned property. The project is consistent with the General Plan and Zoning Code in regard to density, setbacks and development standards. The project would enhance the mix of housing types within the neighborhood, increase home ownership opportunities in the City, and is a neighborhood compatible development proposed in a mixture of existing single and multifamily homes that are one to two stories in height. Therefore, staff recommends approval of the project.

RESOLUTION NO. PC-2024

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING DESIGN REVIEW PDES-24-001 AND TENTATIVE PARCEL MAP 2023- 187 FOR A TWO-UNIT RESIDENTIAL SMALL LOT SUBDIVISION DEVELOPMENT AT 1022 WEST WILSON STREET

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA FINDS AND DECLARES AS FOLLOWS:

WHEREAS, Design Review Application PDES-24-0001 was filed by property owner Grant Bixby, requesting approval of the following: Design Review and Tentative Parcel Map for a proposed residential small lot subdivision project. The project proposes to demolish the existing single-family residential unit, and to construct two new detached units with attached two-car garages. In addition, the project proposes a variety of site improvements including new hardscape and landscaping. The subject property is proposed to be subdivided under Tentative Parcel Map 2023-187.

WHEREAS, a duly noticed public hearing held by the Planning Commission on May 13, 2024 with all persons having the opportunity to speak for and against the proposal;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the project is exempt from the provisions of the California Environmental Quality Act (CEQA) per Section 15315 (Class 15), for Minor Land Divisions and Section 15303 (Class 3), for New Construction or Conversion of Small Structures.

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

NOW, THEREFORE, 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** Design Review Application PDES-24-0001 and Tentative Parcel Map 2023-187 with respect to the property described above.

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 Design Review Application PDES-24-0001 and Tentative Parcel Map 2023-187 and upon applicant's compliance with each and all of

the conditions in Exhibit B, and compliance of all applicable federal, state, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

BE IT FURTHER RESOLVED that if any section, division, sentence, clause, phrase or portion of this resolution, or the document 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 13th day of May, 2024.

Adam Ereth, Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
COUNTY OF ORANGE)ss
CITY OF COSTA MESA)

I, Scott Drapkin, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution No. PC-2024- __ was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on May 13, 2024 by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Scott Drapkin, Secretary
Costa Mesa Planning Commission

Resolution No. PC-2024-__

EXHIBIT A

FINDINGS

- A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(g)(13), Findings for Tentative Parcel Maps because:

Finding: The creation of the subdivision and related improvements is consistent with the general plan, any applicable specific plan, and this Zoning Code.

Facts in Support of Finding: The proposed parcel map is consistent with General Plan Land Use Objectives LU-1A, LU-2A, and Policy LU-1.3, in that adequate infrastructure exists to serve the proposed project; the subdivision allows for a project that would promote homeownership opportunities and improve the balance between rental and ownership housing in the City; the parcel map would allow for redevelopment of an existing parcel; and improve and maintain quality of environment and the neighborhood by improved architecture, aesthetics, and landscaping. The parcel map would allow for a new residential project that would not exceed the maximum allowable density of 12 units per acre and, therefore, would be consistent with the General Plan land use designation of Medium Density Residential and the R2-MD zone that allows for one unit per 3,630 square feet of lot area. The project design would also comply with all other development standards for a residential small lot subdivision. Lastly, the project would provide an additional housing unit consistent with satisfying the City's required Regional Housing Needs Assessment (RHNA).

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

Facts in Support of Finding: The subject property has a General Plan land use designation of Medium Density Residential, which allows multi-family residential uses at a maximum of 12 dwelling units per acre. The Tentative Parcel Map proposes a residential use that does not exceed the maximum density allowed per the General Plan and therefore, the proposed use is compatible with 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 Finding: The existing property is already developed for residential purposes. The property is flat, located within an established residential neighborhood and suitable to accommodate two residential units. The size of the lot is also suitable since the proposed development meets all applicable development standards including, setbacks, parking, and open space. The parcel map proposes to subdivide a parcel into two lots that exceed the minimum R2-MD zone lot sizes (5,000 square feet), and both lots are in compliance with the

R2-MD zone maximum density of one dwelling unit for 3,630 of lot area. Adequate infrastructure exists to serve the proposed project and the project will not result in the loss of any habitat, result in a negative impact on the environment as a whole or require extensive infrastructure improvements to provide service to the site.

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

Facts in Support of Findings: The parcel map would meet the applicable small lot development standards including minimum open space to take advantage of shade and prevailing breezes. The project provides 45.8 percent open space for the overall development and each unit will have over 200 square feet of private open space area. The open space will accommodate landscaping that can be provided throughout the site with adequate setbacks for airflow. The project is proposed to include operable windows and will be fully insulated as required by the building code.

Finding: The division and development will not unreasonably interfere with the free and complete exercise of the public entity and/or public utility rights-of-way and/or easements within the tract.

Facts in Support of Finding: The project has been reviewed by the Public Works Department and there are no conflicts with the City's or other utility agencies' rights-of-way or easements. The project will improve pedestrian accessibility with the inclusion of a new three-foot sidewalk easement to allow for an increase in the width of the existing non-conforming sidewalk.

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

Facts in Support of Finding: The lot has been previously graded and contains connections to the public sewer system for the existing onsite residential unit. The parcel map would allow for a residential project that would not include physical changes to the lot that would result in discharge into the public sewer system in violation of State requirements. Furthermore, the applicant will be required to comply with the regulations set forth by the Costa Mesa Sanitation District and Mesa Water District. Compliance with the Costa Mesa Sanitation District and Mesa Water District involves the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) for construction-related activities, which will specify the Best Management Practices (BMP' s) that the project will be required to implement during construction activities to ensure that all potential pollutants of concern (including sediment) are prevented, minimized, and/or otherwise appropriately treated prior to being discharged from the subject property.

- B. The proposed project complies with Costa Mesa Municipal Code Section 13-29(g)(14), Findings for Design Review because:

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 Finding: The project proposes a maximum density of one dwelling unit per 3,630 square feet of lot area, which is consistent with the maximum allowable density for the R2-MD zone and the Medium Density Residential General Plan land use designation. The project complies with all other applicable Zoning Code standards including setbacks, parking, and open space. The project design incorporates elevations with varied roof forms, articulation of roof forms, and projections including eaves and overhangs in order to provide visual interest from the street. The exterior materials include a combination of primarily stucco and vertical siding as an accent. The landscaping throughout the project provides larger and more trees than required by the Municipal Code. To avoid a boxy two-story appearance, articulation is provided by varying roof forms, wall planes, and exterior materials. The project will not result in privacy impacts to the surrounding residences based on the proposed window fenestration patterns and the proposed setbacks from the neighboring properties.

Finding: The visual prominence associated with the construction of a two-story house or addition in a predominantly single-story neighborhood has been reduced through appropriate transitions between the first and second floors and the provision of second floor offsets to avoid unrelieved two-story walls.

Facts in Support of Finding: The neighborhood includes a mixture of one-to-two-story residential properties. In addition, the second story design proposes a second-to-first floor ratio in compliance with the design guidelines with articulation on both roof forms and wall planes.

- C. The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315 (Class 15), Minor Land Divisions for the tentative parcel map application, and Section 15303 (Class 3), New Construction or Conversion of Small Structures for the design review application.

Under Class 15, the division of property in urbanized areas is exempt from the provisions of CEQA if the subdivision: is zoned for residential use, is being subdivided into four or fewer parcels, conforms with the General Plan and Zoning Code, is accessible and serviceable by utilities, was not involved in a division of a larger parcel within the previous two years, and has an average slope less than 20

percent. The proposed project meets the aforementioned conditions as described under CEQA Section 15315 in that:

- The project is entirely within the City of Costa Mesa and is consistent with the R2-MD Zoning Designation and the Medium Density Residential General Plan Designation because it proposes lot areas and dimensions in compliance with zoning requirements, and proposes a density below the allowed General Plan Land Use Density (12 units per acre);
- The project site is serviceable by all utilities and is accessible to the public right of way;
- The parcel has not been involved in a previous subdivision in the previous two years; and
- The parcel has been previously graded, relatively is flat and has an average slope less than 20 percent.

Under Class 3, a project is exempt from the provisions of CEQA if it includes the construction or conversion of less than three new single-family residences in an urbanized area. The proposed project meets this requirement in that it includes the replacement of an existing single-family residence with two new single-family residences in an urban area.

Furthermore, none of the exceptions that bar the application of a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies. Specifically, the project would not result in a cumulative impact; would not have a significant effect on the environment due to unusual circumstances; would not result in damage to scenic resources; is not located on a hazardous site or location; and would not impact any historic resources. According to the City-Wide Historic Resources Survey for the City of Costa Mesa (Attachment 6), the property was acknowledged as ineligible for listing in the National Register.

- D. The project is subject to a traffic impact fee, pursuant to Chapter XII, Article 3 Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT B

CONDITIONS OF APPROVAL

- Plng.
1. Approval of Design Review PDES-24-0001 and Tentative Parcel Map No. 2023-187 is valid for two (2) years from the effective date of this approval and will expire at the end of that period unless applicant establishes the use by one of the following actions: 1) a building permit has been issued and construction has commenced, and a valid building permit has been maintained by making satisfactory progress as determined by the Building Official; 2) a certificate of occupancy has been issued. A time extension can be requested no less than thirty (30) days or more than sixty (60) days before the expiration date of the permit and submitted with the appropriate fee for review to the Planning Division. The Director of Development Services may extend the time for an approved permit or approval to be exercised up to 180 days subject to specific findings listed in Title 13, Section 13-29 (k) (6). Only one request for an extension of 180 days may be approved by the Director. Any subsequent extension requests shall be considered by the original approval authority.
 2. The conditions of approval for PDES-24-0001 and Tentative Parcel Map No. 2023-187 shall be blueprinted on the face of the site plan as part of the plan check submittal package. Address assignment shall be requested from the Planning Division prior to submittal of working drawings for plan check. The approved address of individual units, suites, buildings, etc., shall be blueprinted on the site plan and on all floor plans in the working drawings.
 3. Second floor windows shall be designed and placed to minimize direct lines-of-sight into windows on adjacent neighboring properties, and to minimize visibility into abutting residential side and rear yards. Every effort shall be made to maintain the privacy of abutting property owners. Prior to issuance of a building permit, applicant shall provide a window placement study demonstrating compliance with this condition.
 4. The final subdivision map shall be recorded with the County prior to the issuance of grading permits or building permits for the proposed development.
 5. Prior to building permit final, the applicant shall install a 6-foot high decorative block wall along the side and rear setback lines. 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 screen by trees and landscaping. Any future modifications to the fencing on the interior property lines after project completion shall be first reviewed and approved by the Development Services Director and any required permits obtained prior to installation. The location and height of walls and fences shall comply with Code requirements, as well as any visibility standards for traffic safety related to ingress and egress.
 6. 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. Elevations shall not be modified unless otherwise approved by Development Services Director as consistent with the architectural design and features of the proposed development. Failure to obtain prior Planning Division approval of the modification could result in the requirement of the applicant to (re)process the

modification through a discretionary review process, or in the requirement to modify the construction to reflect the approved plans.

7. The subject property's ultimate finished grade level may not be filled/raised in excess of 30 inches above the finished grade of any abutting property. If additional 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.
8. Trash facilities shall be screened from view, and designed and located appropriately to minimize potential noise and odor impacts to residential areas.
9. Prior to issuance of building permits, the Developer shall pay a park impact fee or dedicate parkland to meet the demands of the proposed development.
10. Trash facilities shall be screened from view, and designed and located appropriately to minimize potential noise and odor impacts to residential areas.
11. 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 show undisrupted access to other properties on the Alley and shall ensure that trash facilities are accessible at the south end of the Alley. 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.
12. The ground floor exterior decks/patios shall not be built higher than six inches above natural grade.
13. 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.
14. The applicant, the property owner and the operator (collectively referred to as "indemnitors") shall each jointly and severally defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers and employees from any claim, legal action, or proceeding (collectively referred to as "proceeding") brought against the City, its elected and appointed officials, agents, officers or employees arising out of 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 indemnitors' joint and several 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.

15. The landscaping of this project shall comply with the City's landscaping requirements and any applicable guidelines (i.e. Water Efficient Landscape Guidelines). A landscape plan shall be submitted with the plan check submittal.
16. All driveways and parking areas shall be finished with decorative stamped concrete or pervious pavers. The final landscape concept plan shall indicate the landscape palette and the design/material of paved areas, and the landscape/hardscape plan shall be approved by the Planning Division prior to issuance of building permits.
17. Prior to the issuance of building permits, the applicant shall provide the Conditions, Covenants, and Restrictions (CC&Rs) to the Planning Division for review by the Development Services Director and City Attorney's Office. 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&Rs 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 of 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 review and approved by the City Attorney's Office and the Development Services Director before they become effective.
 - c. The CC&Rs shall contain restrictions prohibiting the outside storage of any boats, trailers, Recreational Vehicles, and similar vehicles.
18. Prior to issuance of a certificate of occupancy, the applicant shall file and record a declaration of covenants, conditions, and restrictions (CC&Rs) on the property. The establishment of a maintenance association is required. 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. The CC&Rs shall include ground rules for 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.
19. The CC&Rs shall contain provisions requiring that the maintenance association effectively manage shared common improvements such as, but not limited to open parking, sidewalk, landscaping, lighting and drainage facilities. CC&Rs shall also contain provisions for a contract with a towing service to enforce the parking regulations.
20. The applicant shall contact the current cable company prior to issuance of building permits to arrange for pre-wiring for future cable communication service.
21. The Maintenance Association, as applicable, 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.

22. 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.
23. Prior to issuance of Certificate of Occupancy (C of O) the applicant shall provide a scaled and dimensioned digital site plan(s) for the project site, on either a CD or thumb drive, to the Planning Division. All site plans shall include an accurate and precise drawing of all building footprints and property line locations for the entire project site. All buildings shall be annotated with its corresponding address and suites if applicable.
24. All utilities servicing irrigation, project lighting and other commonly serving improvements, shall be provided by (a) common meter(s) that is the shared responsibility for all property owners in the development project. The CC&Rs or other organizational documents shall include verbiage requiring the common meters for the life of the development project.
25. The precise grading plan shall clearly show the lowest and highest point of the development. The lowest point of the finished surface elevation of either the ground, paving or sidewalk within the area between the building and the property line, or when the property line is more than five (5) feet from the building, between the building and a line five (5) feet from the building.
26. On-site lighting shall be provided in all parking areas, vehicular access ways, and along major walkways. The lighting shall be directed onto driveways and walkways within the project and away from dwelling units and adjacent properties to minimize light and glare impacts, and shall be of a type approved by the Development Services Director.
27. Prior to the issuance of Building Permits, the Applicant shall submit a Lighting Plan and Photometric Study for the approval of the City's Development Services Department. The Lighting Plan shall demonstrate compliance with the following:
(a) Lighting design and layout shall limit spill light to no more than 0.5 foot candle at the property line of the surrounding neighbors, consistent with the level of lighting that is deemed necessary for safety and security purposes on site. (b) Glare shields may be required for select light standards.
28. Prior to building permit issuance, the applicant shall submit a comprehensive utilities plan that shows utility design, undergrounding and required dedications/easements. The plan will be reviewed by both the City's Building Division and Public Works Department.
- TRANS 29. Fulfill mitigation of off-site traffic impacts when issuing a building permit by submitting to the Transportation Division the required Traffic Impact Fee according to the prevailing schedule of charges adopted by the City Council. The Traffic Impact Fee is calculated based on the average daily trip generation rate of 9.43 trip ends per dwelling unit for the proposed project. It includes a credit for any previously existing use. At the current rate, the Traffic Impact Fee is estimated at \$2,009.25. NOTE: The Traffic Impact Fee will be recalculated at the time of issuance of building permits based upon any changes in the prevailing schedule of charges adopted by the City Council and in effect at that time.

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. | <ol style="list-style-type: none"> 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. The location and height of walls, fences, and landscaping shall comply with Code requirements, as well as any visibility standards for traffic safety related to ingress and egress. 3. 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 <u>prohibited</u> on Sunday and the following Federal holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. 4. Development shall comply with all requirements of Section 13-32 and Article 2.5, Title 13, of the Costa Mesa Municipal Code relating to development standards for residential projects. 5. Prior to the issuance of building permits, the 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. 6. Address assignment shall be requested from the Planning Division prior to submittal of working drawings for plan check. The approved address of individual units, suits, building, etc., shall be blueprinted on the site plan and on all floor plans in the working drawings. 7. All on-site utility services shall be installed underground. 8. Installation of all new utility meters shall be performed in a manner so as to obscure the installation from view from any place on or off the property. The installation shall be in a manner acceptable to the public utility and shall be in the form of a vault, wall cabinet, or wall box under the direction of the Planning Division. 9. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division. 10. Placement of mechanical equipment shall comply with Zoning Administrator Determination No. 17-02. 11. 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. 12. Landscaping and irrigation shall be installed in accordance with the approved plans prior to final inspection or occupancy clearance. 13. A minimum 20-foot by 20-foot clear inside dimension shall be provided for the two-car garages, with minimum garage door width of 16 feet and automatic garage door openers. The proposed garages shall be used for parking as required by code as it is not habitable space; further excess storage which prevents parking the required number of vehicles is prohibited. |
| Bldg. | <ol style="list-style-type: none"> 14. Comply with the applicable adopted California Residential Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards, California Energy Code, and California Code of Regulations also known as the California Building Standards Code as |

amended by the City of Costa Mesa at the time of plan submittal or permit issuance.

15. If soil contamination exists, then remediation plans shall be submitted to both the Building Division and the County of Orange for review, approval and issuing a permit. Building permit(s) shall not be issued until the soil is certified as clean and usable by a Soil's Engineer.
16. Plans shall be prepared under the supervision of a registered California Architect or Engineer. Plan shall be stamped and signed by the registered California Architect or Engineer.
17. All new single-family residential construction shall be:
 - Energy storage system (ESS) ready comply with the following: [T-24 150.0(s)]
 - All new single-family residential building shall have photovoltaic system install prior to final inspection. [T-24 150.1(c)14]
 - Electrically ready for heat pump, cooktop, and clothes dryer. [T-24 150.0(t), 150.0(u)]
 - Building shall be EV ready. [CGC 4.106.4]
18. Residential building shall be equipped with fire sprinkler system.
19. Construction/ improvements that encroach within Public Utility Easements shall require written approvals from the utility companies associated with that easement.
20. Prior to the Building Div. (AQMD) issuing a demolition permit contact South Coast Air Quality Management District located at: 21865 Copley Dr. Diamond Bar, CA 91765-4178 Tel: 909- 396-2000 Or Visit their web site <http://www.costamesaca.gov/modules/showdocument.aspx?documentid=2338> 1 The Building Div. will not issue a demolition permit until an Identification no. is provided by AQMD.
21. Submit a precise grading plans, an erosion control plan and a hydrology study. 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. Prior to issuing the Building permit, the rough grading certificate shall be submitted to the Building Division.
22. Submit a soils report for this project. Soil's Report recommendations shall be blueprinted on both the architectural and the precise grading plans.
23. Lots shall be graded to drain surface water away from foundation walls. The grade shall fall a minimum of 6 inches within the first 10 feet.
24. 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, 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.
25. 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.

Eng.

26. 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.
 27. 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.
 28. 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.
 29. 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.
 30. Fulfill Drainage Fee requirements per City of Costa Mesa Ordinance No. 06-19 prior to approval of Final approval of Plans.
 31. In order to comply with the 2003 Drainage Area Management Plan (DAMP), the proposed Project shall prepare a Water Quality Management Plan conforming to the Current National Pollution Discharge Elimination System (NPDES) and the Model WQMP, prepared by a Licensed Civil Engineer or Environmental Engineer, which shall be submitted to the Department of Public Works for review and approval.
 - a) A WQMP (Priority or Non-Priority) shall be maintained and updated as needed to satisfy the requirements of the adopted NPDES program. The plan shall ensure that the existing water quality measures for all improved phases of the project are adhered to.
 - b) Location of BMPs shall not be within the public right-of-way.
 32. 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.
 33. Submit updated Title Report of subject property.
 34. The Parcel Map shall be developed in full compliance of CCMC Sec. 13-208 through 13-261 inclusive.
 35. Release and relinquish all vehicular and pedestrian access rights to Wilson Street to the City of Costa Mesa except at approved locations.
 36. Submit seven copies, one duplicate mylar and an electronic copy of recorded map or signed plan to Engineering Division, City of Costa Mesa, prior to occupancy.
 37. 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.
 38. Survey Monuments shall be preserved and referenced or set pursuant to Section 8771 of the Professional Land Surveyors Act and Business and Professional code.
 39. Submit cash deposit or surety bond to guarantee monumentation prior to approval of the map. Amount to be determined by City Engineer.
 40. Comply with the requirements of the 2022 California Fire Code, including the reference standards, as adopted and amended by Costa Mesa Fire & Rescue.
- Fire

41. Install a NFPA 13D fire protection system for single family dwellings.

January 17, 2024

ATTN: City of Costa Mesa Planning Department
 RE: TESSA Application for Tentative Parcel Map
 Subject Property: 1022 W. Wilson

To Whom It May Concern:

This is a design review application for a Tentative Parcel Map utilizing Small Lot Ordinance (SLO under separate TESSA app) to demo an existing single- family residence (SFR) and detached garage/workshop, create two side-by-side lots, and build two new SFRs with their own addresses and APNs. The particulars are as follows:

- Existing lot per title is approx. 10,817 SF (106'w x 102'd approx.)
- New lots of approx. 5,408 SF ea. (53'w x 102'd approx.)
- 2-story, 2,266 SF living, 4 bed / 3.5 bath homes
- Oversized and attached 2-car garages.

The finish quality will be high with coastal farmhouse architecture. The use is in character and substantially compatible with the surrounding area. These new homes will not be detrimental to any of the nearby properties. To the contrary, the development will enhance the property values and provide additional housing that is sorely needed. The existing structure is in disrepair and providing no utility or value to the neighborhood.

Simultaneously, I have submitted a SLO application via TESSA and it is my hope that these will be evaluated and processed together in the interest of time. As instructed by Associate Planner Chris Aldana, the ADUs shown on the site plan, floor plan, and elevations will be a part of a later application.

Please feel free to reach me with any questions at the contact information below. Thank you for your time.

Sincerely,

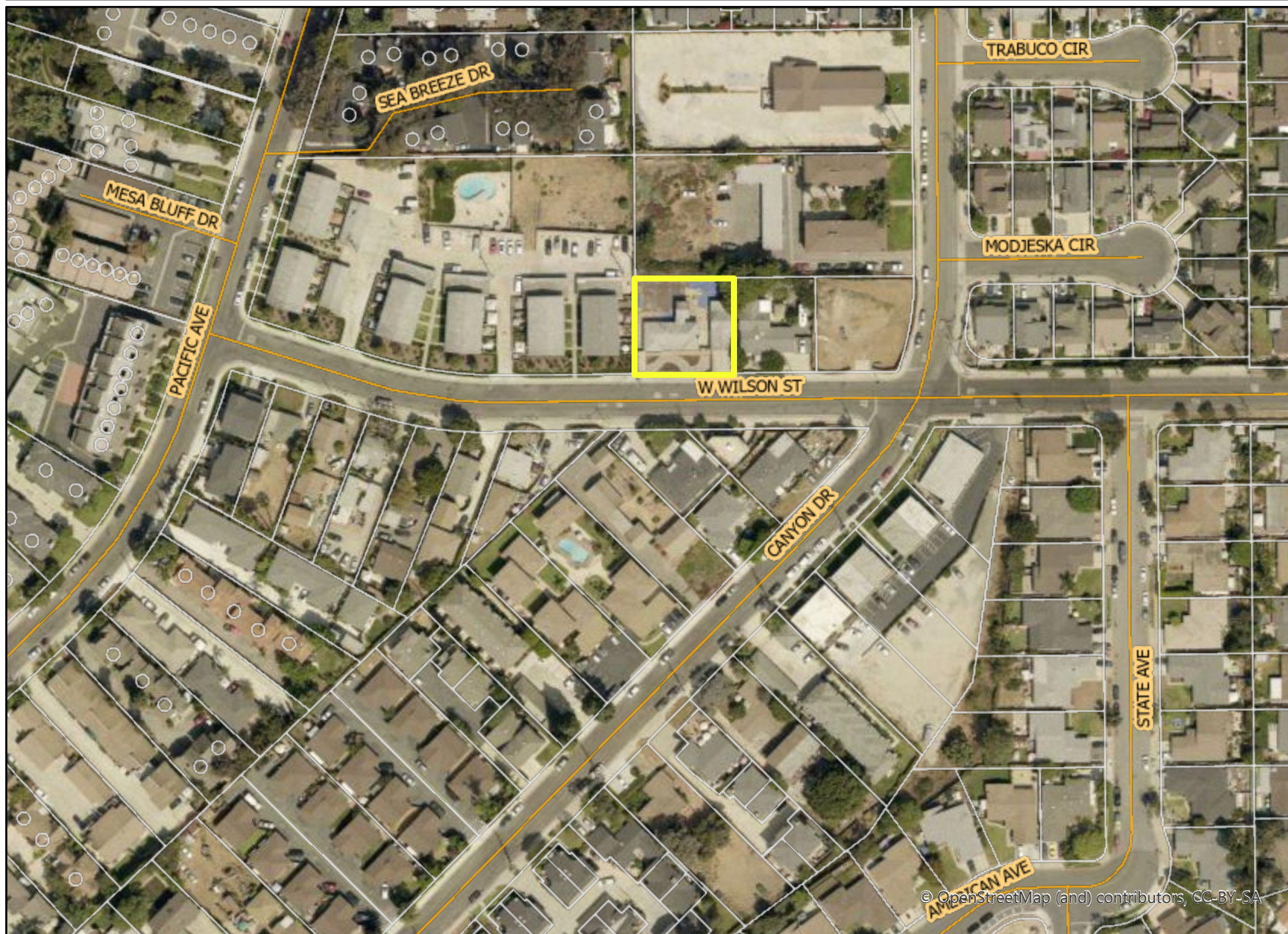


Grant Bixby, Owner/Developer/Applicant
 m.949.677.0111 / grant@bixbyresidential.com

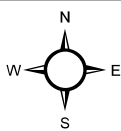
1022 W Wilson St - Vicinity Map

Legend

-  City Limit
-  Streets
-  Silver



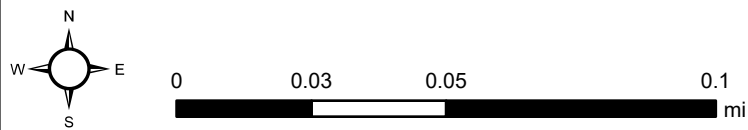
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DRAFT
City-Wide Historic Resources Survey
City of Costa Mesa

Prepared for
City of Costa Mesa

Prepared by
PCR Services Corporation

July 1999

35

IV. RESULTS OF SURVEY

A. OVERVIEW

The research conducted and analysis performed resulted in the identification of buildings that have been evaluated and classified according to the California Office of Historic Preservation categories 1 through 7 previously discussed. The following evaluation codes were found to apply to one or more surveyed properties and appear on the DPR 523 forms:

- 2S2 Determined eligible for separate listing in the National Register through a consensus determination by a federal agency and the State Historic Preservation Officer.
- 3S Appears eligible for separate listing in the National Register.
- 5S1 Not eligible for the National Register but of local interest because the property is eligible for separate designation under an existing local ordinance.
- 5D1 Not eligible for the National Register but of local interest because the property is a contributor to a fully documented district that is eligible for designation as a local historic district under an existing local ordinance.
- 5S3 Not eligible for the National Register but of local interest because the property is not eligible for separate designation under an existing local ordinance, but is eligible for special consideration in the local planning process.
- 6Z1 Found ineligible for listing in the National Register with no potential for any listing.

B. RESOURCES LISTED IN OR ELIGIBLE FOR THE NATIONAL REGISTER

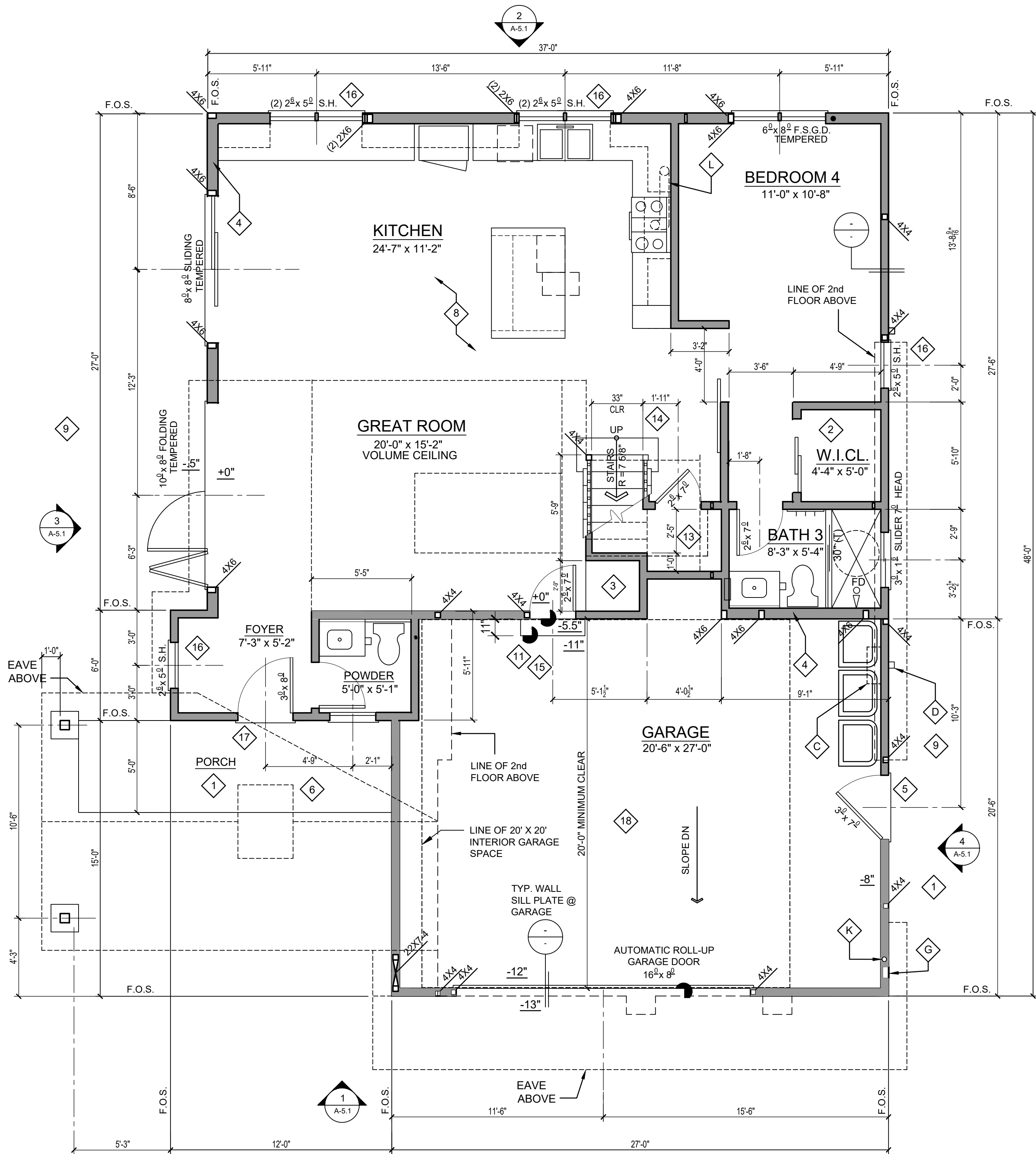
One property in the survey area is currently listed as eligible for the National Register. This property is the Station Master's House located at 1900 Adams Avenue.

CITY OF COSTA MESA
CITY-WIDE HISTORIC RESOURCES SURVEY (PRELIMINARY) RESULTS I
 (All Pre-1954 Properties)

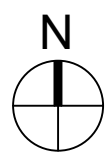
NUMBER	EXTENSION	STREET NAME	CLASS	DIRECTION	APN	YEAR BUILT	PROPERTY TYPE	OHP RATING
2612		WILLO	LANE		439-112-14	54	SFR	6Z1
2613		WILLO	LANE		439-112-07	54	SFR	6Z1
2614		WILLO	LANE		439-112-13	54	SFR	6Z1
2615		WILLO	LANE		439-112-08	54	SFR	6Z1
2616		WILLO	LANE		439-112-12	54	SFR	6Z1
2617		WILLO	LANE		439-112-09	54	SFR	6Z1
2618		WILLO	LANE		439-112-11	53	SFR	6Z1
2619		WILLO	LANE		439-112-10	54	SFR	6Z1
114		WILSON	STREET	EAST	439-272-08	33	MFR	6Z1
128		WILSON	STREET	EAST	439-272-10	48	SFR	6Z1
134		WILSON	STREET	EAST	439-272-11	52	SFR	6Z1
141		WILSON	STREET	EAST	439-271-26	46	SFR	6Z1
159		WILSON	STREET	EAST	439-261-19	47	SFR	6Z1
164		WILSON	STREET	EAST	439-262-02	53	MFR	6Z1
165		WILSON	STREET	EAST	439-261-18	40	SFR	6Z1
169		WILSON	STREET	EAST	439-261-17	48	MFR	6Z1
172		WILSON	STREET	EAST	439-262-03	46	SFR	6Z1
179		WILSON	STREET	EAST	439-261-15	46	SFR	6Z1
183		WILSON	STREET	EAST	439-261-14	46	MFR	6Z1
187		WILSON	STREET	EAST	439-261-12	51	SFR	6Z1
371		WILSON	STREET	WEST	419-061-02	54	SFR	6Z1
591		WILSON	STREET	WEST	422-191-02	26	SFR	5S3
595		WILSON	STREET	WEST	422-191-01	30	SFR	5S3
645		WILSON	STREET	WEST	422-182-02	44	SFR	6Z1
694		WILSON	STREET	WEST	422-153-24	41	SFR	6Z1
889		WILSON	STREET	WEST	422-391-01	54	SFR	6Z1
940		WILSON	STREET	WEST	422-353-28	53	SFR	6Z1
956		WILSON	STREET	WEST	422-353-32	54	SFR	6Z1
1008		WILSON	STREET	WEST	422-051-07	54	SFR	6Z1
1010		WILSON	STREET	WEST	422-051-06	54	SFR	6Z1
1022		WILSON	STREET	WEST	422-051-05	49	SFR	6Z1
1035		WILSON	STREET	WEST	422-071-01	53	SFR	6Z1
1041		WILSON	STREET	WEST	422-071-02	53	SFR	6Z1
1047		WILSON	STREET	WEST	422-071-04	53	SFR	6Z1
1049		WILSON	STREET	WEST	422-071-05	52	SFR	6Z1

[illegible]

PLOT DATE: March 1, 2024 K:\02-1173-001 1022 WILSON COSTA MESA\CAD\SHEETS\A-2.1 1ST FLR PLAN E.DWG



1 FIRST FLOOR PLAN (EAST HOUSE)
SCALE: 1/4" = 1'-0"



KEY NOTES

- 1 FRONT PORCH
- 2 SHELF & POLE
- 3 ROLL OUT SHELVES
- 4 DOT HATCH INDICATES 2 x 6 WALL
- 5 3/4" THRESHOLD MAX
- 6 2% MIN SLOPE DOWN
- 7 CEMENT, FIBER CEMENT OR GLASS MAT GYPSUM BACKERS SHALL BE USED AS A BASE FOR WALL TILES IN TUB AND SHOWER AREAS CBC 2509.2
- 8 FLOOR SPEC TO BE DETERMINED
- 9 7" RISER MAX
- 10 3'-0" x 8'-0" DOOR SO MOUNTED THAT THE CLEAR WIDTH OF EXIT WAY IS NOT LESS THAN 32". THIS DOOR SHALL ALSO HAVE A .5 INCH MAX THRESHOLD. CBC 1008.1.6
- 11 7.75" MAX. OFFSET CBC 1009.3
- 12 SEE TITLE-24 FOR CONTINUOUS FAN SPECIFICATION BASED ON 2008 CODE
- 13 STORAGE SHELVES UNDER STAIRS BY OTHERS
- 14 SEE 1/A-3 FOR SMOKE DETECTOR NOTES AND LOCATION
- 15 DOOR TO BE SELF-CLOSING, SELF-LATCHING, TIGHT FITTING, SOLID WOOD 1-3/8" THICK DOOR OR 20 MINUTE RATED DOOR AT OPENING TO DWELLING CRC R302.5.1
- 16 S.H. = SINGLE HUNG VERTICAL SLIDING 1C/A-15
- 17 LANDINGS OR FLOORS AT THE REQUIRED EGRESS DOOR SHALL NOT BE MORE THAN 1-1/2" INCHES LOWER THAN THE TOP OF THE THRESHOLD
- 18 1 HOUR 5/8" TYPE 'X' GYP BOARD ON WALLS & CEILING AT ENTIRE GARAGE. CRC TABLE R302.6
- A HOSE BIBS MUST HAVE APPROVED ANTI-SIPHON DEVICE. CPC 603.3 TYP
- B TELEPHONE PANEL
- C LOCATION OF TANKLESS HOT WATER HEATER W/ DIRECT VENT THRU WALL. BOTTOM OF W.H. @ 60" TO 72" A.F.F., V.I.F.
- D GAS METER
- E 6" DIA CONCRETE FILLED STEEL BOLLARD
- F LOCATION OF 200 AMP ELECTRICAL SERVICE AND PANEL. PROVIDE UFER OR OTHER APPROVED GROUND PER CEC 250.
- G A/C ELEC
- H FIRE RISER LOCATION
- J RANGE HOOD VENT DUCT
- K REFRIGERANT LINES, SEE MECH DWGS
- L ADD CONDUIT & STUB OUT AS REQ'D TO FUTURE CONDENSER LOCATION
- M CABLE PANEL

Architect :



Bryant Palmer Soto Inc.

Neil Stanton Palmer ARCHITECTS / Jack K. Bryant ENGINEERS
2601 Airport Drive, Suite 310, Torrance, CA 90505
Telephone: (310) 326-9111
Fax: (310) 325-0271

Builder :

Project :

**2 HOMES & 2 ADU
SMALL LOT ORDINANCE**

**1022 W. WILSON STREET
COSTA MESA, CA 92627**

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Job No.: 02-1173-001

CADD File: K:\02-1173-001 1022 WILSON COSTA MESA\CAD\SHEETS\A-2.1 1ST FLR PLAN E.DWG

Project Start Date: 09-20-2023

Drawn By: DC

Checked By: KP

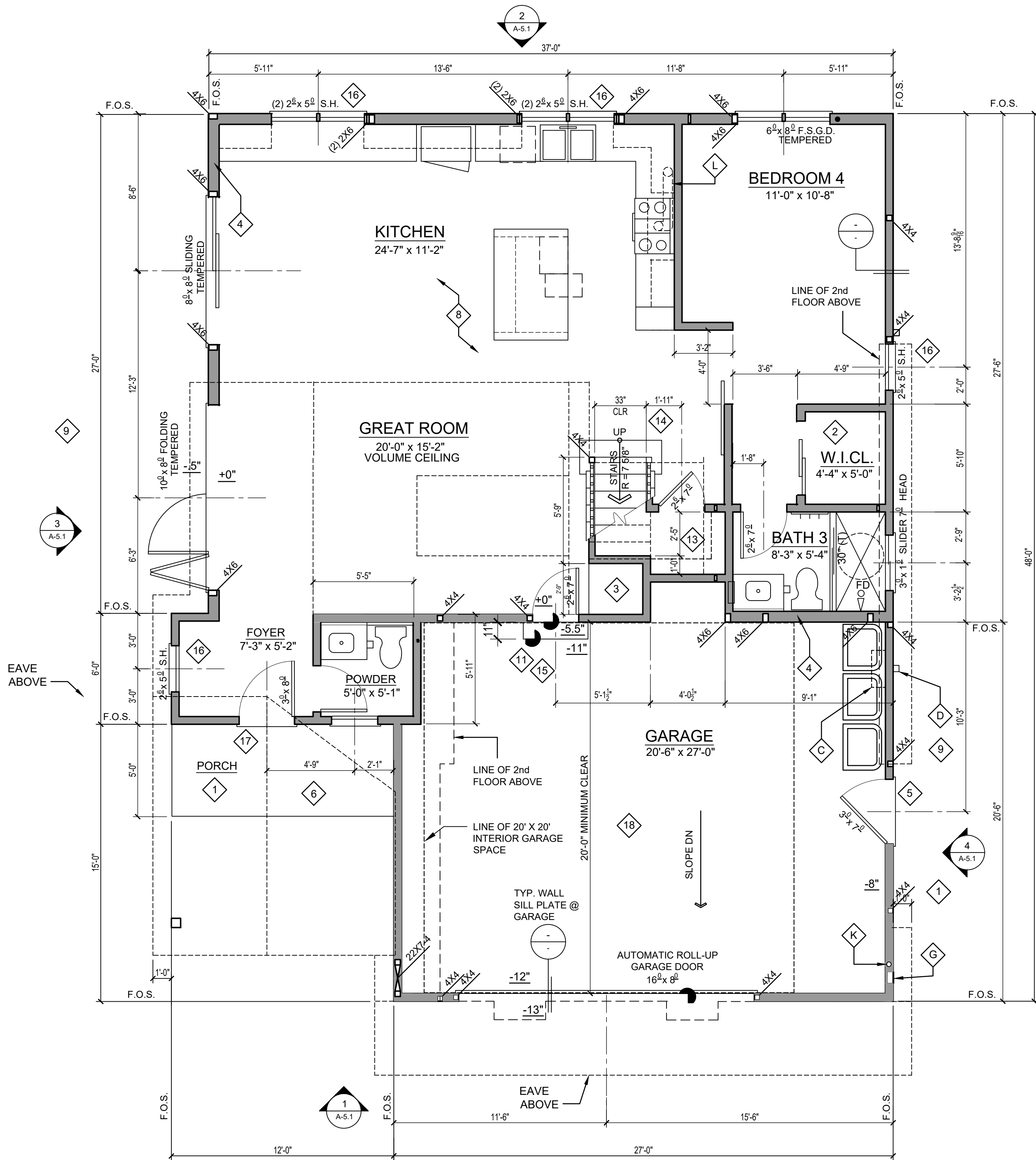
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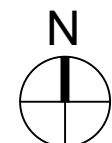
**FIRST FLOOR PLAN
(EAST HOUSE)**

Sheet

A-2.1



1 FIRST FLOOR PLAN (WEST HOUSE)
SCALE: 1/4" = 1'-0"



KEY NOTES

- 1 FRONT PORCH
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- K REFRIGERANT LINES, SEE MECH DWGS
- L ADD CONDUIT & STUB OUT AS REQ'D TO FUTURE CONDENSER LOCATION
- M CABLE PANEL

Architect :



Bryant Palmer Soto Inc.
Neil Stanton Palmer ARCHITECTS / Jack K. Bryant ENGINEERS
2601 Airport Drive, Suite 310, Torrance, CA 90505
Telephone: (310) 326-9111
Fax: (310) 325-0271

Builder :

Project :

**2 HOMES & 2 ADU
SMALL LOT ORDINANCE**

1022 W. WILSON STREET
COSTA MESA, CA 92627

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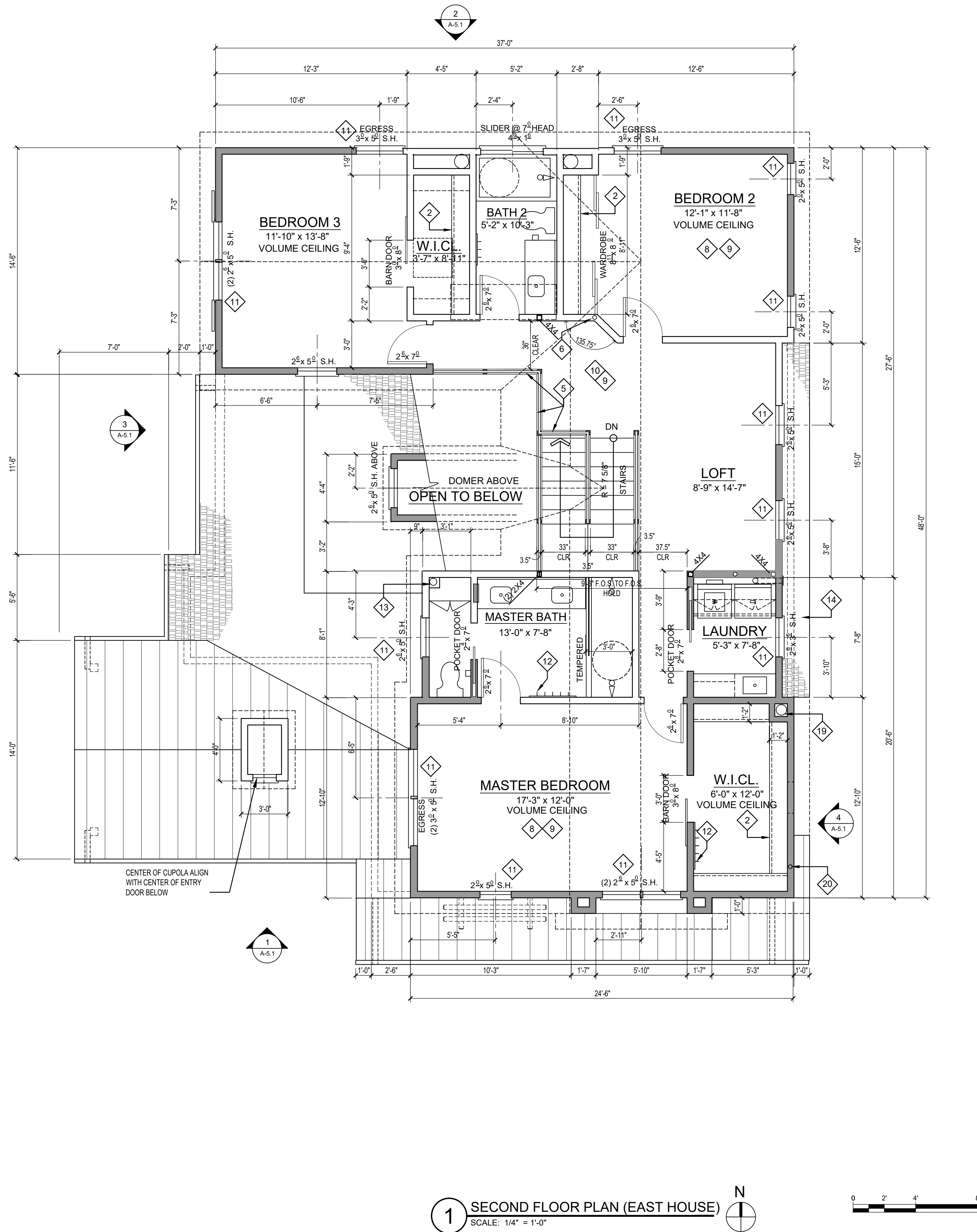
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Project Start Date: 09-20-2023
Drawn By: DC
Checked By: KP
Scale: AS NOTED

Drawing Title

**FIRST FLOOR PLAN
(WEST HOUSE)**

Sheet

A-2.2



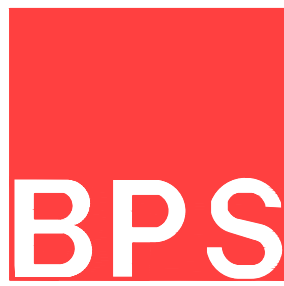
1 SECOND FLOOR PLAN (EAST HOUSE)
SCALE: 1/4" = 1'-0"



KEY NOTES

- 30" x 30" ATTIC ACCESS WITH 30" MINIMUM HEADROOM. CBC 1209.2 WITH WEATHER STRIPS TO PREVENT BACK DRAFT. FOR LOCATION OF 30" HEADROOM SPACE SEE
- SINGLE SHELF & POLE
- 8'-0" H. JAMBLESS CLOSET DOORS. FIELD MEASURE. PROVIDE BLOCKING AS REQUIRED. PROVIDE 1 x 4 WOOD @ JAMB CONDITION AS REQUIRED.
- ATTIC VENT, SEE
- 42" HIGH RAIL
- CONDUIT CHASE
- 14" x 14" CONTROL WIRE ACCESS PANEL
- WHERE THE OPENING OF THE SILL PORTION OF AN OPERABLE WINDOW IS LOCATED MORE THAN 72" ABOVE FIN. GRADE THE LOWEST PART OF THE CLR. OPENING OF THE WINDOW SHALL BE 24" ABOVE THE FIN. FLOOR SURFACE OF THE ROOM.
- SEE 2 A-8 FOR SMOKE DETECTOR NOTES AND LOCATION
- CARPET. SPEC TO FOLLOW
- S.H. = SINGLE HUNG VERTICAL SLIDING
- WALL MOUNT COAT HOOKS
- GYP BD OVER FURR. CHANNELS OVER 6" Ø RANGE HOOD VENT DUCT
- 12" MAX EAVE WITHIN 5'-0" OF PROPERTY LINE
- 18" DEEP x 24" WIDE SHELVES
- 18" DEEP WRAP AROUND SHELVES
- DOUBLE POLE @ 3'-2" & 6'-4" AND SHELF @ 6'-8"
- PROVIDE ESCAPE WINDOW WITH MINIMUM CLEAR 24 INCH HEIGHT & 20 INCH WIDTH, 5.7 S.F. MIN NET CLEAR OPENING AND A SILL HEIGHT NOT OVER 44 INCHES ABOVE FLOOR. THE NET CLEAR OPENING DIMENSIONS SHALL BE THE RESULT OF NORMAL OPERATION OF THE OPENING. CBC 1026.2
- MECHANICAL CHASE
- REFRIGERANT LINES

Architect :



Bryant Palmer Soto Inc.

Neil Slanton Palmer ARCHITECTS / Jack K. Bryant ENGINEERS
2601 Airport Drive, Suite 310, Torrance, CA 90505
Telephone: (310) 326-9111
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**2 HOMES & 2 ADU
SMALL LOT ORDINANCE**

**1022 W. WILSON STREET
COSTA MESA, CA 92627**

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Job No.: 02-1173-001

CADD File: K:\02-1173-001 1022 WILSON COSTA MESA\CAD\SHEETS\A-3.1 2ND FLR PLAN E.DWG

Project Start Date: 09-20-2023

Drawn By: DC

Checked By: KP

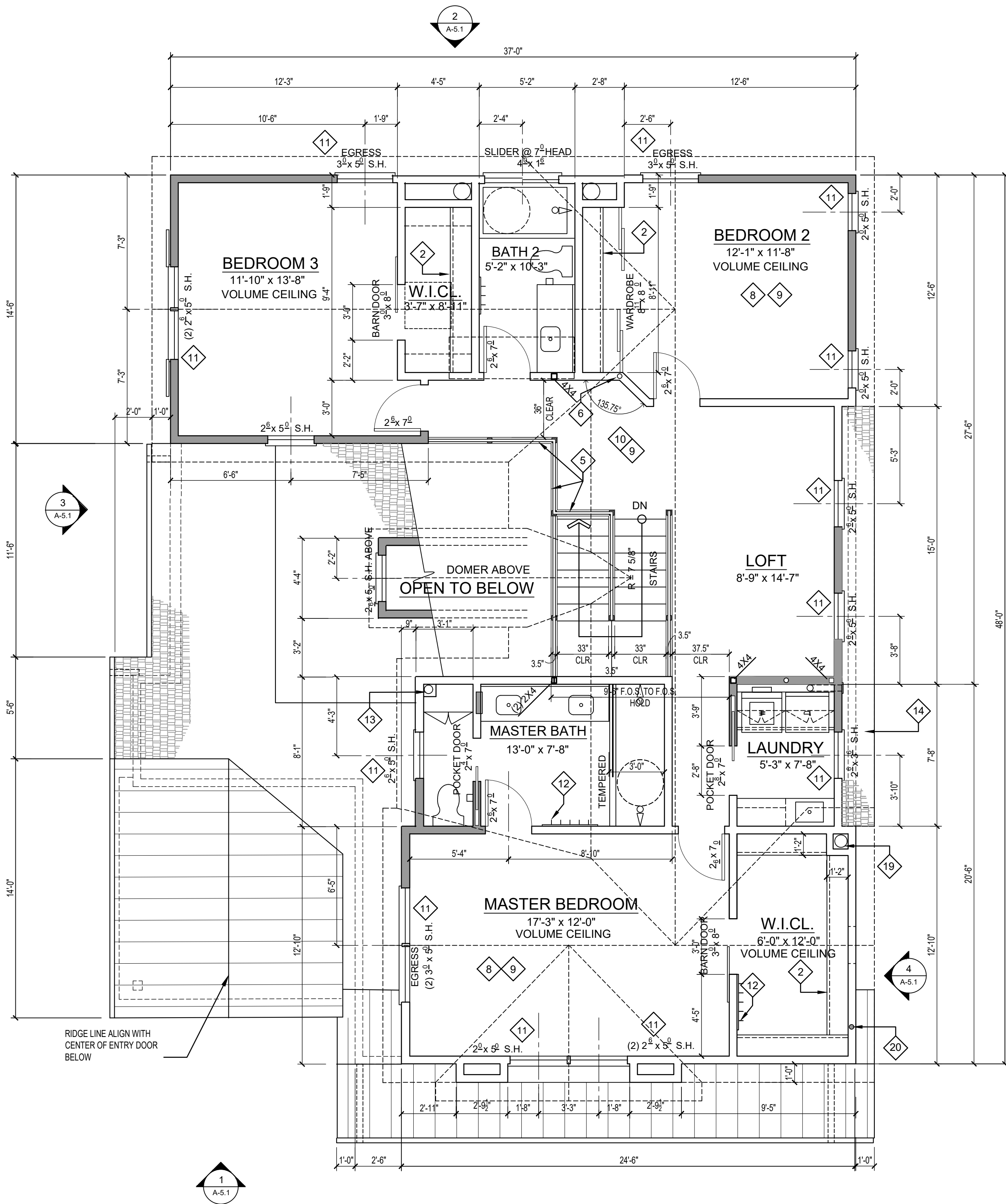
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Drawing Title

**SECOND FLOOR
PLAN
(EAST HOUSE)**

Sheet

A-3.1



1 SECOND FLOOR PLAN (WEST HOUSE)
SCALE: 1/4" = 1'-0"



KEY NOTES

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- S.H. = SINGLE HUNG VERTICAL SLIDING 1C A-15
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Architect :



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Builder :

Project :

**2 HOMES & 2 ADU
SMALL LOT ORDINANCE**

1022 W. WILSON STREET
COSTA MESA, CA 92627

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Job No.: 02-1173-001

CADD File: K:\02-1173-001 1022 WILSON COSTA MESA\CAD\SHEETS\A-3.2 2ND FLR PLAN W.DWG

Project Start Date: 09-20-2023

Drawn By: DC

Checked By: KP

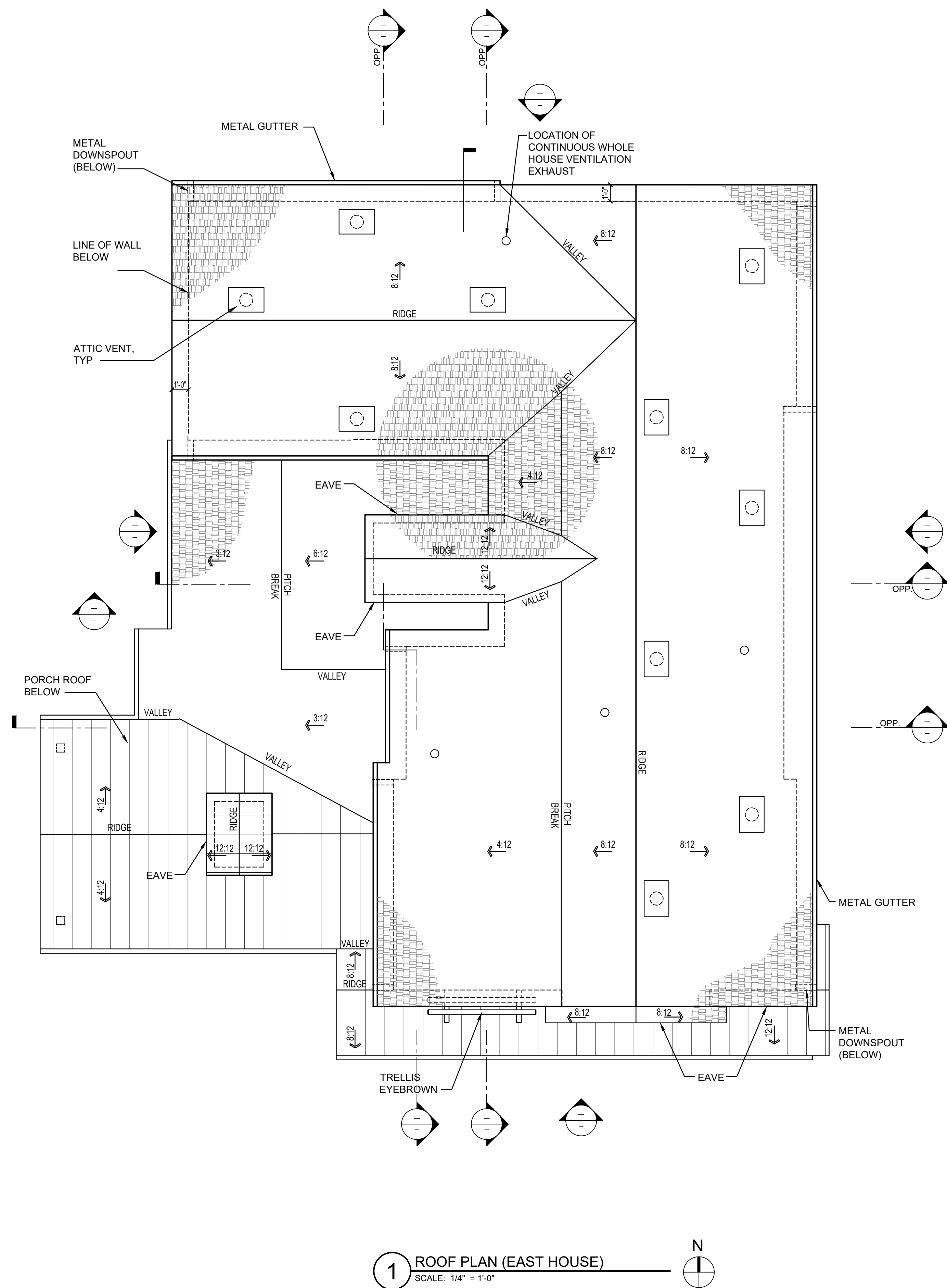
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Drawing Title

**SECOND FLOOR
PLAN
(WEST HOUSE)**

Sheet

A-3.2



Builder :

Project :
2 HOMES & 2 ADU
SMALL LOT ORDINANCE
1022 W. WILSON STREET
COSTA MESA, CA 92627

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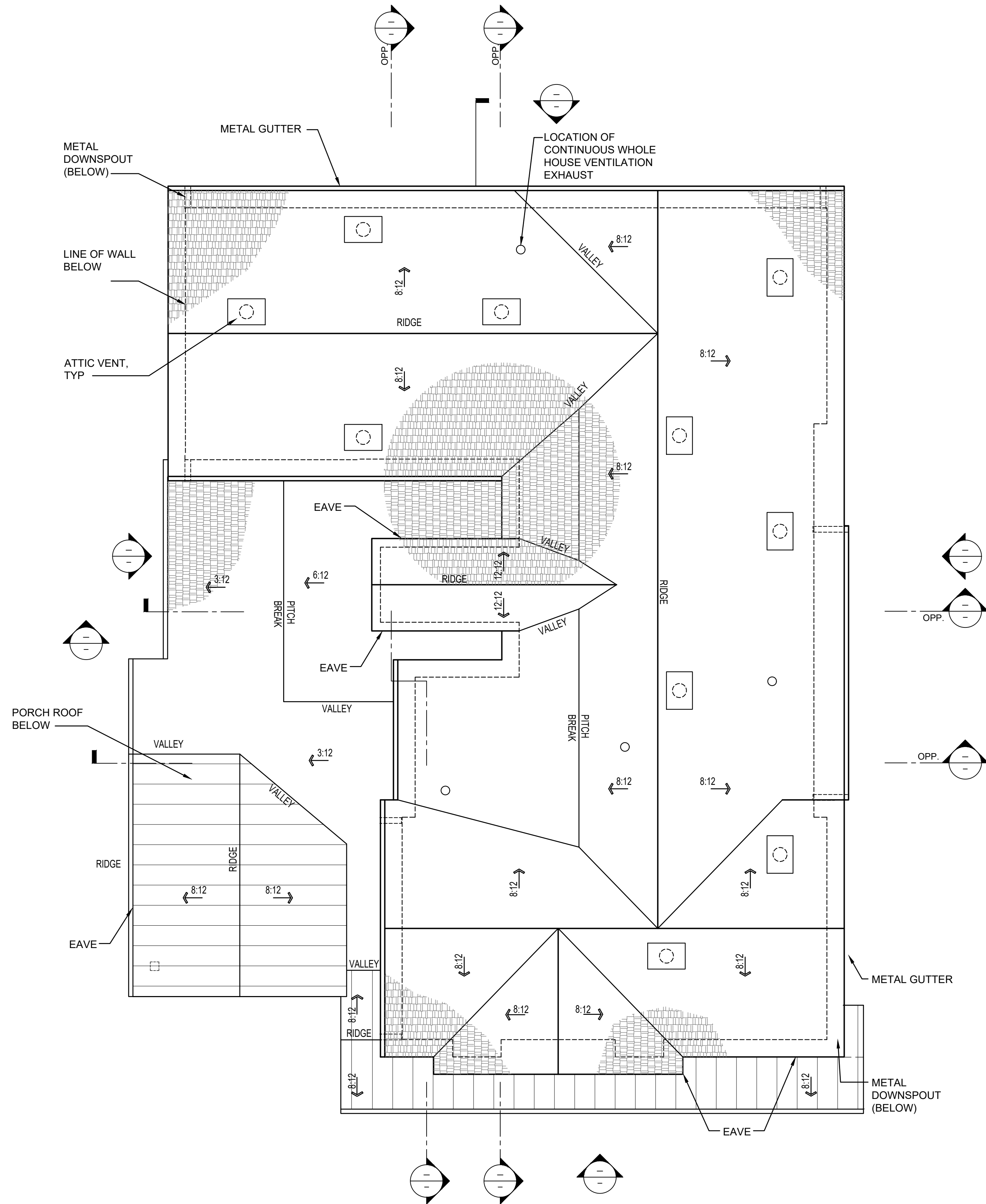
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Project Start Date:	09-20-2023
Drawn By:	DC
Checked By:	KP
Scale:	AS NOTED

Drawing Title

ROOF PLAN
(EAST HOUSE)

Sheet **A-4.1**

PLOT DATE: March 4, 2024 K:\02-1173-001 1022 WILSON COSTA MESA\CAD\SHEETS\A-4.2 ROOF PLAN W.DWG



1 ROOF PLAN (WEST HOUSE)
SCALE: 1/4" = 1'-0"

Architect :



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Neil Slanton Palmer ARCHITECTS / Jack K. Bryant ENGINEERS
2001 Airport Drive, Suite 310, Torrance, CA 90505
Telephone: (310) 326-9111
Fax: (310) 325-0271

Builder :

Project :

**2 HOMES & 2 ADU
SMALL LOT ORDINANCE**

1022 W. WILSON STREET
COSTA MESA, CA 92627

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MARK	DATE	DESCRIPTION

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Stamp

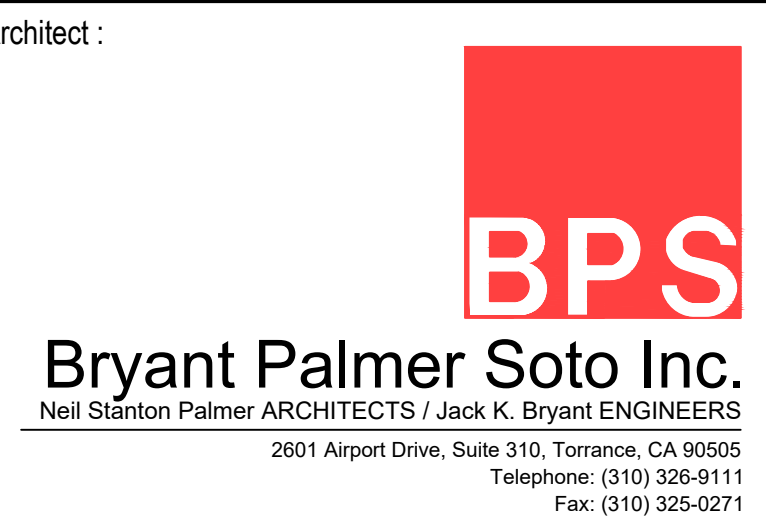
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Project Start Date:	09-20-2023
Drawn By:	DC
Checked By:	KP
Scale:	AS NOTED

Drawing Title

**ROOF PLAN
(WEST HOUSE)**

Sheet

A-4.2



project :

2 HOMES & 2 ADU
SMALL LOT ORDINANCE
1022 W. WILSON STREET
COSTA MESA, CA 92627

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Job No.: 02-1173:001

CADD File: K:\02-1173-001 1022 WILSON COSTA MESA\CAD\SHEETS\A-5.1 EXT ELEVS E.DWG

Project Start Date: 09-20-2023

Drawn By: DC

Checked By: KP

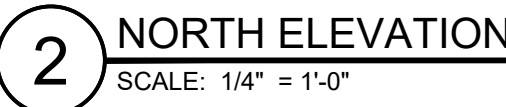
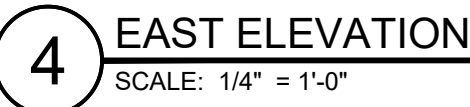
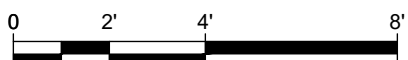
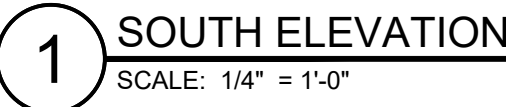
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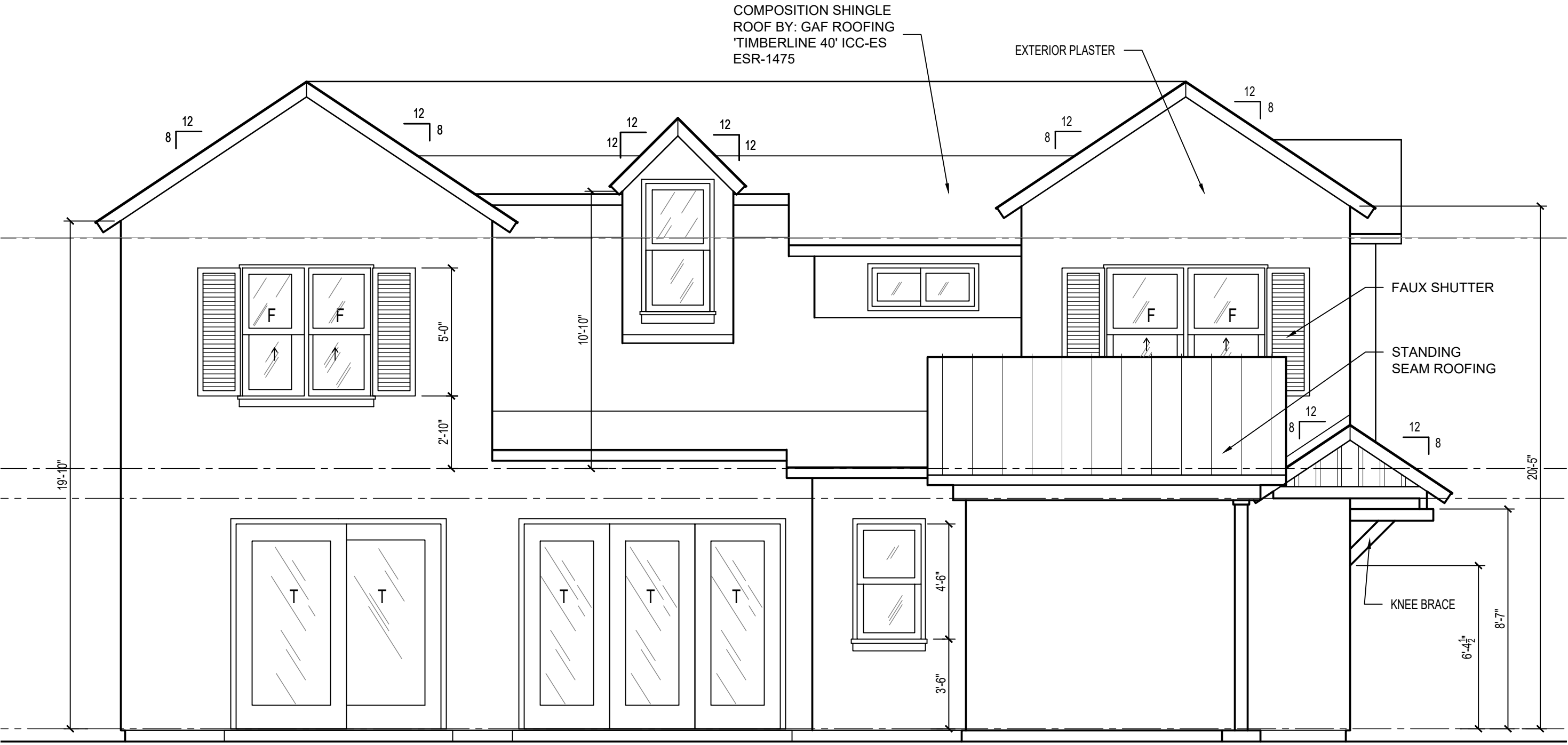
EXTERIOR ELEVATIONS (EAST HOUSE)

Sheet

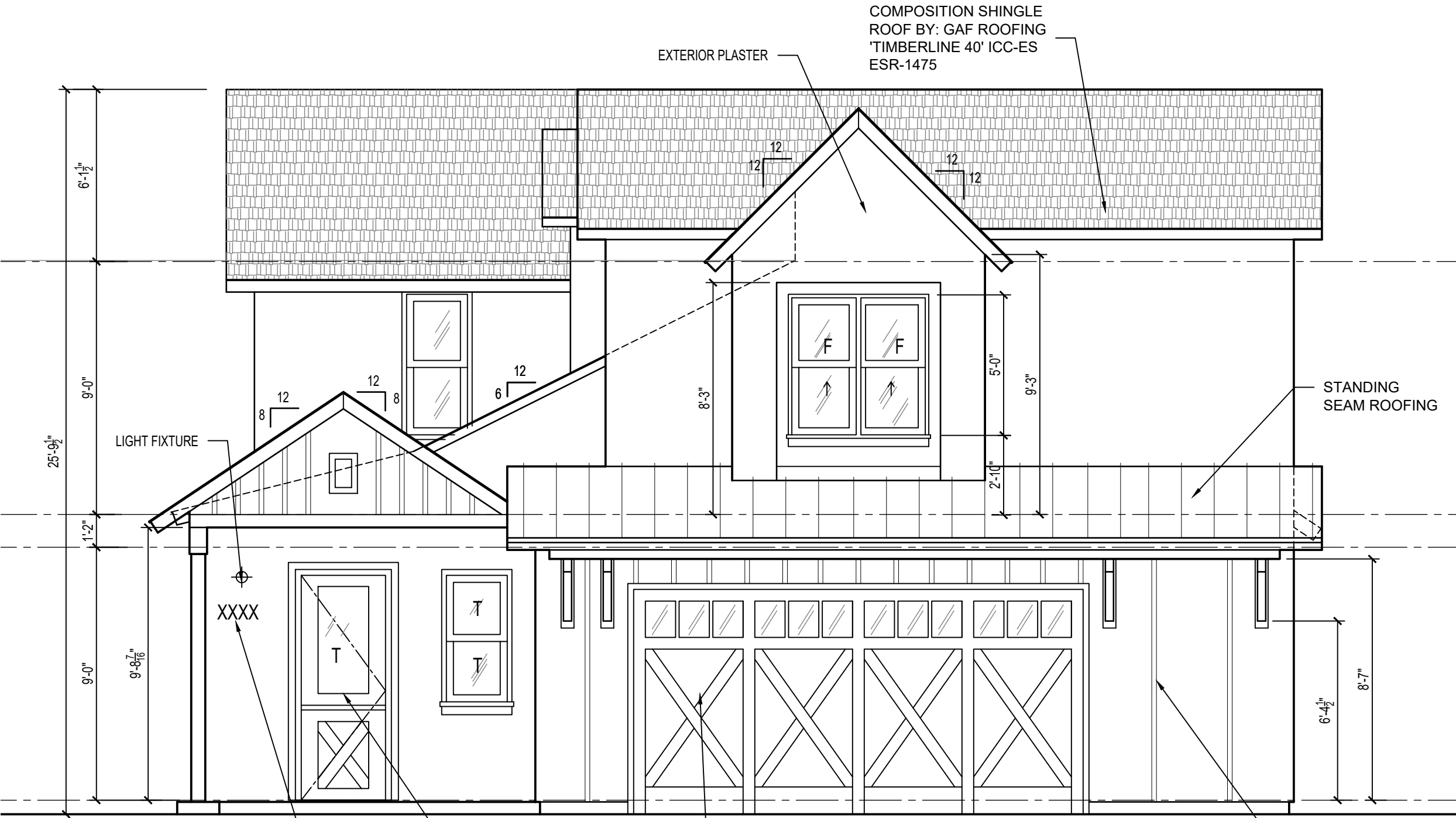
A-5.1



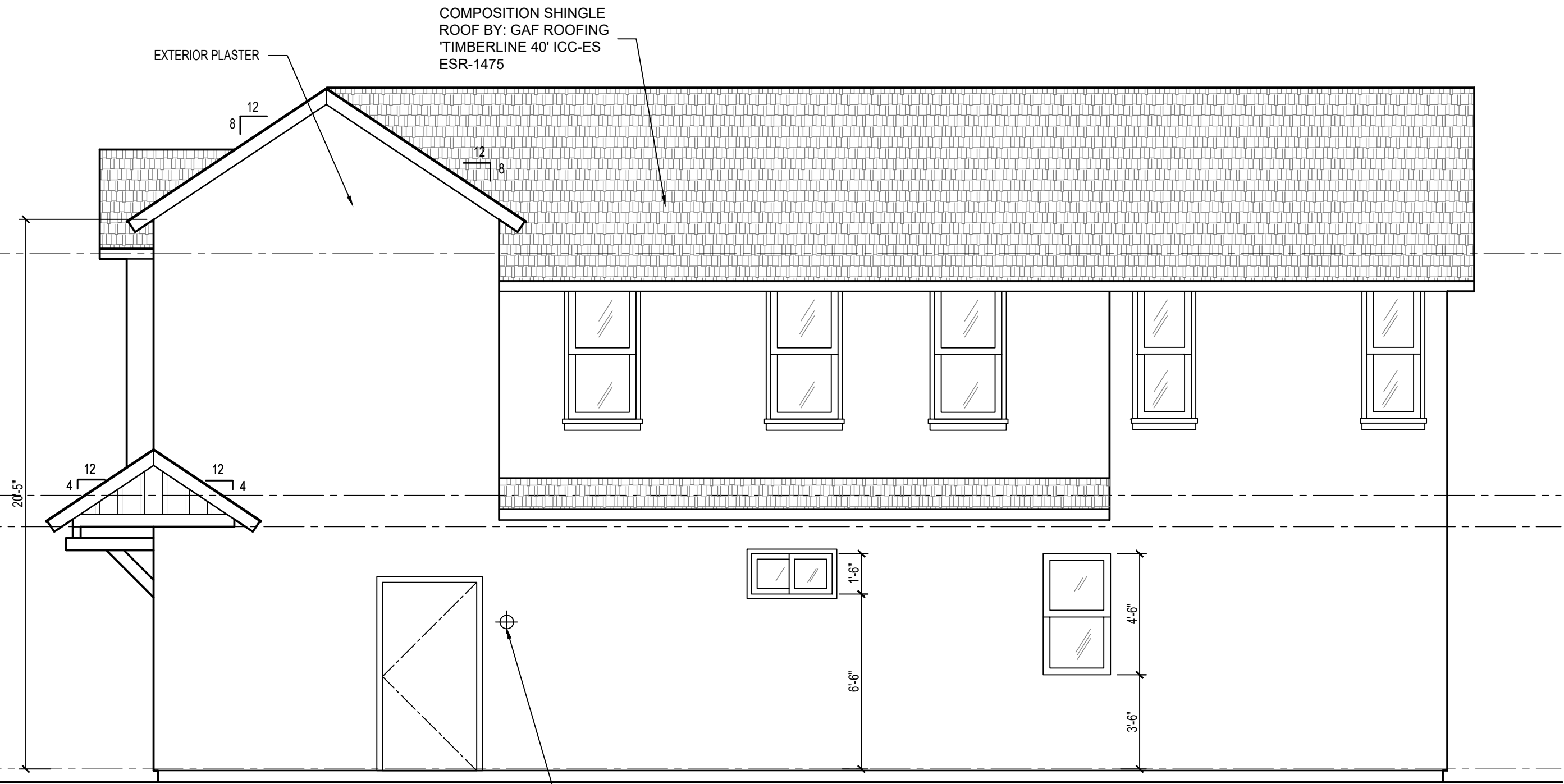
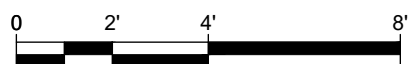
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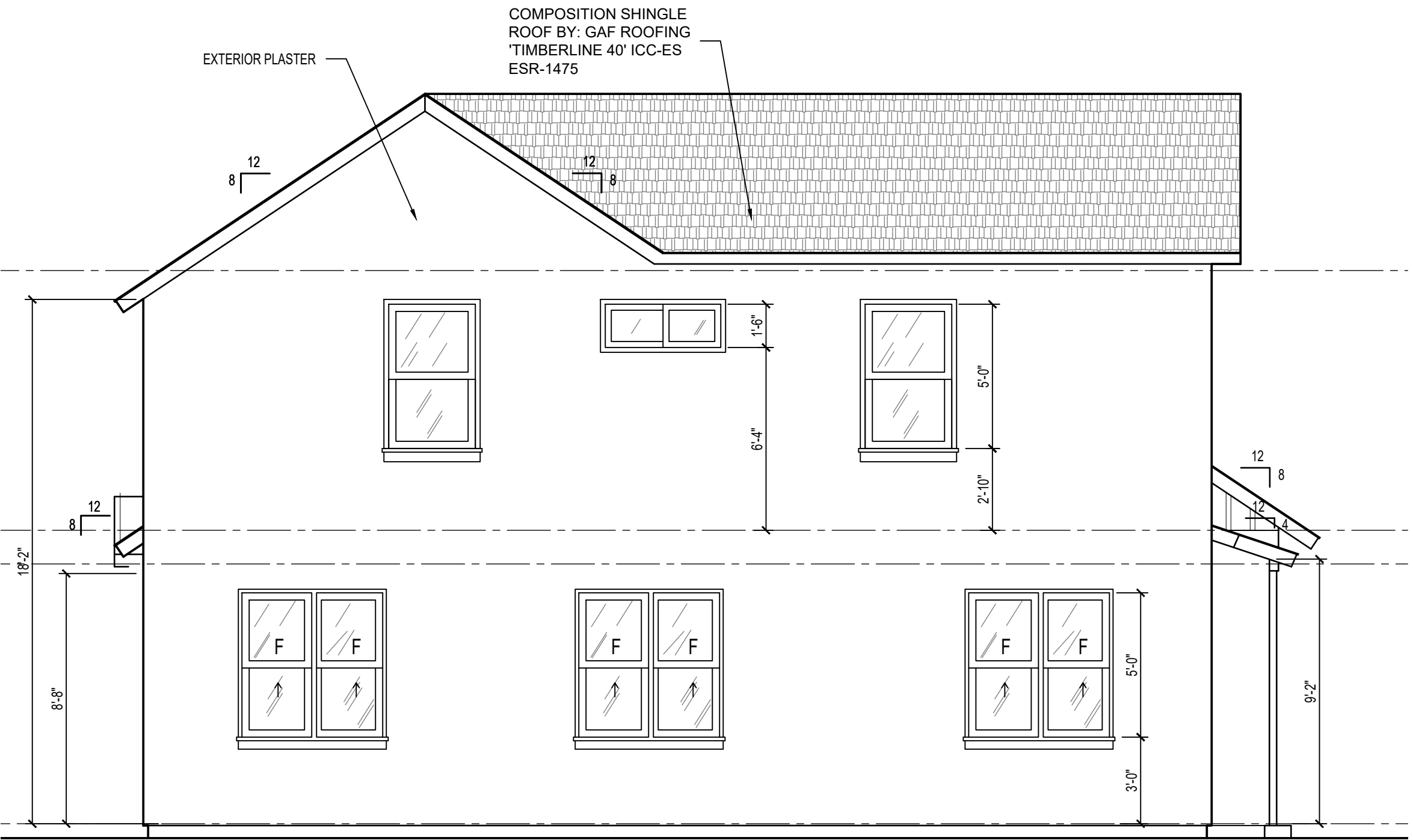
3 WEST ELEVATION
SCALE: 1/4" = 1'-0"



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



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



2 NORTH ELEVATION
SCALE: 1/4" = 1'-0"

Architect : **BPS**
Bryant Palmer Soto Inc.
Neil Slanton Palmer ARCHITECTS / Jack K. Bryant ENGINEERS
2001 Airport Drive, Suite 310, Torrance, CA 90505
Telephone: (310) 326-9111
Fax: (310) 325-0271

Builder :

Project :
**2 HOMES & 2 ADU
SMALL LOT ORDINANCE**
**1022 W. WILSON STREET
COSTA MESA, CA 92627**

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REVISIONS

MARK	DATE	DESCRIPTION

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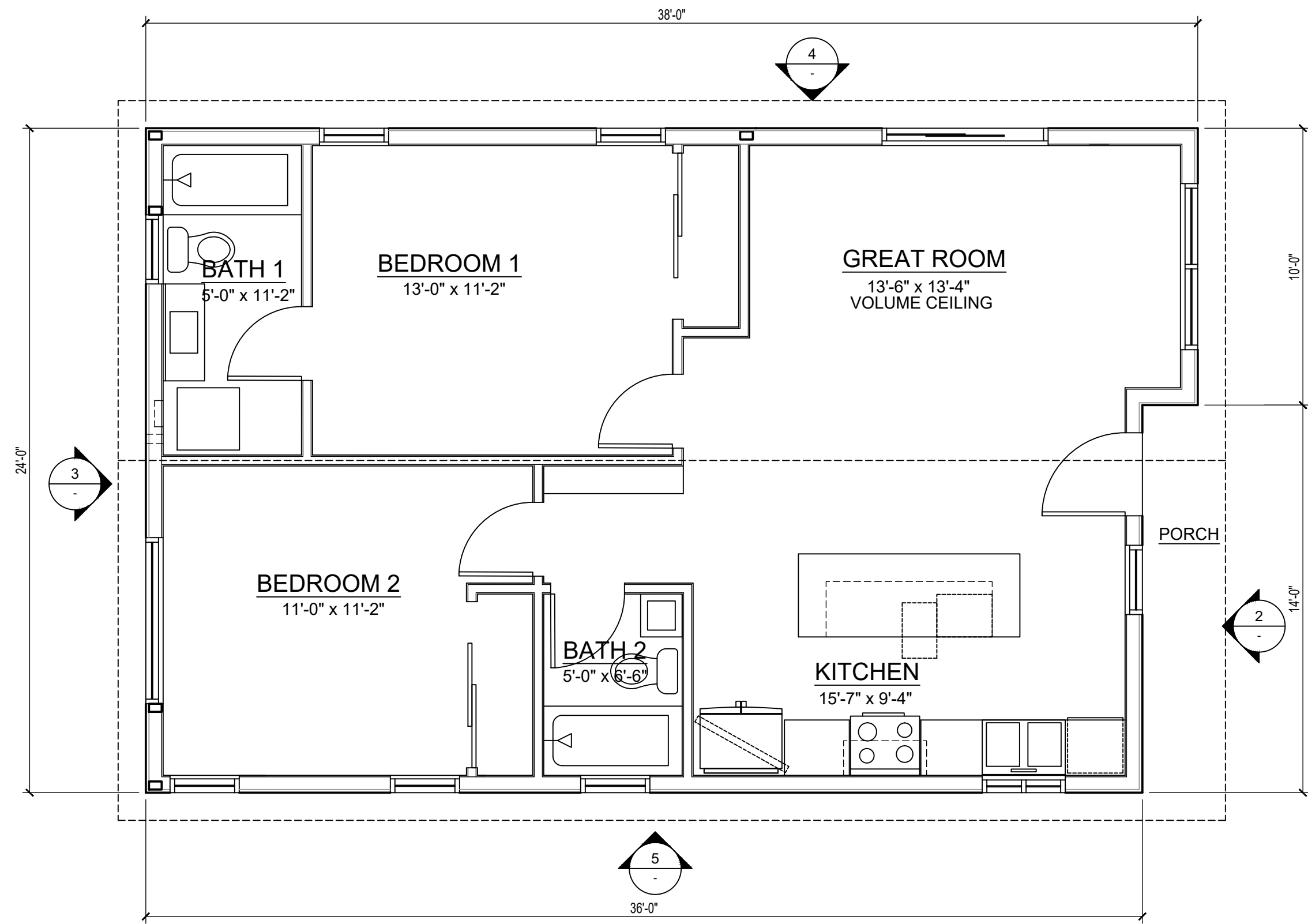
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Project Start Date: 09-20-2023
Drawn By: DC
Checked By: KP
Scale: AS NOTED

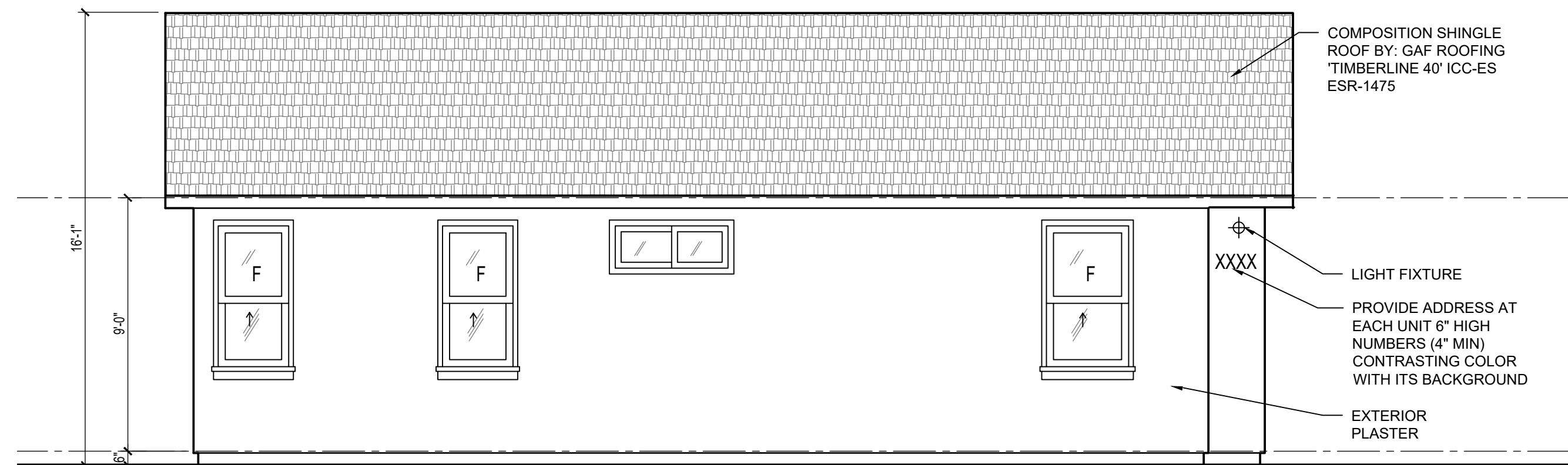
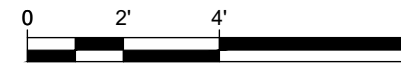
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**EXTERIOR ELEVATIONS
(WEST HOUSE)**

Sheet
A-5.2

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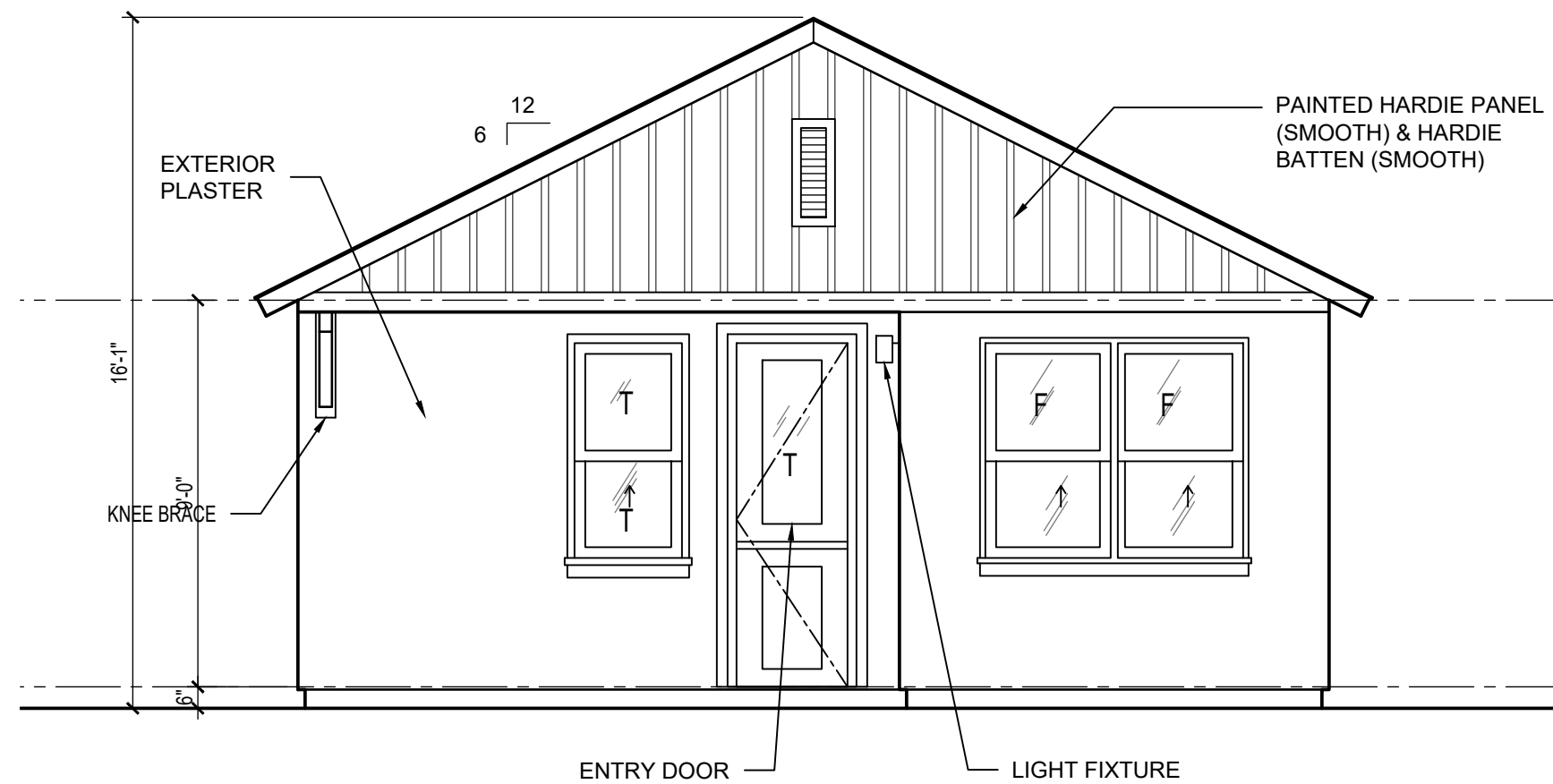


1 ADU FIRST FLOOR PLAN



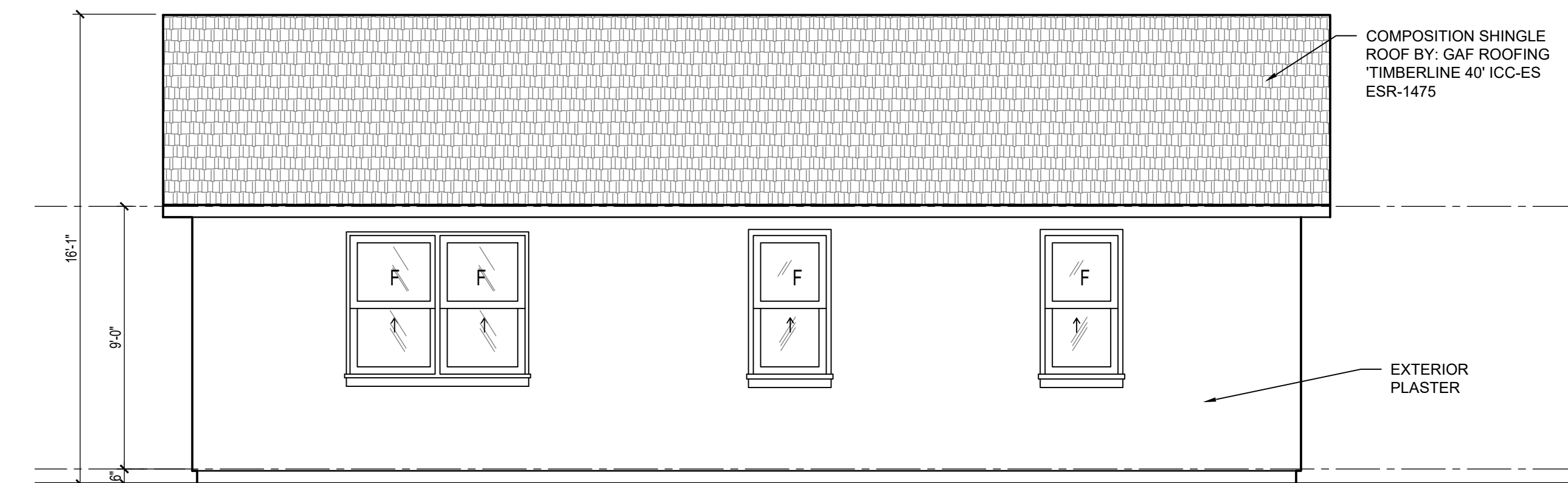
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SCALE: 1/4" = 1'-0"



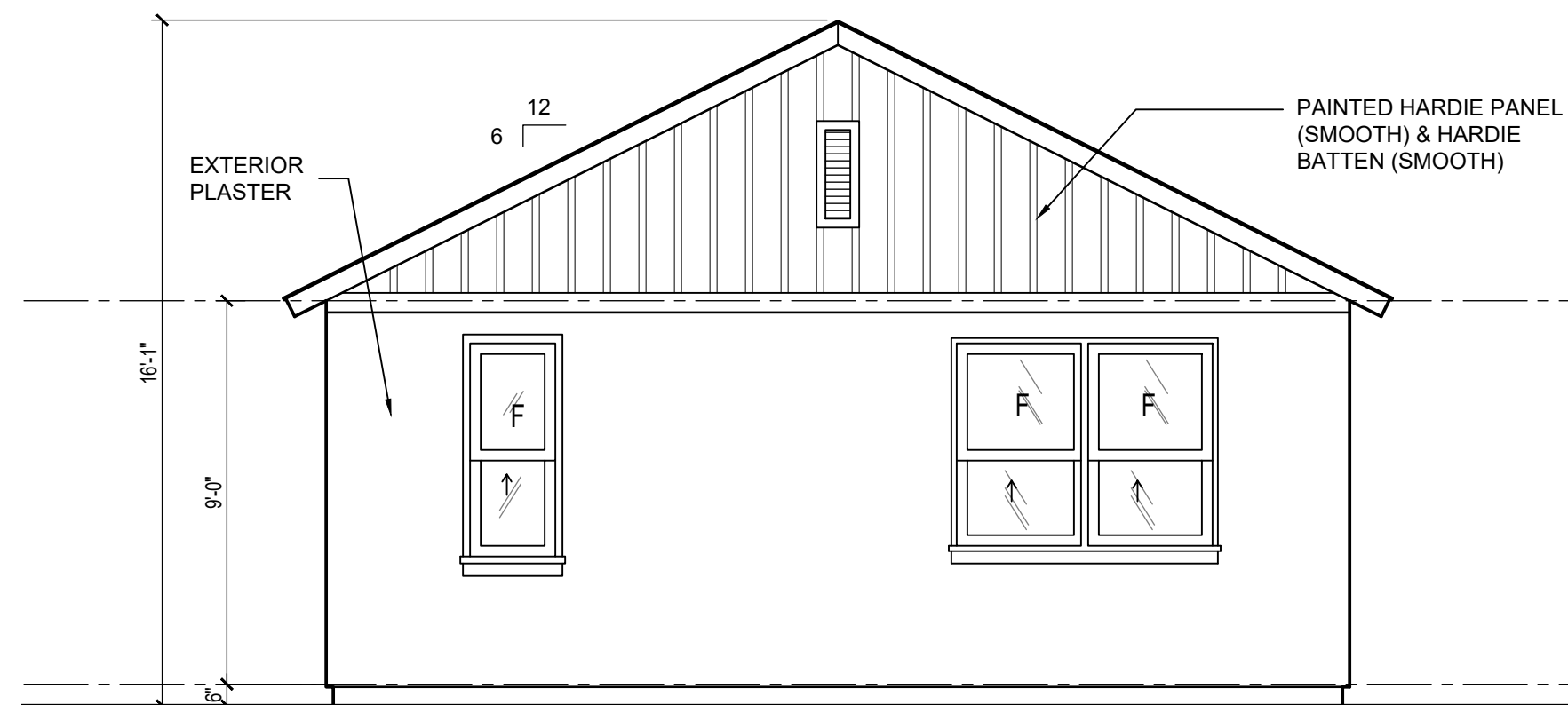
2 EAST ELEVATION

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



5 NORTH ELEVATION

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

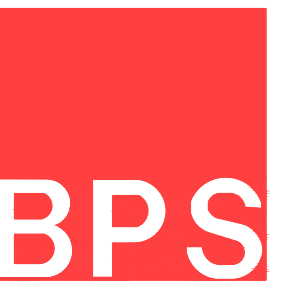


3 WEST ELEVATION

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



Architect :



Bryant Palmer Soto Inc.

Neil Slanton Palmer ARCHITECTS / Jack K. Bryant ENGINEERS
2001 Airport Drive, Suite 310, Torrance, CA 90505
Telephone: (310) 326-9111
Fax: (310) 325-0271

Builder :

Project :

**2 HOMES & 2 ADU
SMALL LOT ORDINANCE**

**1022 W. WILSON STREET
COSTA MESA, CA 92627**

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Job No.: 02-1173-001

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Project Start Date: 09-20-2023

Drawn By: DC

Checked By: KP

Scale: AS NOTED

Drawing Title

**ADU FLOOR PLAN
AND ELEVATIONS**

Sheet

A-6.0

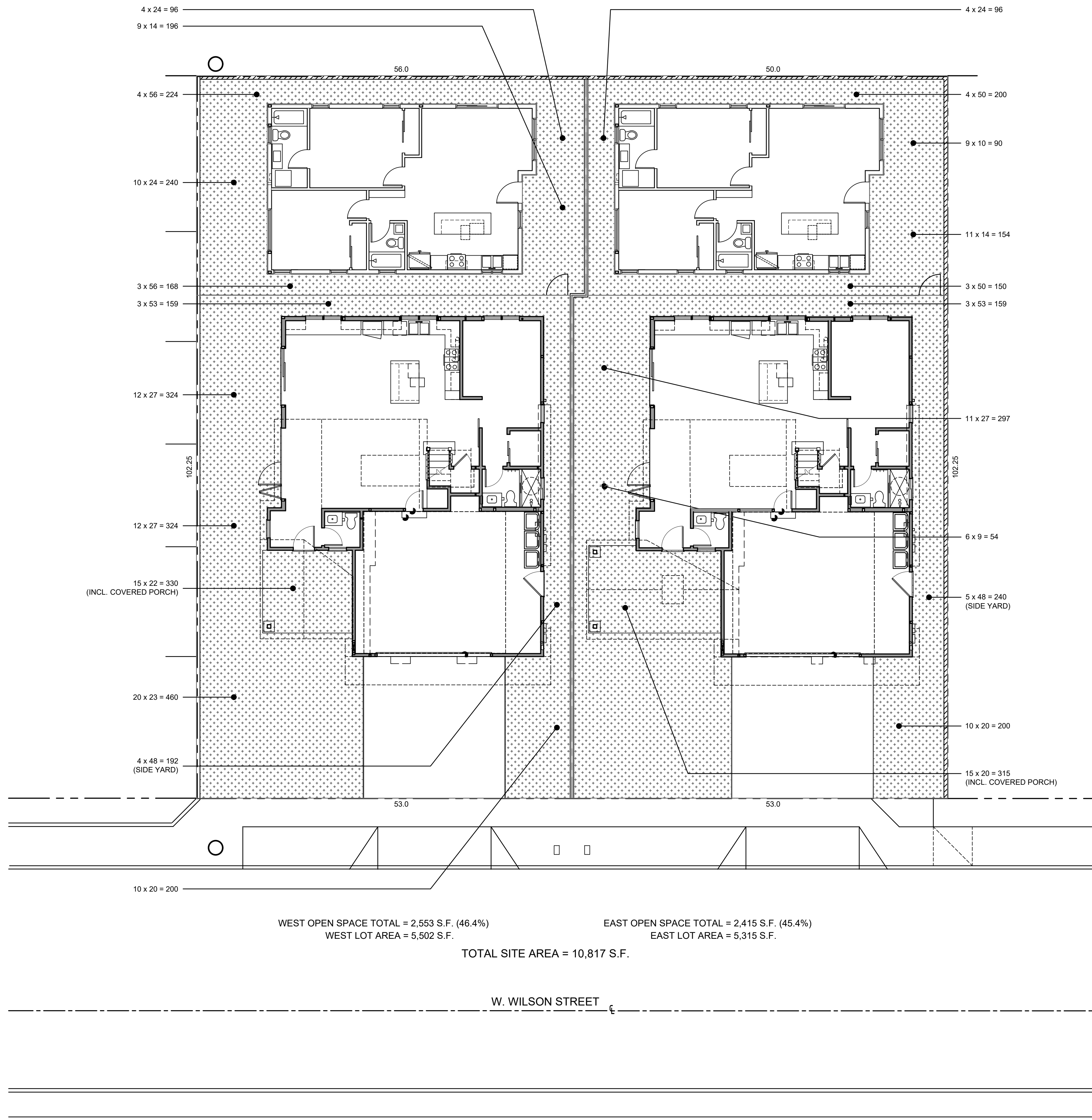
Diagram illustrating the proposed two-story house, property wall, and existing adjacent two-story structure. The diagram shows a cross-section of the property wall and the adjacent structure. A second-story window is shown in the existing structure, and a proposed two-story house is shown to the left. A dashed line indicates the line of sight from the second-story window to the proposed house. A label "IF NECESSARY OPAQUE SCREEN WINDOW, TYP" points to a vertical line on the property wall, indicating the location of a potential screen window.

Architectural site plan showing proposed two-story houses at 1022 W. Wilson St (West and East). The plan includes existing adjacent structures, property walls, and streets (1024 W. Wilson St, 1010 W. Wilson St, W. Wilson Street). Key features include:

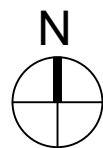
- Proposed two-story houses at 1022 W. Wilson St (West) and 1022 W. Wilson St (East).
- Existing adjacent two-story structures on the north and east sides.
- Property walls and a 6 ft high property wall/fence on the east side.
- Streets: 1024 W. Wilson St, 1022 W. Wilson St (West), 1022 W. Wilson St (East), 1010 W. Wilson St, and W. Wilson Street.
- Line of sight study showing sight triangles and sight lines.
- Scale: 1/8" = 1'-0".
- North arrow pointing up.
- Graphic scale bar showing 0, 4, 8, and 16 feet.


A-7.0

PLOT DATE: March 7, 2024 K:\02-1173-001 1022 WILSON COSTA MESA\CAD\SHEETS\A-7.1 OPEN SPACE STUDY.DWG



1 OPEN SPACE STUDY (SITE PLAN)
SCALE: 1/8" = 1'-0"



Architect : 
Bryant Palmer Soto Inc.
Neil Slanton Palmer ARCHITECTS / Jack K. Bryant ENGINEERS
2601 Airport Drive, Suite 310, Torrance, CA 90505
Telephone: (310) 326-9111
Fax: (310) 325-0271

Builder :

Project :
**2 HOMES & 2 ADU
SMALL LOT ORDINANCE**
**1022 W. WILSON STREET
COSTA MESA, CA 92627**

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REVISIONS

MARK	DATE	DESCRIPTION

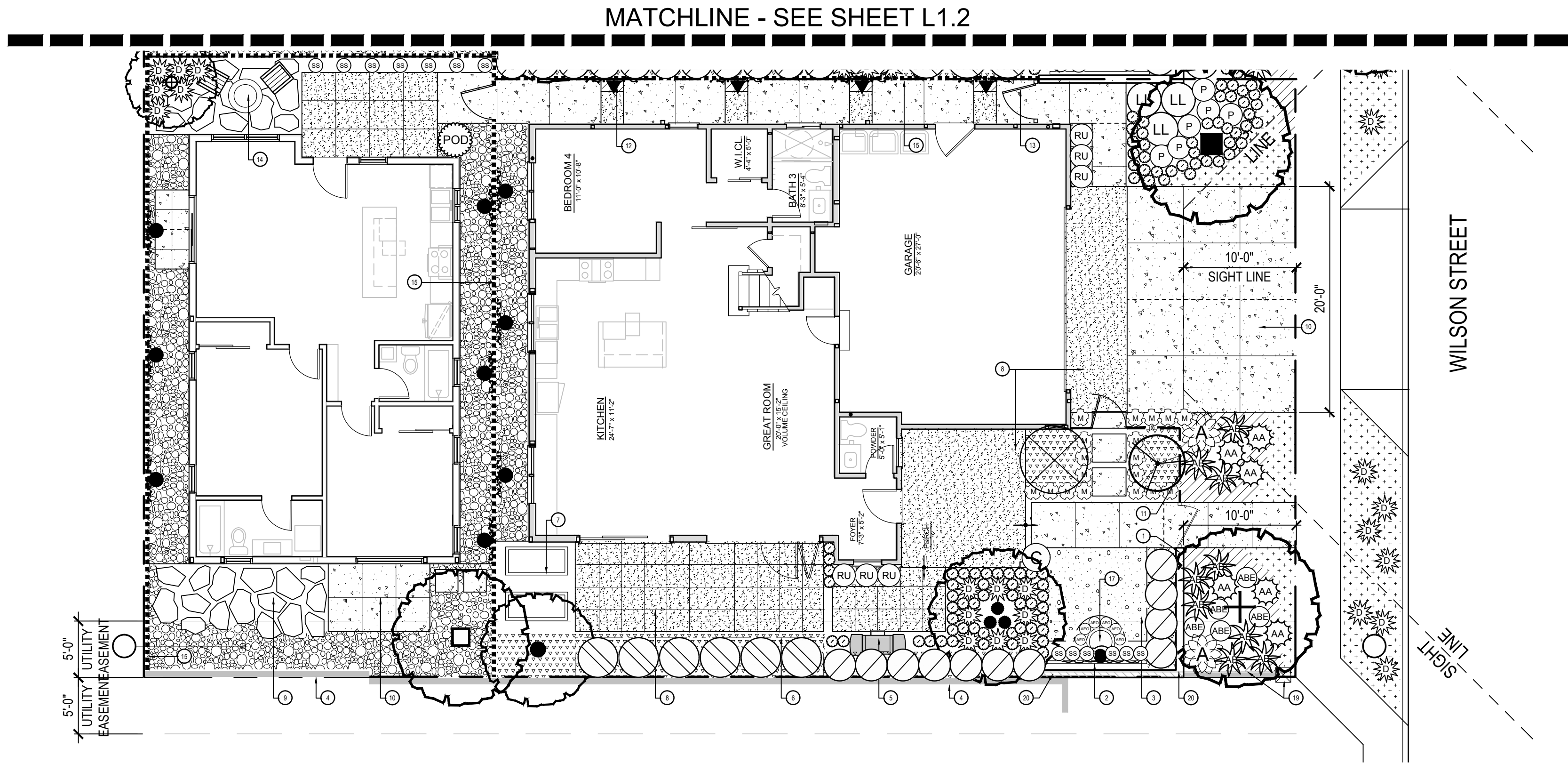
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Job No.:	02-1173-001
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Project Start Date:	09-20-2023
Drawn By:	DC
Checked By:	KP
Scale:	AS NOTED

Drawing Title
**OPEN SPACE
STUDY**

Sheet
A-7.1

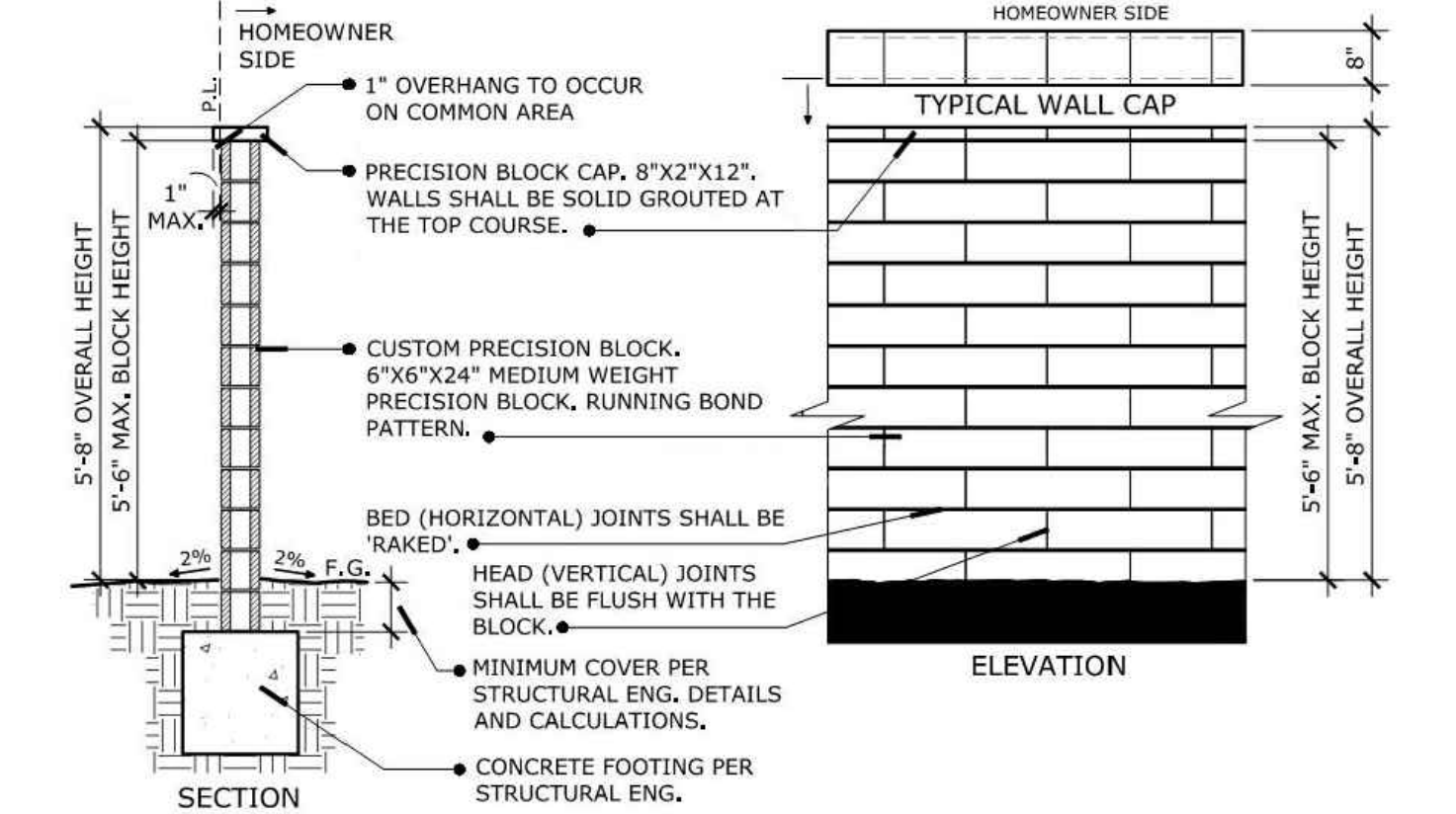


LEGEND

SYMBOL	DESCRIPTION
1	6'-0" HIGH ENHANCED MASONRY WALL
2	ORNAMENTAL TRELLIS NO. 1
3	BIRD'S EYE PEA GRAVEL
4	EXISTING PROPERTY LINE WALL TO REMAIN
5	PORTABLE BBQ (BY TENANT / OWNER)
6	18-INCH HIGH CORTEN STEEL RAISED PLANTER
7	RAISED VEGETABLE BEDS (MAY BE BY TENANT / OWNER)
8	PORCELAIN 24-INCH X 24-INCH TILE PAVING OR SCORED CONCRETE
9	FLAGSTONE PAVING ON SAND BED
10	STANDARD CONCRETE PAVING
11	6'-0" HIGH TUBULAR STEEL FENCE
12	VINE POCKET
13	PROPOSED VINYL GATE
14	PORTABLE FIRE PIT (BY TENANT / OWNER)
15	6'-0" PROPERTY LINE VINYL FENCE
16	STREET TREE PER CITY OF COSTA MESA
17	SELF CONTAINED WATER FEATURE ELEMENT
18	LOW MASONRY WALL AND PILASTER
19	EXISTING 2-FT HIGH END COLUMN AND WALL - PROTECT IN PLACE
20	EXISTING 2-FT HIGH WALL - TO BE REMOVED FOR NEW 6'-0" ENHANCED MASONRY WALL

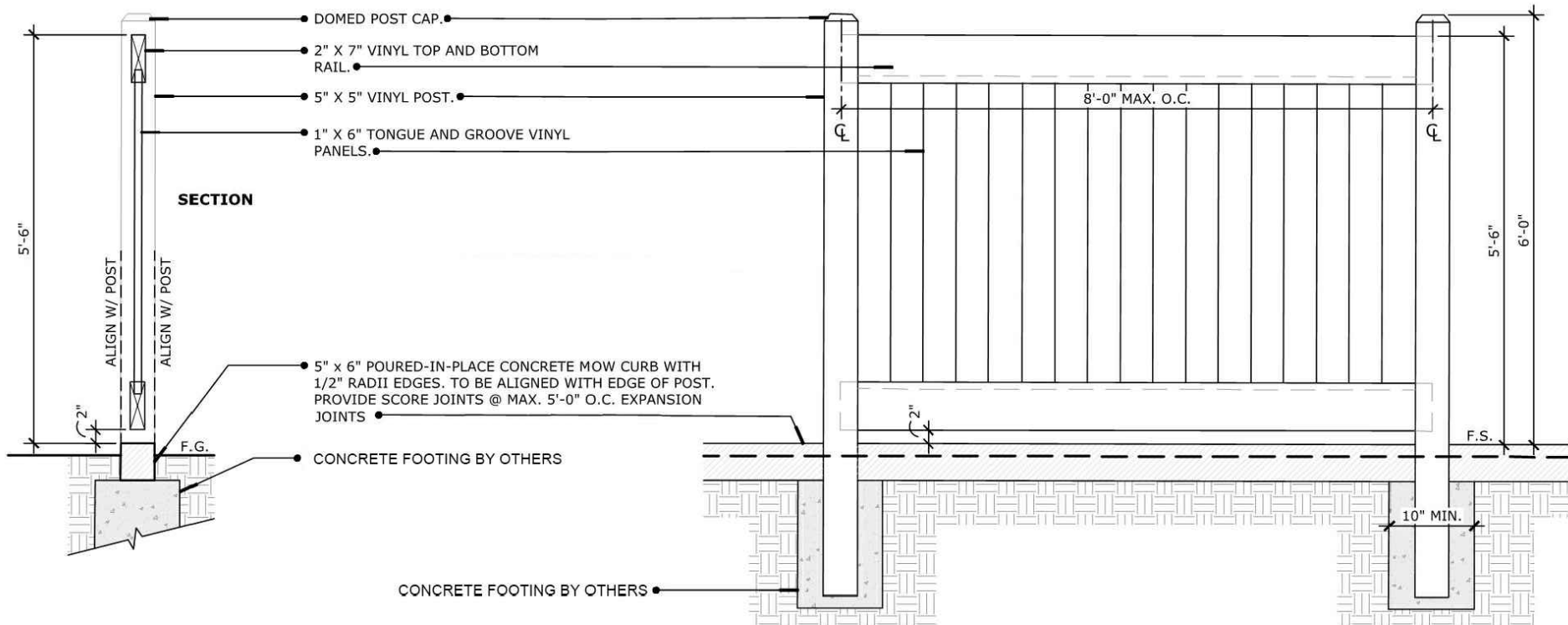
HARDSCAPE LEGEND

SYMBOL	DESCRIPTION
[Pattern]	BIRD'S EYE PEA GRAVEL
[Pattern]	3/4-INCH ROCK MULCH
[Pattern]	ENHANCED CONCRETE OR PAVERS
[Pattern]	CONCRETE



HIGH PRECISION BLOCK WALL

SCALE: 1/2" = 1'-0"



VINYL FENCE ON MOW CURB

SCALE: 3/4" = 1'-0"

WEST LOT LANDSCAPE TABULATION:

- TOTAL LANDSCAPE AREA = 862 S.F.
- GROUND COVER / GROUND COVER SHRUB = 610 S.F. (71% OF LS AREA)
- TREES REQUIRED LANDSCAPE AREA: 862 S.F. / 200 S.F. = 5 TREES REQ.
- TREES PROVIDED: 7 TREES PROVIDED / 86% EVERGREEN

- SHRUBS REQUIRED OPEN SPACE: 862 S.F. / 25 S.F. = 35 SHRUBS REQ.
- SHRUBS PROVIDED: 191 SHRUBS & VINES PROVIDED

- SIXTY (60) PERCENT OF THE REQUIRED SHRUBS SHALL BE A MINIMUM OF FIVE (5) GALLONS: 14 FIVE-GALLON REQUIRED (60%)
- 5 / 15 GAL SHRUBS PROVIDED: 116 PROVIDED

SUMMARY:

LANDSCAPE HAS BE DESIGNED TO MEET OR EXCEED MINIMUM TREE AND SHRUB PLANT COUNTS AND SIZING PER ORDINANCE (SEE TABULATION) BASED ON THE LANDSCAPED AREA. PROFESSIONAL JUDGEMENT IS USED TO MAXIMIZE AESTHETICS WHILE ALLOWING LANDSCAPE TO MATURE PROPERLY

IRRIGATION NOTES:

AUTOMATIC IRRIGATION SYSTEM SHALL BE PROVIDED WITH SUBSURFACE LANDSCAPE DRIPLINE.

LANDSCAPE SHALL MEET CITY WATER CONSERVATION GUIDELINES.

PLANT LEGEND WEST LOT

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	WUCOLS	QTY
TREES					
[Symbol]	DRACAENA DRACO	DRAGON TREE	24" BOX STD	VERY LOW / EVERGREEN	1
[Symbol]	ERIOBOTRYA DEFLEXA	BRONZE LOQUAT	24" BOX STD	MEDIUM / EVERGREEN	1
[Symbol]	FEIJOA SELLOWIANA	PINEAPPLE GUAVA	24" BOX 'LOW BRANCH'	LOW / EVERGREEN	1
[Symbol]	MELALEUCA QUINQUENERVIA	PAPERBARK TREE	24" BOX STD	LOW / EVERGREEN	1
[Symbol]	METROSIDEROS EXCELSA	NEW ZEALAND CHRISTMAS TREE	36" BOX MULTI	MEDIUM / EVERGREEN	1
[Symbol]	OLEA EUROPAEA	EUROPEAN OLIVE	B&B 15X15'	LOW / EVERGREEN	1
[Symbol]	PARKINSONIA X 'DESERT MUSEUM'	DESERT MUSEUM PALO VERDE	36" BOX 'LOW BRANCH'	VERY LOW / DECIDUOUS	1

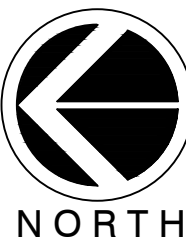
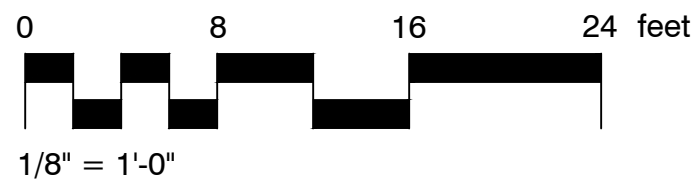
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	WUCOLS	SPACING	QTY
SHRUBS						
[Symbol]	AEONIU URBICUM	DINNER PLATE AEONIU	1 GAL	LOW	12" o.c.	6
[Symbol]	AGAVE ATTENUATA	FOXTAIL AGAVE	5 GAL	LOW	30" o.c.	6
[Symbol]	ALOE ARBORESCENS	TORCH ALOE	15 GAL	LOW	42" o.c.	2
[Symbol]	ALOE BARBADENSIS	BARBADOS ALOE	5 GAL	LOW	36" o.c.	9
[Symbol]	CUPRESSUS SEMPERVIRENS 'MONSHEL'	TINY TOWER ITALIAN CYPRESS	15 GAL	LOW	30" o.c.	1
[Symbol]	DIANELLA REVOLUTA 'LITTLE REV'	LITTLE REV FLAX LILY	5 GAL	LOW	28" o.c.	14
[Symbol]	GREWIA CAFFRA	LAVENDER STARFLOWER	15 GAL ESPALIER	LOW	18" o.c.	9
[Symbol]	LEONOTIS LEONURUS	LION'S TAIL	5 GAL	LOW	36" o.c.	3
[Symbol]	LIGUSTRUM JAPONICUM 'TEXANUM'	TEXAS JAPANESE PRIVET	5 GAL COLUMN	MEDIUM	34" o.c.	11
[Symbol]	PENNISETUM X 'FAIRY TAILS'	FAIRY TAILS FOUNTAIN GRASS	5 GAL	MEDIUM	24" o.c.	6
[Symbol]	PODOCARPUS ELONGATUS 'MONMAL'	ICEE BLUE YELLOW WOOD	15 GAL	MEDIUM	36" o.c.	1
[Symbol]	PRUNUS CAROLINIANA 'COMPACTA'	COMPACT CAROLINA CHERRY LAUREL	24" BOX	MEDIUM	42" o.c.	6
[Symbol]	RHAPHIOLEPIS UMBELLATA 'MINOR'	DWARF YEDDA HAWTHORN	5 GAL	LOW	24" o.c.	6
[Symbol]	RHAPHIOLEPIS X 'MONTIC'	MAJESTIC BEAUTY INDIAN HAWTHORN	24" BOX	MEDIUM	72" o.c.	1
[Symbol]	TRACHELOSPERMUM JASMINOIDES	CHINESE STAR JASMINE	15 GAL ESPALIER	LOW	18" o.c.	4
[Symbol]	VINE- TBS		15 GAL ESPALIER		18" o.c.	1

GROUND COVERS / GROUND COVER SHRUB

[Symbol]	BULBINE FRUTESCENS 'TINY TANGERINE'	TINY TANGERINE BULBINE	1 GAL	LOW	12" o.c.	79 SF
[Symbol]	DYMONDIA MARGARETAE	SILVER CARPET DYMONDIA	4"	LOW	12" o.c.	80 SF
[Symbol]	SENECIO SERPENS	BLUE CHALKSTICKS	4"	LOW	12" o.c.	248 SF
[Symbol]	ALOE X 'BLUE ELF'	BLUE ELF ALOE	5 GAL	LOW	22" o.c.	5
[Symbol]	FESTUCA OVINA GLAUCA	BLUE SHEEP FESCUE	1 GAL	LOW	12" o.c.	88
[Symbol]	MYRTUS COMMUNIS 'COMPACTA'	DWARF COMMON MYRTLE	5 GAL	LOW	18" o.c.	18
[Symbol]	SENECIO FICOIDES 'MOUNT EVEREST'	SKYSCRAPER SENECIO	5 GAL	LOW	15" o.c.	13

NOTE:

- GROUND COVER AND GROUND COVER SHRUBS ARE INTENDED TO SPREAD FORMING 100 % SOIL COVERAGE TO MEET THE MINIMUM CITY 70% SOIL COVERAGE.
- TREES ARE EXCEEDING THE "15 GALLON" MINIMUM CITY TREE SIZE AS SHOWN IN THE LEGEND.



REGISTERED LANDSCAPE ARCHITECT
2214
Signature
4/8/24
Date
4/11/2024
STATE OF CALIFORNIA

LANDSCAPE ARCHITECTURE MASTER PLANNING URBAN DESIGN
3188-Ct Alway Avenue Costa Mesa, CA 92626 O: 714.945.2888 F: 714.945.2878

CLIENT:
GRANT BIXBY
341 BAYSIDE DRIVE
NEWPORT BEACH, CA 92660

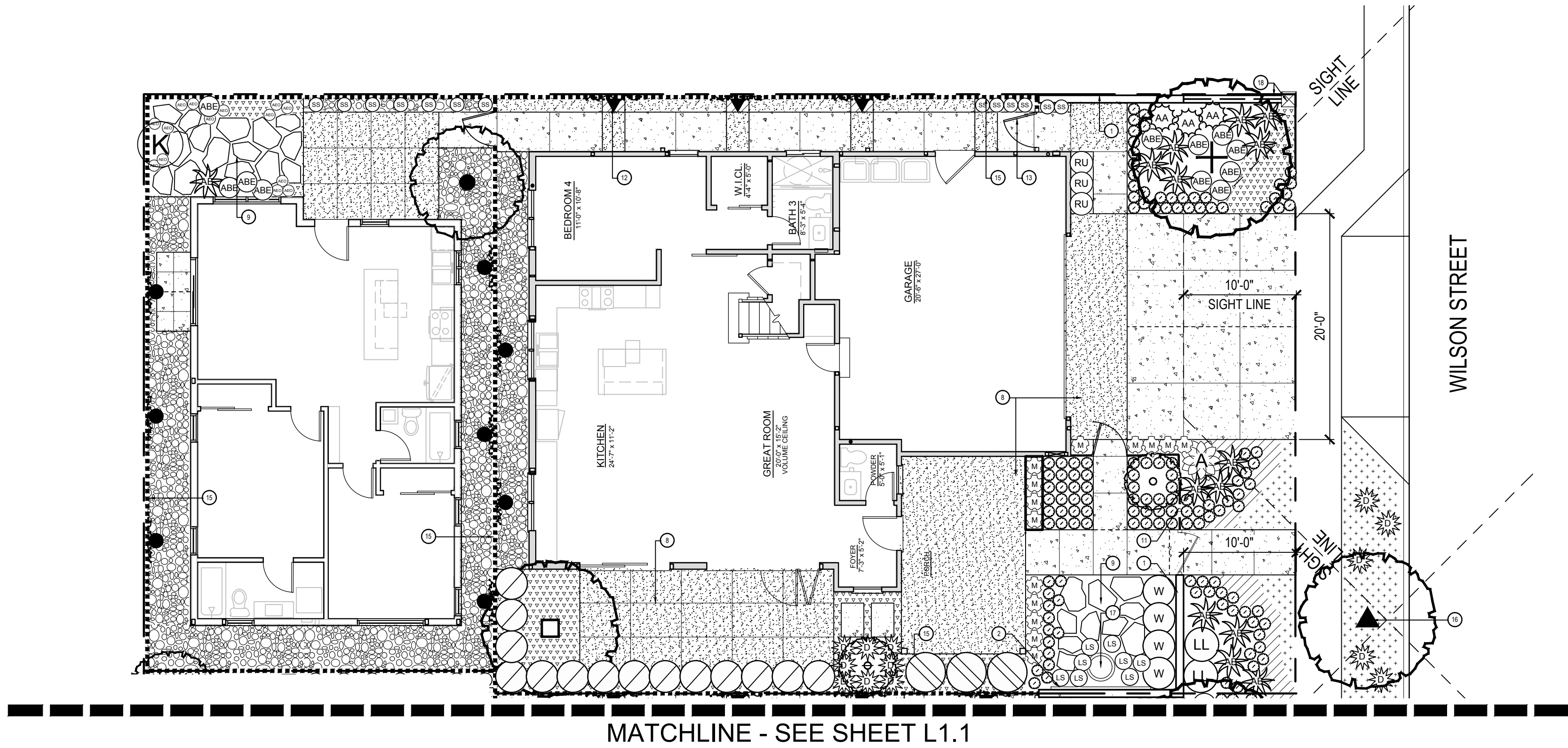
BGB | DESIGN GROUP

PROJECT:
WILSON STREET - 2 HOMES & 2 ADU
1022 W. WILSON STREET, COSTA MESA, CA 92627

JOB NUMBER
WIL-2301.01
DRAWN / CHECKED
NN / AG
SHEET TITLE
WEST LOT PRELIM
LANDSCAPE PLAN
SCALE
AS NOTED
SUBMITTALS
REVISIONS

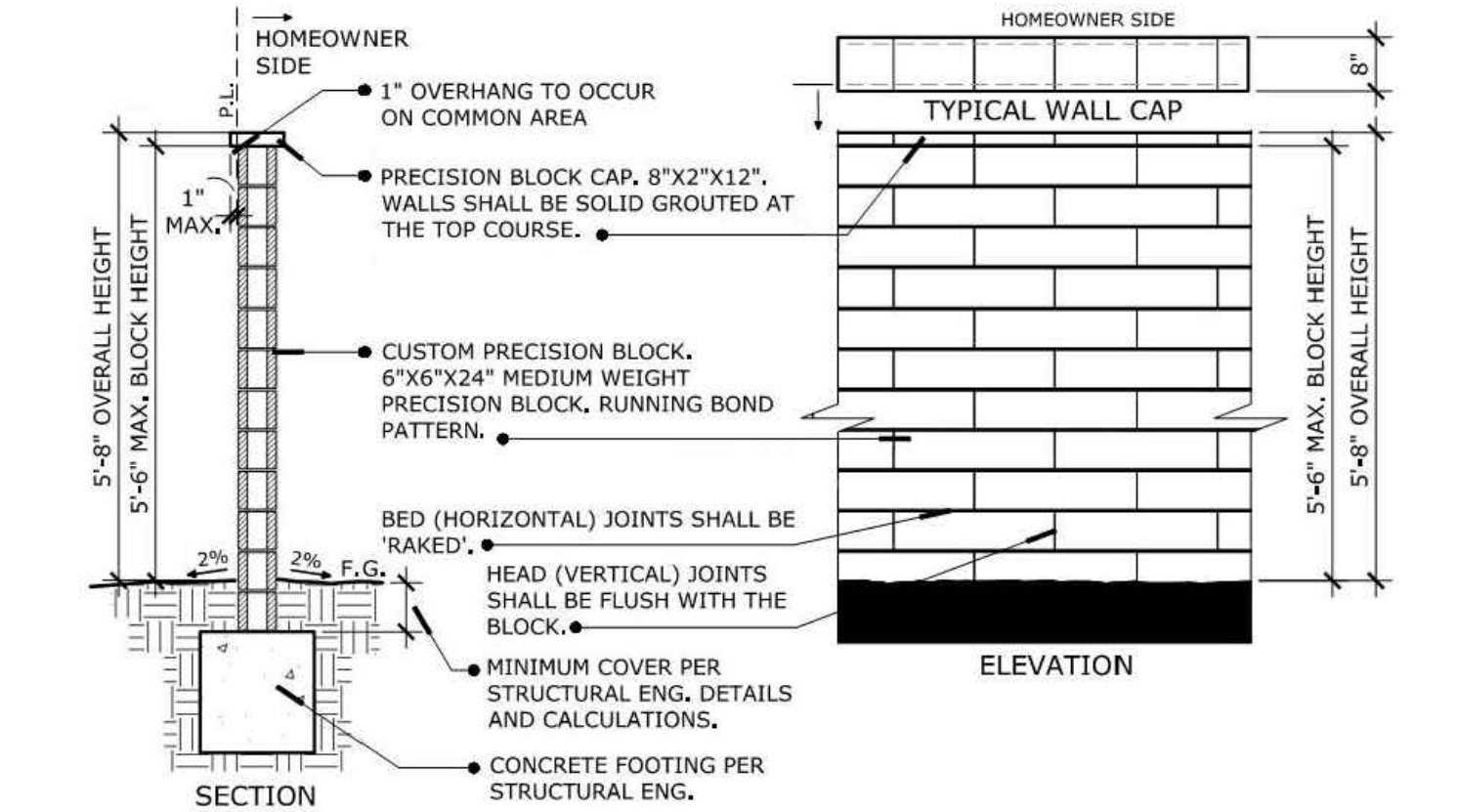
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01 OF 02

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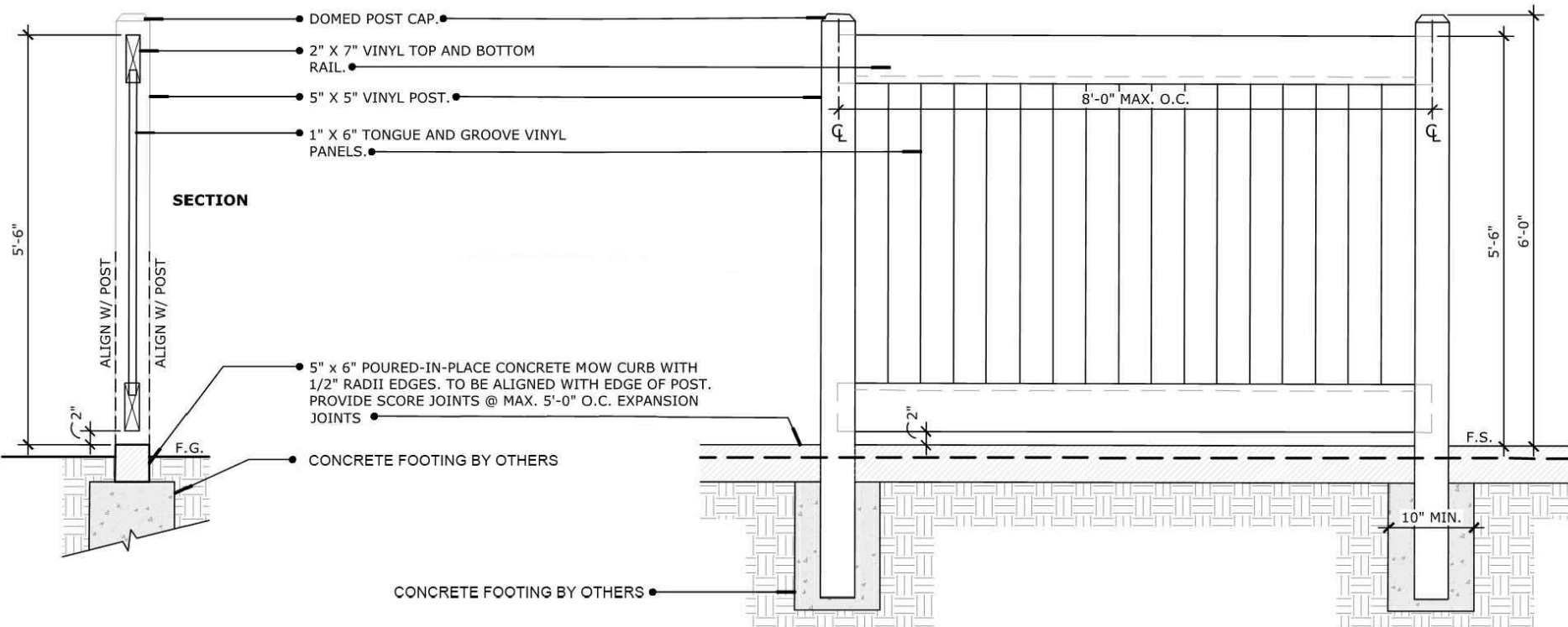
SYMBOL	DESCRIPTION
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5	PORTABLE BBQ (BY TENANT / OWNER)
6	18-INCH HIGH CORTEN STEEL RAISED PLANTER
7	RAISED VEGETABLE BEDS (MAY BE BY TENANT / OWNER)
8	PORCELAIN 24-INCH X 24-INCH TILE PAVING OR SCORED CONCRETE
9	FLAGSTONE PAVING ON SAND BED
10	STANDARD CONCRETE PAVING
11	6'-0" HIGH TUBULAR STEEL FENCE
12	VINE POCKET
13	PROPOSED VINYL GATE
14	PORTABLE FIRE PIT (BY TENANT / OWNER)
15	6'-0" PROPERTY LINE VINYL FENCE
16	STREET TREE PER CITY OF COSTA MESA
17	SELF CONTAINED WATER FEATURE ELEMENT
18	LOW MASONRY WALL AND PILASTER
19	EXISTING 2-FT HIGH END COLUMN AND WALL - PROTECT IN PLACE
20	EXISTING 2-FT HIGH WALL - TO BE REMOVED FOR NEW 6'-0" ENHANCED MASONRY WALL

SYMBOL	DESCRIPTION
[Symbol]	BIRD'S EYE PEA GRAVEL
[Symbol]	3/4-INCH ROCK MULCH
[Symbol]	ENHANCED CONCRETE OR PAVERS
[Symbol]	CONCRETE



HIGH PRECISION BLOCK WALL

SCALE: 1/2" = 1'-0"



VINYL FENCE ON MOW CURB

- EAST LOT LANDSCAPE TABULATION:
- TOTAL LANDSCAPE AREA = 777 S.F.
 - GROUND COVER / GROUND COVER SHRUB = 550 S.F. (71% OF LS AREA)
 - TREES REQUIRED LANDSCAPE AREA: 777 S.F. / 200 S.F. = 4 TREES REQ.
 - TREES PROVIDED: 5 TREES PROVIDED / 80% EVERGREEN

- SHRUBS REQUIRED OPEN SPACE: 777 S.F. / 25 S.F. = 32 SHRUBS REQ.
- SHRUBS PROVIDED: 262 SHRUBS & VINES PROVIDED

- SIXTY (60) PERCENT OF THE REQUIRED SHRUBS SHALL BE A MINIMUM OF FIVE (5) GALLONS: 13 FIVE-GALLON REQUIRED (60%)
- 5 / 15 GAL SHRUBS PROVIDED: 102 PROVIDED

SUMMARY:
LANDSCAPE HAS BE DESIGNED TO MEET OR EXCEED MINIMUM TREE AND SHRUB PLANT COUNTS AND SIZING PER ORDINANCE (SEE TABULATION) BASED ON THE LANDSCAPED AREA. PROFESSIONAL JUDGEMENT IS USED TO MAXIMIZE AESTHETICS WHILE ALLOWING LANDSCAPE TO MATURE PROPERLY

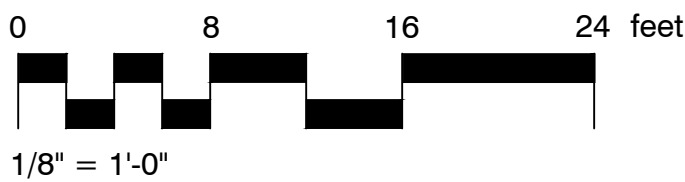
IRRIGATION NOTES:
AUTOMATIC IRRIGATION SYSTEM SHALL BE PROVIDED WITH SUBSURFACE LANDSCAPE DRIPLINE.

LANDSCAPE SHALL MEET CITY WATER CONSERVATION GUIDELINES.

PLANT LEGEND EAST LOT

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	WUCOLS	QTY
TREES					
[Symbol]	EUPHORBIA INGENS	CANDELABRA TREE	24" BOX	LOW / EVERGREEN	1
[Symbol]	FEIJOA SELLOWIANA	PINEAPPLE GUAVA	24" BOX 'LOW BRANCH'	LOW / EVERGREEN	1
[Symbol]	GREWIA CAFFRA	LAVENDER STARFLOWER	24" BOX STD	LOW / EVERGREEN	1
[Symbol]	MELALEUCA QUINQUENERVIA	PAPERBARK TREE	24" BOX STD	LOW / EVERGREEN	1
[Symbol]	PARKINSONIA X 'DESERT MUSEUM'	DESERT MUSEUM PALO VERDE	36" BOX 'LOW BRANCH'	VERY LOW / EVERGREEN	1
SHRUBS					
[Symbol]	AEONIU URBICUM	DINNER PLATE AEONIUM	1 GAL	LOW	12" o.c. 14
[Symbol]	AGAVE ATTENUATA	FOXTAIL AGAVE	5 GAL	LOW	30" o.c. 3
[Symbol]	ALOE ARBORESCENS	TORCH ALOE	15 GAL	LOW	42" o.c. 1
[Symbol]	ALOE BARBADENSIS	BARBADOS ALOE	5 GAL	LOW	36" o.c. 14
[Symbol]	DIANELLA REVOLUTA 'LITTLE REV'	LITTLE REV FLAX LILY	5 GAL	LOW	28" o.c. 8
[Symbol]	GREWIA CAFFRA	LAVENDER STARFLOWER	15 GAL ESPALIER	LOW	18" o.c. 8
[Symbol]	KALANCHOE BEHARENSIS	FELT PLANT	5 GAL	LOW	48" o.c. 1
[Symbol]	LEONOTIS LEONURUS	LION'S TAIL	5 GAL	LOW	36" o.c. 2
[Symbol]	LIGUSTRUM JAPONICUM 'TEXANUM'	TEXAS JAPANESE PRIVET	5 GAL COLUMN	MEDIUM	34" o.c. 14
[Symbol]	PRUNUS CAROLINIANA 'COMPACTA'	COMPACT CAROLINA CHERRY LAUREL	24" BOX	MEDIUM	42" o.c. 3
[Symbol]	RHAPHIOLEPIS UMBELLATA 'MINOR'	DWARF YEDDA HAWTHORN	5 GAL	LOW	24" o.c. 3
[Symbol]	TRACHELOSPERMUM JASMINOIDES	CHINESE STAR JASMINE	15 GAL ESPALIER	LOW	18" o.c. 3
GROUND COVERS / GROUND COVER SHRUB					
[Symbol]	BULBINE FRUTESCENS 'TINY TANGERINE'	TINY TANGERINE BULBINE	1 GAL	LOW	12" o.c. 46 SF
[Symbol]	DYMONDIA MARGARETAE	SILVER CARPET DYMONDIA	4"	LOW	12" o.c. 36 SF
[Symbol]	SENECIO SERPENS	BLUE CHALKSTICKS	4"	LOW	12" o.c. 204 SF
[Symbol]	ALOE X 'BLUE ELF'	BLUE ELF ALOE	5 GAL	LOW	22" o.c. 11
[Symbol]	FESTUCA OVINA GLAUCA	BLUE SHEEP FESCUE	1 GAL	LOW	12" o.c. 129
[Symbol]	LAVANDULA STOECHAS	SPANISH LAVENDER	1 GAL	LOW	18" o.c. 8
[Symbol]	MYRTUS COMMUNIS 'COMPACTA'	DWARF COMMON MYRTLE	5 GAL	LOW	18" o.c. 14
[Symbol]	SENECIO FICOIDES 'MOUNT EVEREST'	SKYSCRAPER SENECIO	5 GAL	LOW	15" o.c. 13
[Symbol]	WESTRINGIA FRUTICOSA 'GREY BOX'	GREY BOX COAST ROSEMARY	5 GAL	LOW	34" o.c. 4

- NOTE:
- GROUND COVER AND GROUND COVER SHRUBS ARE INTENDED TO SPREAD FORMING 100 % SOIL COVERAGE TO MEET THE MINIMUM CITY 70% SOIL COVERAGE.
 - TREES ARE EXCEEDING THE "15 GALLON" MINIMUM CITY TREE SIZE AS SHOWN IN THE LEGEND.



REGISTERED LANDSCAPE ARCHITECT
2214
Signature
4/8/24
Date
3/11/2024
STATE OF CALIFORNIA

LANDSCAPE ARCHITECTURE MASTER PLANNING URBAN DESIGN
3185-Ct Alway Avenue Costa Mesa, CA 92626 O: 714 945 2888 F: 714 945 2878

CLIENT:
GRANT BIXBY
341 BAYSIDE DRIVE
NEWPORT BEACH, CA 92660

PROJECT:
WILSON STREET - 2 HOMES & 2 ADU
1022 W. WILSON STREET, COSTA MESA, CA 92627

JOB NUMBER
WIL-2301.01

DRAWN / CHECKED
NN / AG

SHEET TITLE
EAST LOT PRELIM
LANDSCAPE PLAN

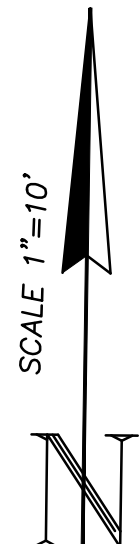
SCALE
AS NOTED

SUBMITTALS

REVISIONS

SHEET
L1.2
02 OF 02

PRINT DATE: Apr 09, 2024 - 10:08am

[illegible]

2.5' (max.) RETAINING

EXIST. GROUND

PROPOSED VINYL FENCE ON TOP OF RET. WALL

FLOWLINE SEE PLAN

BLDG. LINE

9" x 12" F.T.

5% MIN 21% MAX

10' PAD

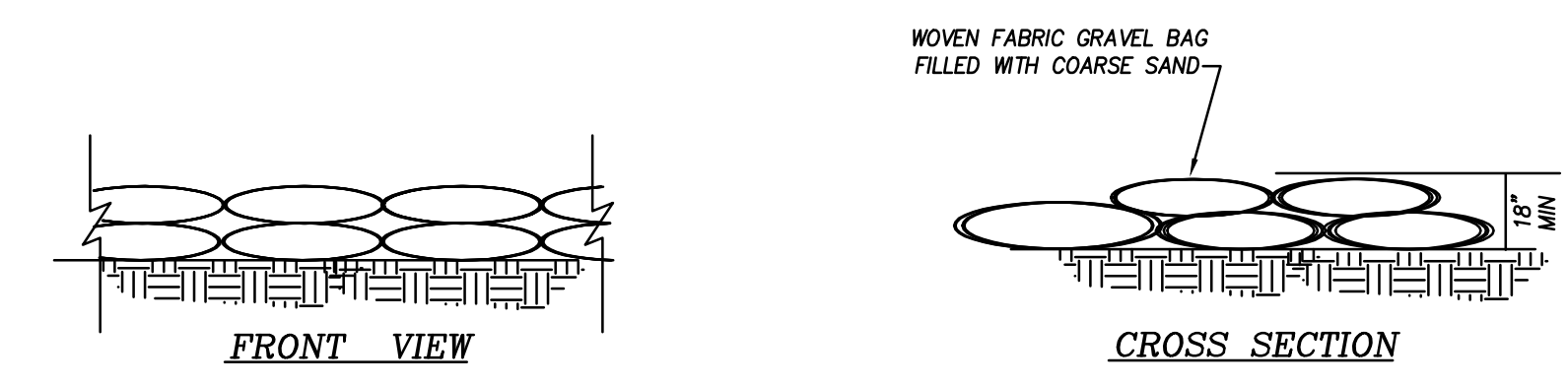
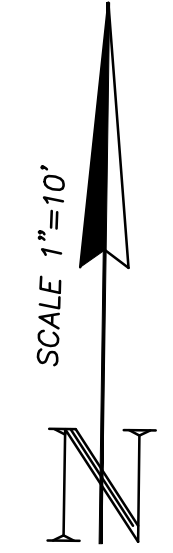
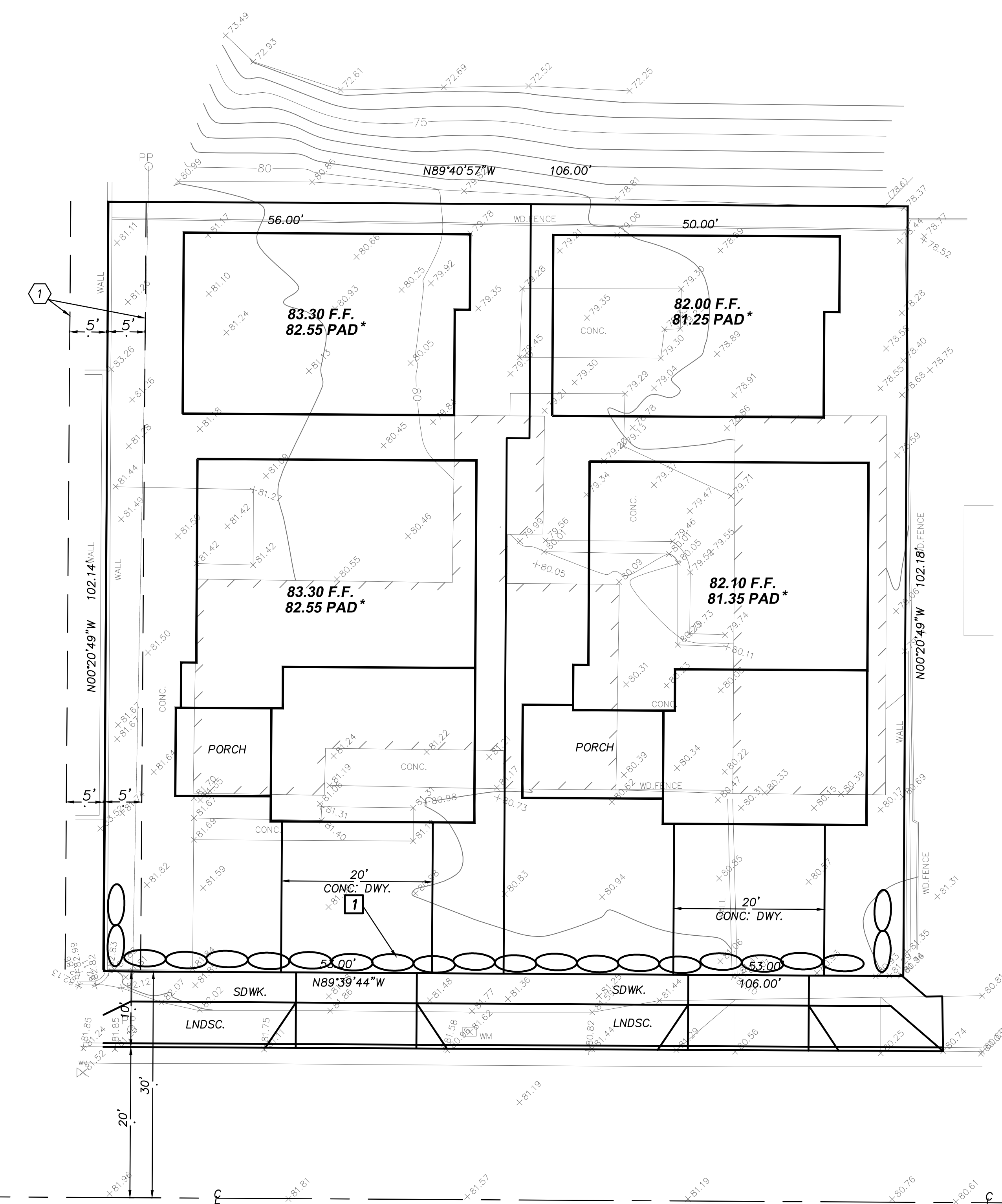
The technical drawings illustrate the bridge deck structure. The plan view shows a 16-foot wide deck with 5-foot shoulders and 10-foot wheel paths. The section view shows a 3/8 inch lip and 109 MAX reinforcement.

1 L.S.
368 S.F.

424 S.F.
2 EA.
106 L.F.



SHEET
2
OF 5



1 GRAVEL BAGS BERM
SE-6 BMP
NTS

EROSION CONTROL NOTES:

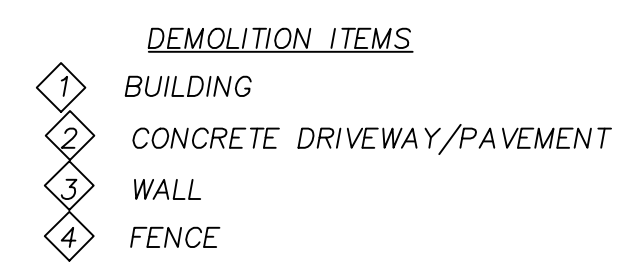
1 CONSTRUCT GRAVEL BAGS PER DETAILS HEREON.

EROSION CONTROL NOTES

- 43. IN CASE OF EMERGENCY, CALL GRANT BIXBY AT 949-677-0111
- 44. EQUIPMENT AND WORKERS FOR EMERGENCY WORK SHALL BE MADE AVAILABLE AT ALL TIMES DURING THE RAINY SEASON. NECESSARY MATERIALS SHALL BE AVAILABLE ON SITE AND STOCKPILED AT CONVENIENT LOCATIONS TO FACILITATE RAPID CONSTRUCTION OF TEMPORARY DEVICES WHEN RAIN IS IMMINENT.
- 45. EROSION CONTROL DEVICES SHALL NOT BE MOVED OR MODIFIED WITHOUT THE APPROVAL OF THE BUILDING OFFICIAL.
- 46. ALL REMOVABLE EROSION PROTECTIVE DEVICES SHALL BE IN PLACE AT THE END OF EACH WORKING DAY WHEN THE 5-DAY RAIN PROBABILITY FORECAST EXCEEDS 40%.
- 47. AFTER A RAINSTORM, ALL SILT AND DEBRIS SHALL BE REMOVED FROM STREETS, CHECK BERMS AND BASINS.
- 48. GRADED AREAS ON THE PERMITTED AREA PERIMETER MUST DRAIN AWAY FROM THE FACE OF SLOPES AT THE CONCLUSION OF EACH WORKING DAY. DRAINAGE IS TO BE DIRECTED TOWARD DESILTING FACILITIES.
- 49. THE PERMITTEE AND CONTRACTOR SHALL BE RESPONSIBLE AND SHALL TAKE NECESSARY PRECAUTIONS TO PREVENT PUBLIC TRESPASS INTO AREAS WHERE IMPOUNDED WATER CREATES A HAZARDOUS CONDITION.
- 50. THE PERMITTEE AND CONTRACTOR SHALL INSPECT THE EROSION CONTROL WORK AND INSURE THAT WORK IS IN ACCORDANCE WITH APPROVED PLANS.

WILSON STREET

<div>NO. DATE DESCRIPTION</div> <div>REVISIONS</div>							<div>PREPARED BY: ITF & ASSOCIATES, INC. 11278 LOS ALAMITOS BLVD., SUITE 354 LOS ALAMITOS, CA 90720 PHONE (800) 797-9483 FAX (888) 932-9482</div> <div></div>	<div>EROSION CONTROL PLAN</div> <div>1022 W. WILSON STREET</div> <div>COSTA MESA, CALIFORNIA</div> <div>CITY OF COSTA MESA</div>	<div>SHEET</div> <div>3</div> <div>OF 5</div>
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<div>1. Soil disturbances as a result of site demolition and clearing operations.</div> <div>2. Presence of low-density surficial soils within the zone of foundation and slab bearing stratum.</div> <div>3. Existence of "Low" (bordering "Medium") expansive soils at shallow depth that could settle/heave noticeably and unevenly upon prolonged moisture inundation.</div> <div>In consideration of the above factors, it is ASE's opinion that overexcavation and backfilling with properly compacted fill in the building pad areas of the Buildings, as recommended herein, will be essential to reduce unfavorable foundation displacement as a consequence of settlement of underlying soils, and to provide satisfactory bearing stratum for the Building foundations. The grading recommendations provided herein should be reviewed when final project concept and grading plans become available. It is assumed that the proposed finish grades will be close to the existing site grades (± one foot).</div> <div>Conventional foundations comprising continuous spread footings and isolated pad footings bearing on properly compacted fill, together with slab-on-grade may be considered for structural support. In view of the presence of "Low" (bordering "Medium") expansive site soils, alternative PT slab recommendations have also been provided for consideration.</div> <div><div>5.1Site Preparation</div><div>5.1.1Existing Improvements:<div>Prior to ground preparation, it will be necessary to remove designated existing construction, including any remaining buried obstructions, which may be in the building pad areas of the Buildings. Structure removal should include, but not be limited to, abandoned foundations, concrete flatwork and pavements. Concrete fragments from site demolition operations should be disposed of off-site.</div></div><div>5.1.2Surface Vegetation:<div>Surface vegetation should be stripped from areas of proposed construction. Stripping should penetrate six inches into surface soils. Any soil contaminated with organic matter (such as root systems or strippings mixed into the soil) should be disposed of off-site or set aside for future use in non-structural landscaped areas. Removal of trees and shrubs should include rootballs and attendant root systems.</div></div><div>5.1.3Underground Utilities:<div>Any underground utilities to be abandoned within the zone of proposed construction should be cut off a minimum of 5 feet from the area of the new structures. The ends of cut-off lines should be plugged a minimum of 5 feet with concrete exhibiting minimum shrinkage characteristics to</div></div></div> <div><div>ASSOCIATED SOILS ENGINEERING, INC. 2860 Walnut Avenue, Signal Hill CA 90755 Tel: (562) 426-7990 * Fax: (562) 426-1842</div><div>Project No.: 7146.23 December 6, 2023 Page 10</div></div>			<div>prevent water migration to or from hollow lines. Capping of lines may also be required should the plug be subject to any line pressure.</div> <div>Alternatively, deep hollow lines may be left in place provided they are filled with concrete or 2-sack control density fill (slurry fill). No filled line should be permitted closer than two (2) feet from the bottom of future footings, unless it has been evaluated and approved by the Geotechnical Consultant. However, local ordinances relative to abandonment of underground utilities, if more restrictive, will supersede the above minimum requirements.</div> <div><div>5.2Site Grading</div><div>In view of minimizing the adverse effects associated with potentially excessive total or differential settlement underneath the Buildings construction, as well as to ensure uniform bearing competency for the foundations, preparation of on-site soils is recommended in the following sections.</div><div>5.2.1Undocumented Fill/Disturbed Native Soils:<div>While not observed in any of ASE's exploratory borings, any undocumented fill soil encountered during site grading in the areas of the Buildings, as well as any native soils disturbed during demolition and clearing operations, should be excavated full depth under the observation and confirmation by the Geotechnical Consultant. Lateral extent of overexcavation beyond Building perimeters, where possible, should be to a minimum distance equal to the depth of undocumented fill/disturbed soil encountered or <u>two (2)</u> feet, whichever is greater.</div><div>For other secondary improvements such as free-standing walls or hardscape, the lateral extent of removal should be to a minimum distance equal to the depth of undocumented fill/disturbed soils encountered or eighteen (18) inches, whichever is greater.</div><div>The exposed excavation bottoms should be scarified/reworked to a minimum one (1) foot depth and recompactd to at least <u>90</u> percent relative compaction with a minimum moisture content of two (2) percentage points <u>above</u> optimum moisture content (OMC) prior to backfilling with approved soils as specified in Section 5.2.7.</div></div><div>5.2.2Expansive Soils:<div>Laboratory testing result on a near surface site soil sample indicates "Low" (bordering "Medium") soil expansion potential (i.e. Expansion Index, EI = 49 per ASTM D4829-19 Test Method) as defined in Table 1 of ASTM D4829-21 Test Method and Section 1803.5.3 of 2022 CBC. Lightly loaded structural elements such as shallow foundations and slabs could undergo noticeable movements, at time unevenly, in areas underlain by soils with "Low" expansion potential. It should be noted that</div></div></div> <div><div>ASSOCIATED SOILS ENGINEERING, INC. 2860 Walnut Avenue, Signal Hill CA 90755 Tel: (562) 426-7990 * Fax: (562) 426-1842</div><div>Project No.: 7146.23 December 6, 2023 Page 11</div></div>			<div>design provisions such as increased reinforcements, deeper foundations or other measures discussed in this Soils Report may help to alleviate the undesirable effects of "Low" soils expansion on the slabs and structures but may not completely eliminate the problem. It is recommended that the soil expansion potential be re-evaluated through additional testing during or after rough grading operations to verify the design adequacy of footing foundation and lab-on-grade against the re-tested soil expansion potential as heterogeneity within soil mass is not uncommon.</div> <div><div>5.2.3Remedial Grading:</div><div>To provide more uniform and competent foundation and slab support for the Buildings, it is recommended that the on-site soils within the footprint of the Buildings be overexcavated and removed uniformly to a minimum depth of four (4) feet below existing grade, or two (2) feet below the bottom of the lowest footing, whichever is lower, and replaced with properly compacted fill such that the foundations and slabs are supported on a re-engineered, compacted fill layer. The excavation bottoms should be near uniform. The overexcavation should extend laterally to a minimum distance of four (4) feet beyond Building perimeters, where possible. The backfill and compaction of fill materials should be as per recommended in Section 5.2.7 below, unless otherwise noted.</div><div>Soils exposed at excavation bottoms to a depth of twelve (12) inches should be scarified, reworked and recompactd to exhibit a minimum 90 percent relative compaction with a minimum moisture content of two (2) percentage points <u>above</u> the OMC prior to receiving fill placement.</div><div>The exposed excavation bottoms should be observed, tested, and approved by the Geotechnical Consultant prior to placing compacted fill. In case of the presence of localized loose soils, the overexcavation needs to be deepened accordingly to delete the loose soil condition. However, this deepened overexcavation may be terminated when the exposed native, undisturbed soils exhibit a natural relative compaction greater than 85 percent, subject to the testing and inspection by the representative from the Geotechnical Consultant.</div><div>The Geotechnical Consultant should be provided with appropriate foundation details and staking during grading to verify that depths and/or locations of the recommended overexcavation are adequate. For areas on site that grading recommendations stipulated in both Sections 5.2.1 and 5.2.3 apply, the more stringent grading criteria between the two sections should govern. The depth of overexcavation should be reviewed by the Geotechnical Consultant during the actual construction. Any subsurface obstruction, buried structural elements, and unsuitable material encountered during grading, should be immediately brought to the attention of the Geotechnical Consultant for proper exposure, removal and processing, as recommended.</div></div>			<div>5.2.4Exterior Slab-on-Grade/Concrete Flatwork/Hardscape/Pavement Support:<div>For the purpose of reducing future unsightly and uneven movements and cracks of any exterior slab-on-grade, flatwork, hardscape, or pavement it is recommended that the upper eighteen (18) inches of subgrade soils below the bottom of and eighteen (18) inches laterally beyond the footprint of exterior slab-on-grade/flatwork/hardscape should be overexcavated and recompactd to a minimum 90 percent relative compaction placed with a minimum moisture content of two (2) percentage points <u>above</u> the OMC. Prior to placement of the above recommended fill layer, the upper twelve (12) inches of exposed native subgrade should be reworked to at least 90 percent relative compaction with a minimum moisture of two (2) percentage points <u>above</u> the OMC.</div><div>Geotechnically, new landscape areas with only softscape are excluded from subgrade preparation and remedial grading requirements mentioned in Sections 5.2.1, 5.2.3 and 5.2.4.</div></div> <div>5.2.5Temporary Excavation:<div>Excavations of site soils 4 feet or deeper should be temporarily shored or sloped in accordance with Cal OSHA requirements.</div><div>a) Temporary Sloping:<div>In areas where excavations deeper than 4 feet are not adjacent to existing structures or public right-of-ways, sloping procedures may be utilized for temporary excavations. It is recommended that temporary slopes in both fill and native soils be graded no steeper than 1:1 (H:V) for excavations up to 10 feet in depth. The above temporary slope criteria is based on level soil conditions behind temporary slopes with no surcharge loading (structures, traffic) within a lateral distance behind the top of slope equivalent to the slope height.</div><div>It is recommended that excavated soils be placed a minimum lateral distance from top of slope equal to the height of slope. A minimum setback distance equivalent to the slope height should be maintained between the top of slope and heavy excavation/grading equipment.</div><div>Should running sand conditions be experienced during excavation operations, flattening of cut slope faces, or other special procedures may be required to achieve stable, temporary slopes. Soil conditions should be reviewed by the Geotechnical Consultant as excavation progresses to verify acceptability of temporary slopes. Final temporary cut slope design will be dependent upon the soil conditions encountered, construction procedures and schedule.</div></div><div>b) Temporary Shoring:<div>Temporary shoring will be required for excavations where temporary sloping as specified in Section 5.2.5.a) above is not feasible.</div></div></div> <div><div>ASSOCIATED SOILS ENGINEERING, INC. 2860 Walnut Avenue, Signal Hill CA 90755 Tel: (562) 426-7990 * Fax: (562) 426-1842</div><div>Project No.: 7146.23 December 6, 2023 Page 13</div></div>																				
<div>The Geotechnical Consultant should be on-site during temporary back cut and retaining wall construction to inspect and evaluate the stability of cuts and, if necessary, to provide additional remedial or mitigative recommendations. It should be noted that the use of heavy compaction equipment in close proximity to retaining structures can result in wall pressures exceeding design values and corresponding wall movement greater than that normally associated with the development of active or at-rest conditions. In this regard, the contractor should take appropriate precautions during the backfill placement.</div> <div>5.3.3Footing/Foundation Observation:<div>All footing/foundation excavations should be observed by the Geotechnical Consultant's representative to verify minimum embedment depths and competency of bearing soils. Such observations should be made prior to placement of any reinforcing steel or concrete.</div></div> <div><div>5.4Slabs-on-Grade</div><div>Concrete floor slabs in the Buildings and exterior concrete flatwork should be supported on properly compacted soils as recommended in the Site Grading section (i.e. Section 5.2) of this report. The slab subgrade soils should also be proof-rolled just prior to construction to provide a firm, unyielding surface, especially if the subgrade has been disturbed or loosened by the passage of construction traffic. Final compaction and testing of slab subgrade should be performed just prior to placement of concrete.</div><div>For structural design of concrete slabs, a modulus of subgrade reaction ("k-value") on the order of 100 pounds per square inch per inch ("psi/in") and an allowable bearing capacity of 700 psf may be used for slab constructed on recompacted site soils. Interior and exterior slabs should be properly designed and reinforced for the construction and service loading conditions. To minimize slab distress due to soil expansion, geotechnically, it would be prudent to provide a minimum <u>actual</u> slab thickness of four and one-half (4.5) inches with minimum reinforcement consisting of number 4 reinforcing bars spaced maximum 12 inches on centers each way for slabs constructed on site soils. The final structural details, such as slab thickness, concrete strength, amount and type of reinforcements, joint spacing, etc., should be established by the Structural Consultant in accordance 2022 CBC requirements.</div><div>The entire slabs within the Buildings should be underlain by an impermeable vapor barrier (minimum 10-mil-thick visqueen). A minimum 12-inch overlap between visqueen sheets should be ensured during placement. All visqueen sheets should be puncture free prior to slab construction and should be sandwiched top and bottom by 2-inch-thick sand layers consisting of clean sand exhibiting a tested Sand</div></div> <div><div>ASSOCIATED SOILS ENGINEERING, INC. 2860 Walnut Avenue, Signal Hill CA 90755 Tel: (562) 426-7990 * Fax: (562) 426-1842</div><div>Project No.: 7146.23 December 6, 2023 Page 20</div></div>			<div>Equivalent (S.E., per ASTM D2429-14 Test Method) value not less than 30. Alternatively, as per ACI 302.1R-15, the concrete slabs could be poured directly on a 15-mil Stego Wrap vapor barrier or equivalent that is in turn be underlain by four (4) inches of 1/2" or 3/8" crushed rock in compliance with the criteria stipulated in Sections 200-1.2 of the current Greenbook. The concrete slab shall consist of a concrete mix design which will address bleeding, shrinking and curling.</div> <div>Exterior slabs should be properly jointed to limit the number of concrete shrinkage cracks. For long/thin sections, such as sidewalks, expansion or control joints should be provided at spacing intervals equal to the width of the section. Slabs between 5 and 10 feet in minimum dimension should have a control joint at centerline. Slabs greater than 10 feet in minimum dimension should have joints such that unjointed sections do not exceed 10 feet in maximum dimension. Where flatwork adjoins structures, it is recommended that a foam joint or similar expansion material be utilized. Joint depth and spacing should conform to the ACI recommendations. It is, however, cautioned that uneven heaving of exterior slabs may develop in the future when prolonged irrigation or seepage permeates the subgrade soil, especially in areas that expansive soil pockets exist due to inadequate control or inspection of earthwork construction.</div> <div><div>5.5Site Drainage</div><div>Per Section 1804.4 of 2022 CBC, a minimum 5% descending gradient away from the Buildings for a minimum distance of 10 feet should be incorporated for earth grade placed adjacent to the foundation. This descending gradient may be reduced to 2% for any impervious areas, such as concrete paved walkways, within the 10-foot zone. For areas where the 10-foot drainage distance is not attainable, alternative measure such as concrete-lined swales having a minimum 2% gradient may be adopted to divert the water away from the Buildings, provided that the minimum 5% gradient is maintained in the distance between the building footprint and the diversion measure such as swales. For more specific site drainage guidelines, the Project Civil Consultant should refer to the pertinent sections in 2022 CBC. Any planter areas to be placed adjacent to perimeter footings should be provided with solid bottoms and a drainage pipe, or should be planted with drought-tolerant plants, to divert water away from foundation and slab subgrade soils. Excessive moisture variations in site soils could result in significant volume changes and movement.</div></div>																										
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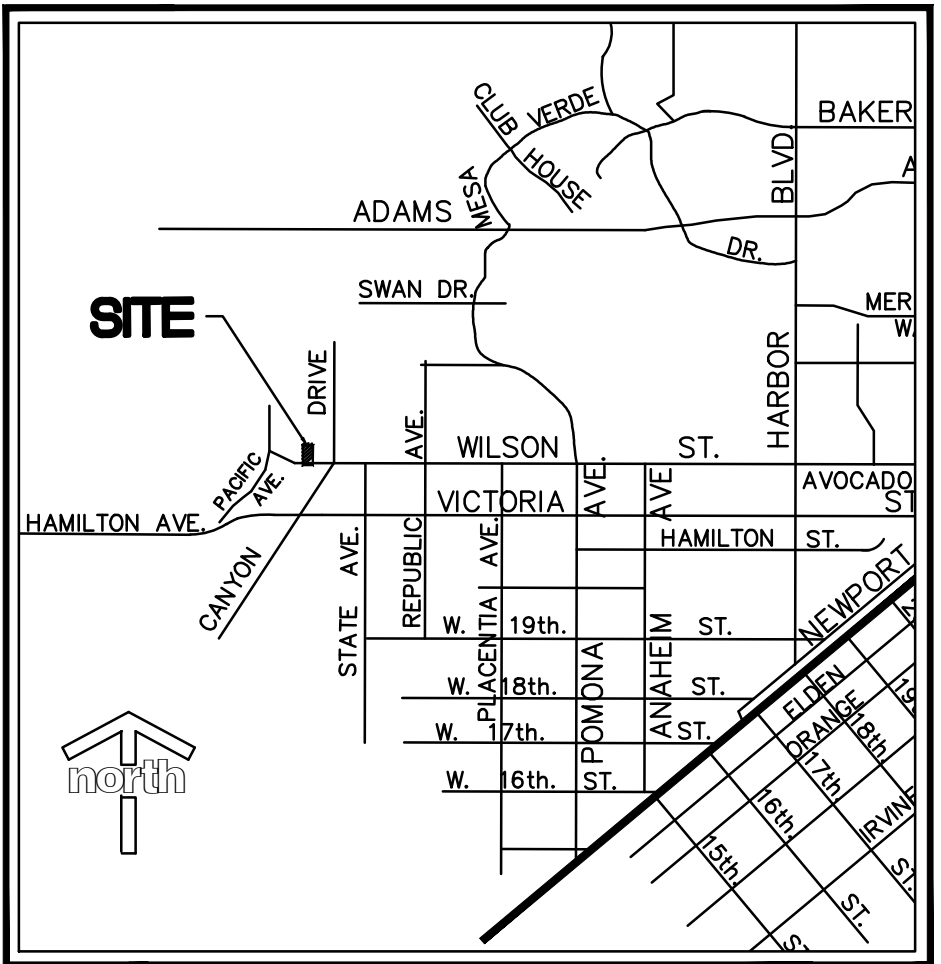
<div>ASSOCIATED SOILS ENGINEERING, INC. 2860 Walnut Avenue, Signal Hill CA 90755 Tel: (562) 426-7990 * Fax: (562) 426-1842</div>			<div>ASSOCIATED SOILS ENGINEERING, INC. 2860 Walnut Avenue, Signal Hill CA 90755 Tel: (562) 426-7990 * Fax: (562) 426-1842</div>			<div>ASSOCIATED SOILS ENGINEERING, INC. 2860 Walnut Avenue, Signal Hill CA 90755 Tel: (562) 426-7990 * Fax: (562) 426-1842</div>			<div>ASSOCIATED SOILS ENGINEERING, INC. 2860 Walnut Avenue, Signal Hill CA 90755 Tel: (562) 426-7990 * Fax: (562) 426-1842</div>					
						<div>ITF & ASSOCIATES, INC. 11278 LOS ALAMITOS BLVD., SUITE 354 LOS ALAMITOS, CA 90720 PHONE (800) 797-9483 FAX (888) 932-9482</div>			<div>SOILS REPORT RECOMMENDATIONS 1022 W. WILSON STREET COSTA MESA, CALIFORNIA CITY OF COSTA MESA</div>			<div>SHEET 5 OF 5</div>		

TENTATIVE PARCEL MAP 2023-187

PURPOSE: CREATE 2 PARCELS

YEFIM TSALYUK, LS 7421

DATE OF PREPARATION: MARCH 2024



VICINITY MAP
NTS

SITE ADDRESS:

1022 W. WILSON ST.
COSTA MESA, CA 92627
A.P.N. 422-051-05

AREA SUMMARY

TOTAL AREA = 10,817 S.F.(0.25 ac.) GROSS
10,306 S.F.(0.24 ac.) NET

PURPOSE STATEMENT

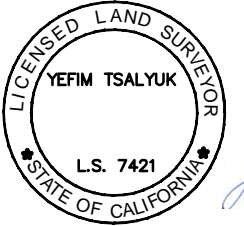
THE PURPOSE IS TO CREATE 2 PARCELS
FOR SINGLE FAMILY RESIDENCES

OWNER / SUBDIVIDER:

GRANT BIXBY
1022 W. WILSON, LLC
1536 VIVIAN LANE
NEWPORT BEACH, CA 92660
p. (949) 677-0111

ENGINEER/SURVEYOR:

ITF & ASSOCIATES, INC.
11278 LOS ALAMITOS BLVD., #354
LOS ALAMITOS, CA 90720
(800) 797-9483



BASIS OF BEARING

THE BEARINGS SHOWN HEREON ARE BASED ON THE BEARING BETWEEN
O.C.S. HORIZONTAL CONTROL STATION GPS NO. 6201R1 AND CONTROL
STATION GPS NO. 6198 BEING NORTH 32°04'05" EAST PER RECORDS ON
FILE IN THE OFFICE OF THE ORANGE COUNTY SURVEYOR

BENCHMARK

DESCRIBED BY OCS 2001 FOUND 3 3/4" OCS ALUMINUM BENCHMARK DISK STAMPED
"HB-243-77", SET IN THE NORTHEAST CORNER OF A 4 FT. BY 11 FT. CONCRETE CATCH
BASIN. MONUMENT IS LOCATED IN THE SOUTHWEST CORNER OF THE INTERSECTION OF
AMERICAN AVENUE AND VICTORIA STREET, 260 FT. WESTERLY OF THE CENTERLINE OF
AMERICAN AVENUE, AND 39 FT. SOUTHERLY OF THE CENTERLINE OF VICTORIA STREET.
MONUMENT IS SET FLUSH WITH THE SIDEWALK.

ELEV. 78.365 (NAVD88) 2005

LEGAL DESCRIPTION:

THE WEST 106 FEET OF LOT 74 OF TRACT NO. 653, IN THE CITY OF COSTA MESA,
COUNTY OF ORANGE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 19
PAGE(S) 42, OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER
OF SAID COUNTY.

FLOOD ZONE

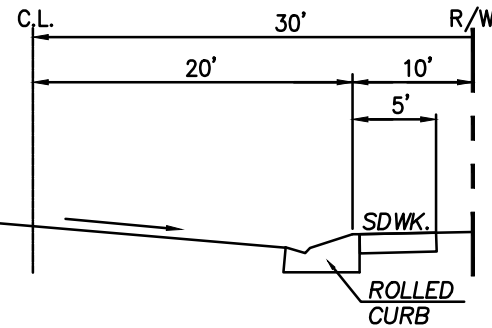
ZONE X, OUTSIDE THE 500 YEAR FLOOD BOUNDARIES

EASEMENTS

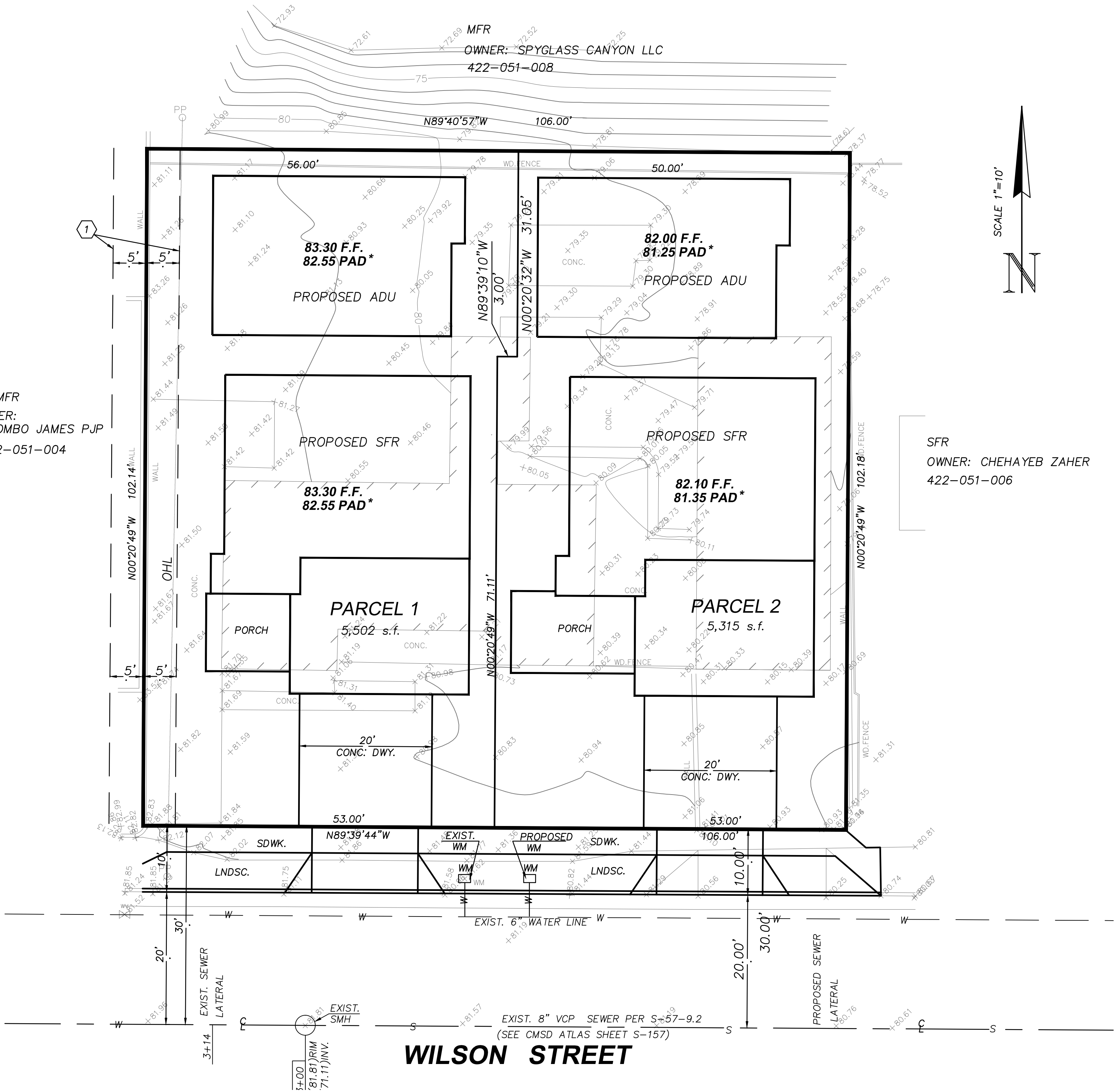
- ① EASEMENT FOR SEWER, GAS, WATER, TELEPHONE ELECTRIC LIGHT, POWER, FIRE ALARM AND ANY
OTHER PUBLIC UTILITY PER TRACT 653, M.M. 19/42
- ② EASEMENT FOR PUBLIC UTILITIES PER BOOK 243, PAGE 33 OF OFFICIAL RECORDS
(BLANKET IN NATURE, NOT PLOTTABLE).

NOTES:

- NO EXISTING WATERCOURSES ON SITE
- SITE IS NOT SUBJECTED TO OVERFLOW OR INUNDATION
- NO LANDS AND PARKS TO BE DEDICATED FOR PUBLIC USE



WILSON STREET
TYPICAL STREET SECTION
NTS





CITY OF COSTA MESA

77 Fair Drive
Costa Mesa, CA 92626

Agenda Report

File #: 24-209

Meeting Date: 5/13/2024

TITLE:

PDEV-23-0001, AMENDING CERTAIN PROVISIONS TO ONE METRO WEST DEVELOPMENT AGREEMENT (DA-20-02), ORDINANCES AND RESOLUTIONS

DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT/
PLANNING DIVISION

PRESENTED BY: AMBER GREGG, CONTRACT PLANNER

CONTACT INFORMATION: AMBER GREGG, CONTRACT PLANNER 714.754.5617
Amber.Gregg@costamesa.ca.gov

RECOMMENDATION:

Staff recommends the Planning Commission recommend approval to the City Council of the requested amendments as detailed in the following report, and adopt a Resolution to:

1. Find pursuant to CEQA Guidelines Section 15162 that the proposed amendments are in substantial conformance with the Final Environmental Impact Report (EIR) for the One Metro project (State Clearing House No. 2019050014), including a mitigation monitoring program and statement of overriding considerations, which was certified by the City Council on July 20, 2021, and that no further environmental review under CEQA is required; and
2. Adopt Resolution 2024-XX recommending that the City Council:
 - Introduce for first reading an ordinance amending Development Agreement DA-20-02 regarding the timing of payment for impact fees and community benefit funds;
 - Introduce for first reading an Ordinance clarifying the project's effective approval date contained in Development Agreement 20-02, Rezone 20-01 and Specific Plan 20-01; and
 - Approve modifications to City Council Resolution 2021-55 amending certain conditions of approval regarding the artwork on Building A along the I-405 Freeway.



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: May 13, 2024

ITEM NUMBER: PH-2

SUBJECT: PDEV-23-0001, AMENDING CERTAIN PROVISIONS TO ONE METRO WEST DEVELOPMENT AGREEMENT (DA-20-02), ORDINANCES AND RESOLUTIONS

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

PRESENTATION BY: AMBER GREGG, CONTRACT PLANNER

**FOR FURTHER INFORMATION CONTACT: AMBER GREGG, CONTRACT PLANNER
714.754.5617
Amber.Gregg@costamesaca.gov**

RECOMMENDATION:

Staff recommends the Planning Commission recommend approval to the City Council of the requested amendments as detailed in the following report, and adopt a Resolution to:

1. Find pursuant to CEQA Guidelines Section 15162 that the proposed amendments are in substantial conformance with the Final Environmental Impact Report (EIR) for the One Metro project (State Clearing House No. 2019050014), including a mitigation monitoring program and statement of overriding considerations, which was certified by the City Council on July 20, 2021, and that no further environmental review under CEQA is required; and
2. Adopt Resolution 2024-XX recommending that the City Council:
 - Introduce for first reading an ordinance amending Development Agreement DA-20-02 regarding the timing of payment for impact fees and community benefit funds;
 - Introduce for first reading an Ordinance clarifying the project's effective approval date contained in Development Agreement 20-02, Rezone 20-01 and Specific Plan 20-01; and
 - Approve modifications to City Council Resolution 2021-55 amending certain conditions of approval regarding the artwork on Building A along the I-405 Freeway.

APPLICANT OR AUTHORIZED AGENT:

The applicant and property owner is International Asset Management Holding Group, LLC. The authorized agent is Brent Stoll with Rose Equities.

BACKGROUND:

The subject property is 15.23 acres in size and is located at 1683 Sunflower Avenue. The site is bounded by Sunflower Avenue to the north, the South Coast Collection (SOCO) retail center to the east, the Interstate 405 Freeway (I-405 Freeway) to the south, and industrial and logistics uses to the west (zoned PDI, Planned Development Industrial). Regional access to the project site is provided by the I-405 Freeway, State Route 73 (SR-73), and State Route 55 (SR-55). Harbor Boulevard and Sunflower Avenue are the major roadways that provide local access to the site; Hyland Avenue and Cadillac Avenue extend perpendicularly from Sunflower Avenue to the east and west, respectively. The project site is currently occupied by office, warehouse, and manufacturing uses within an approximately 345,000-square-foot, one-story industrial building.

Exhibit 1 – One Metro West Project Vicinity Map



On July 20, 2021, the City Council approved at the subject site the “One Metro West” mixed-use development which includes 1,057 apartment units, 6,000 square feet of ground floor retail space, a 25,000 square foot office building, 1.5-acres of publicly accessible open

space, and various offsite improvements along Sunflower Avenue (e.g., new bicycle lanes and landscaped medians).

When the Council approved the final project entitlements, the project was appropriately conditioned to be subject to Article 22 of the Zoning Code, “An Ordinance to give the People of Costa Mesa Control of Their Future”, also known as “Measure Y.” The provisions of Article 22 require a public vote of Costa Mesa residents to determine major changes in allowable land use by requiring voter approval of any such proposed change and thereby ensuring maximum public participation in major land use and zoning changes proposed in Costa Mesa.

The specific project components that prompted Article 22 compliance included, the request for a General Plan Amendment (GPA), rezone, specific plan, and the determination that the project resulted in a “Significant Increase” because over 40 additional residential units were proposed (Costa Mesa Municipal Code Section 13-200.102.) In addition, the project was not subject to any of the listed exceptions to Article 22 at the time of City Council project consideration (CMMC Section 13-200.106). The development was conditionally approved by the City Council such that the project entitlements would not become effective until approved by the voters under Article 22 requirements.

Following City Council review of the project, Measure K was passed by the Costa Mesa voters. Measure K amended existing City regulations to allow for the development of housing in specific commercial and industrial areas while keeping residential neighborhoods intact and revitalizing commercial corridors. Similar to the surrounding Costa Mesa properties located north of the 405 freeway, the One Metro West project is located within a mapped area that is listed specifically for an allowed exception from Article 22 (CMMC Section 13-200.106 G). However, the project is currently conditioned to not be in effect until approval by the vote of the Costa Mesa electorate and therefore, since a vote of the electorate has not occurred, the One Metro West development entitlements are not effective.

The entitlements approved for the project include:

- **Final Environmental Impact Report** (State Clearinghouse No. 2019050014)
- **General Plan Amendment (GP-20-01):** When in effect, amending the Land Use Element to change the General Plan land use designation of the property from Industrial Park (IP) to High Density Residential (HDR) to allow residential uses and establish a site-specific maximum density of 80 dwelling units (du) per acre and site-specific maximum building height of 98 feet;
- **Rezone (R-20-01):** When in effect, changing the zone of the project site from Industrial Park (MP) to Planned Development Residential – High Density (PDR-HD) to allow for a mixed-use development with residential and complementary commercial uses;

- **Specific Plan (SP-20-01):** When in effect, establishing site-specific zoning regulations such as development standards and design guidelines which would function as the project's zoning document;
- **Master Plan (PA-19-19):** When in effect, implementing the specific plan by providing site plans and architectural details including floor plans, building elevations, landscaping, public art requirement and renderings/streetscape views;
- **Tentative Tract Map No. 19015 (T-19-01):** When in effect, subdividing the site into five parcels including establishing the right to a future airspace subdivision for condominium purposes as well as dedication of an easement to the City for public access and use of the 1.5-acre open space area; and
- **Development Agreement (DA-20-02):** When in effect, agreement between the applicant and the City pursuant to California Government Code Sections 65864 et seq. that guarantees project approvals for a period of 25 years from July 20, 2021, in exchange for several public benefits including, but not limited to, 106 affordable housing units that will remain affordable for no less than 40 years. The required project affordable households include 67 very-low income units and 39 low-income units.

DESCRIPTION:

As noted above, a number of entitlements were approved to implement the One Metro West project when in effect. The applicant, Rose Equities, has requested several modifications including amending the Development Agreement to modify certain provisions of the project entitlements. Specifically, the applicant is requesting to amend the following:

- Development Agreement: Amend the timing of payment of impact fees and community benefits funding;
- Ordinance Modifications: Modify the Ordinances to be consistent with Article 22 by reflecting the project effective date of July 20, 2021, and thereby exempting the project from the requirement for a vote of the electorate; and
- Project Condition of Modifications: Amend certain project conditions specific to the required timing of the artwork design submittal to the City and the final approval body for the proposed artwork (Conditions 9 and 66 of Resolution 2021-55).

Refer to the applicant's letter in Attachment 2 for a detailed description of the applicant's requests.

ANALYSIS:

Development Agreement Amendment

The One Metro West Development Agreement provides for a number of public benefits for the City, including but not limited to open space, a community center, affordable housing, and funding. The applicant is committed to providing these benefits; however, is requesting modifications to the timing of payment to certain required fees. Currently, the Development Agreement requires all fees (\$16,532,789) to be paid in Phase I - at the time of issuance of the first building permit. The applicant has stated the resulting upfront costs are significant and challenging, and instead proposes to pay the total amount in two installments, with interest, over a five-year period (see the below Table 1).

TABLE 1 – Approved and Proposed Development Agreement Language

APPROVED DEVELOPMENT AGREEMENT	PROPOSED DEVELOPMENT AGREEMENT
Development Impact Fees (DIF): <ul style="list-style-type: none"> All DIFs paid with issuance of the first building permit Total DIF = \$10,532,789 	Development Impact Fees (DIF) – REQUEST CHANGE: <ul style="list-style-type: none"> <u>Two Payment Installments plus 3% interest rate.</u> <u>First payment received with the issuance of the first building permit (Year 1), second and final payment received Year 5.</u> <u>Total DIF = \$11,403,652 (includes 3% interest rate)</u>
Funding for Economic Recovery and Community Enhancement: <ul style="list-style-type: none"> \$3 million for projects related to economic sustainability and recovery Paid prior to issuance of first building permit 	Funding for Economic Recovery and Community Enhancement – REQUEST CHANGE: <ul style="list-style-type: none"> <u>One Payment received in Year 5 plus 3% interest rate.</u> <u>Total = \$3,477,822 (includes 3% interest rate)</u>

The City's Finance Department has reviewed the applicant's requested payment modifications and determined that the requested five-year payment plan with a three-percent interest rate retains the fund's "net present value" by recovering the potential interest and/or inflation monetary reductions that may result by the requested payment delays. The result is a total payment of \$17,881,474 at the end of the five-year term. If the proposed payment plan is approved, the resulting payments are as follows:

TABLE 2 – Proposed Fee Total

FEE TYPE	YEAR 1	YEAR 5**	TOTAL
Public Safety*	\$2,000,000	-	\$2,000,000
Comm Infrastructure*	\$1,000,000	-	\$1,000,000
Economic Recovery	-	\$3,477,822	\$3,477,822
Dev Impact	\$5,065,089	\$6,338,563	\$11,403,652
TOTAL	\$8,065,089	\$9,816,385	\$17,881,474

*Fee and timing of payment is unchanged from Original Development Agreement.

**Interest starts accruing after Year 1 so fees paid Year 5 include the 3% interest rate.

The City has adopted procedures for development agreement "requirements and considerations" pursuant to Resolution No. 88-53. Pursuant to Section 2.4 (a-e) of the Resolution, the Planning Commission shall make a recommendation to the City Council

based on certain findings. An analysis regarding the development agreement project findings is provided below in this report.

Project Effective Date - Ordinances and Resolution

The One Metro West development entitlements included two City Council Resolutions and three Ordinances that are currently not in effect. All of these documents referenced the requirement to comply with the Costa Mesa Municipal Code (CMMC) Article 22 (Measure Y), which requires that the One Metro West project entitlements include approval by a vote of the Costa Mesa electorate for the associated major change in allowable land use. However, following the project review by the City Council, the Costa Mesa electorate passed “Measure K” which modified Article 22 to allow further exceptions which include properties that are mapped in CMMC Figure 13-200-106. The mapped exception area included the One Metro West property.

The One Metro West Resolutions (Nos. 2021-54 and 2021-55) state “subject to the requirement of Measure Y” and the Ordinances (Nos. 2021-11, 2021-12, and 2021-13) all contain a version of the following language regarding the effective date: “This ordinance shall become effective following approval of the Project by the electorate at the next regular municipal election or at a special election funded by the applicant”. With the passing of Measure K, and subsequent amendments to Article 22, the applicant is now requesting that the aforementioned entitlements be revised to indicate that the project effective date is the 31st day after July 20, 2021.

Artwork Conditions of Approval

The One Metro West project includes the development of a parking structure located adjacent to the I-405 freeway. To enhance the façade of the parking structure as viewed from the freeway, the project includes a public art display. The design of the art installment was not known at the time of City Council review and therefore, the project entitlements, when effective, included conditions pertaining to the required review and approval of the art piece. There are two conditions in Resolution 2021-55 addressing the public art requirement:

- COA No. 9 – The final design of the public art display on Building A's parking structure façade along the I-405 Freeway, which shall incorporate vertical landscaping, shall be subject to review and final approval by the Planning Commission. The Cultural Arts Committee (CAC) may first review the proposed freeway façade design and make recommendations to the Planning Commission. No public art display visible along the I-405 Freeway shall be installed without prior review by and approval from the Planning Commission.

COA No. 66 – Prior to the issuance of the first building permit for the proposed project, the owner/developer would be required to submit a Design Plan for the Building “A” parking elevation (façade) along the I-405 Freeway for review by the Planning Division and approval by the City’s Cultural Arts Committee. All architectural treatments would exclude the use of moving, flashing, or otherwise visually distracting elements or materials that are highly reflective or generate noise. [PPP-AES-1]

As conditioned, the applicant believes that requiring the submittal of the art design prior to the issuance of the “first building permit”, along with the requirement to incorporate vertical landscaping, is “restrictive and unnecessarily constrains the creative team to a shortened timeframe when the building to which the art display will be attached won’t be ready to receive the installation until many months later”. As such, the applicant is requesting the following amendments to the conditions:

1. Remove Condition No. 9. Instead, the applicant is requesting that the “final design” be subject to the Planning Divisions and the Arts Commission approval, pursuant to Condition of Approval No. 66. The applicant request would also remove the requirement to install vertical landscaping; and
2. Amend Condition of Approval No. 66 to modify the art design plan submittal date to prior to certificate of occupancy for Building “A”, instead of prior to the “first building permit”.

As indicated above, the project is currently conditioned for the art display to be reviewed by the Cultural Arts Committee with final approval by the Planning Commission (COA No. 9). However, in 2022, the City Council replaced the Cultural Arts Committee with the City Arts Commission. Therefore, staff believes it is appropriate to amend the project conditions to re-assign the project art review to the now active City Arts Commission. However, the Planning Commission should consider if the project final art design should not be reviewed by the Planning Commission, as requested by the applicant. If the Planning Commission is supportive of the Arts Commission reviewing and approving the art design, then staff recommends striking Condition of Approval No. 9.

Staff does not recommend modifying the intent of Condition of Approval No. 66 as it’s a mitigation measure and the language is taken directly from the Final EIR. Further, staff is not in support of the applicant’s request to delay the submittal of the design plan for the elevation and art to “certificate of occupancy”. Staff believes that such a request would potentially diminish a cohesive art and elevation design, as the applicant’s request would constrain a future art design to a previously constructed facade. In addition, staff believes that there will be adequate time for the applicant to work with an artist to submit both a cohesive elevation and art design prior to issuance of the structural building permit as the structural plans have yet to be submitted. Staff is supportive of replacing the language that states “Cultural Art Committee” with “Arts Commission”. To review the modified Condition please review Exhibit D of the Attached Resolution.

GENERAL PLAN AND ZONING CONFORMANCE:

The Costa Mesa General Plan establishes the long-range planning and policy direction that preserves the qualities that define the community and guides future change. The One Metro West development included a General Plan Amendment. The General Plan Amendment re-designates the land use from Industrial Park to High Density Residential in order to allow residential uses with a site-specific density and building height. To ensure consistency between the General Plan Land Use Map and the Zoning Map, the property was rezoned from Industrial Park (MP) to Planned Development Residential – High Density (PDR-HD). PDR-HD districts are intended for multi-family residential developments and complementary non-residential uses could also be included in the planned development. Since there are no changes to the approved plans the project remains in conformance with the General Plan and Zoning requirements.

JUSTIFICATIONS FOR APPROVAL:

Pursuant to Title 13, Section 13-29(g), Findings, of the Costa Mesa Municipal Code, in order to approve the project, the City Council must find that the evidence presented in the administrative record substantially meets specified findings. The requested amendments do not change the previously approved project plans. Therefore, the findings, and facts in support of those findings, contained in the previously mentioned approving Ordinances and Resolution continue to remain true and in effect. Below are the findings related to the Development Agreement Amendment (for additional details on how the project complies with the required findings please refer to the complete findings included in the attached draft Resolution under Exhibit A):

Amendment to Development Agreement 20-02

Pursuant to City Council Resolution No. 88-53, Development Agreements Procedures and Requirements, and Government Code Section 65865(c), staff recommends approval of the requested amendments, based on the following assessment of facts and findings, which are also reflected in the draft Resolution:

- *The Development Agreement between the City of Costa Mesa and Developer is:*
 - *Consistent with the objectives, policies, general land uses and programs specified in the General Plan and with the General Plan as a whole;*
 - *Compatible with the uses authorized in, and the existing land use regulations prescribed for, the zoning district in which the real property is and will be located; and*
 - *Is in conformity with and will promote public convenience, general welfare, and good land use practice.*

The proposed amendment to the Development Agreement would be consistent with the General Plan as the agreement would continue to provide several public benefits to the City, including but not limited to, a total of 106 deed-restricted affordable units at the very low and low-income levels, public access to a 1.5-acre urban open space, and improvements to Sunflower Avenue. In addition, the amendment would still require contributions of funding

(beyond the required development impact fees) for public services such as police and fire, and funding toward economic recovery.

- The Development Agreement between the City of Costa Mesa and Developer will not:
 - Be detrimental to the health, safety and general welfare; and
 - Adversely affect the orderly development of property or the preservation of property values.

The amendment to the Development Agreement would not be detrimental to the health, safety and general welfare of the public or adversely affect the orderly development of property. The Development Agreement reflects the development plan for the site and documents the additional public benefits of the project (such as affordable housing, public access to 1.5-acres of open space and funding to improve City infrastructure) agreed to by the applicant in exchange for the right to develop per the project approvals for the term of the Development Agreement.

ENVIRONMENTAL DETERMINATION:

Pursuant to Section 15162 of the State CEQA Guidelines, the project was reviewed and found to be consistent with the One Metro West Environmental Impact Report (EIR) (State Clearinghouse No. 2019050014), which was certified on May 4, 2021, by the City Council of the City of Costa Mesa (Resolution No. 2021-54). Pursuant to Section 15162 of the Guidelines, no subsequent environmental review is warranted for the project because there are no substantial changes to the project in that there are no modifications to the approved project plans or required mitigation measures.

ALTERNATIVES:

As an alternative to the recommended actions, the Planning Commission may:

1. Recommend Approval of the project with modifications. The Planning Commission may suggest changes that are necessary to alleviate specific concerns. If any of the additional requested changes are substantial, the item should be continued to a future meeting to allow the applicant and staff time to redesign or provide additional analysis. In the event of significant modifications to the proposal, staff may return with project analysis that incorporates new findings and/or conditions.
2. Recommend denial of the project. If the Planning Commission believes that there are insufficient facts to support the findings for approval of the very specific requested changes, the Planning Commission could recommend that the City Council deny the application, by providing facts in support of that denial recommendation, and directing staff to incorporate those findings into a Resolution recommending denial.

LEGAL REVIEW:

The draft Resolution has been approved as to form by the City Attorney's Office.

PUBLIC NOTICE:

Pursuant to CMMC Section 13-29(d) 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 and occupants within a 500-foot radius of the project site. The required notice radius is measured from the external boundaries of the property.
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 the preparation of this report, no written public comments have been received. Any public comments received before the May 13, 2024, Planning Commission meeting will be provided separately.

CONCLUSION:

The proposed amendments do not modify the development plans, rather they modify the timing of implementing the project while ensuring the City receives the agreed-upon public benefits. The amendments to the Development Agreement from a single fee payment to a two-payment plan over five years with a 3% interest rate, assists the applicant in meeting the financial commitments to the City while ensuring the City retains the full value of the development fees. Lastly, the applicant proposed language modifications to the Resolutions and Ordinances would be consistent with CMMC - Article 22. Based on the above, staff recommends approval of the proposed amendments.

Attachments:

1. Draft Planning Commission Resolution
Exhibit B
2. Applicants Letters
3. City Council Agenda Report June 15, 2021, 1st Reading
4. City Council Agenda Report July 20, 2021, 2nd Reading
5. Ordinance No. 2021-11
6. Ordinance No. 2021-12
7. Ordinance No. 2021-13
8. Resolution No. 2021-55
9. Resolution No. 2021 54

RESOLUTION NO. PC-2024-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA RECOMMENDING APPROVAL TO THE CITY COUNCIL OF DEVELOPMENT AGREEMENT (PDEV-23-0001) BY AMENDING CERTAIN PROVISIONS TO THE ONE METRO WEST APPROVED DEVELOPMENT AGREEMENT, ORDINANCES, AND RESOLUTIONS

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA FINDS AND DECLARES AS FOLLOWS:

WHEREAS, on June 15, 2021, the City Council, at a duly-noticed public hearing, approved a mixed-use development (One Metro Mest) located at 1683 Sunflower Avenue. The approvals included:

1. **Final Environmental Impact Report** (State Clearinghouse No. 2019050014);
2. **General Plan Amendment (GP-20-01):** Amending the Land Use Element to change the General Plan land use designation of the property from Industrial Park (IP) to High-Density Residential (HDR) to allow residential uses and establish a site-specific maximum density of 80 dwelling units (du) per acre and site-specific maximum building height of 98 feet;
3. **Master Plan (PA-19-19):** Implementing the Specific Plan and provide site plans and architectural details including floor plans, building elevations, landscaping, and renderings/streetscape views;
4. **Tentative Tract Map No. 19015 (T-19-01):** Subdividing the site including establishing the right to a future airspace subdivision for condominium purposes as well as dedication of an easement to the City for public access and use of the 1.5-acre open space; and

Gave first reading to Ordinance Nos. 2021-11, 2021-12, and 2021-13 for:

5. **Rezone (R-20-01):** Changing the zone of the project site from Industrial Park (MP) to Planned Development Residential – High Density (PDR-HD) to allow for a mixed-use development with residential and commercial uses;

6. **Specific Plan (SP-20-01):** Establishing site-specific zoning regulations such as development standards and design guidelines which would function as the project's zoning document; and
7. **Development Agreement (DA-20-02):** Agreement between the applicant and the City pursuant to California Government Code Sections 65864 et seq. The Agreement guarantees project approvals for a period of 25 years in exchange for several public benefits including, but not limited to, 106 affordable housing units (67 very-low income units and 39 low-income units).

WHEREAS, on July 21, 2021, the City Council gave second reading to and adopted Ordinance Nos. 2021-11, 2021-12, and 2021-13.

WHEREAS, on December 4, 2023, Development Agreement (PDEV-23-0001), One Metro West Project Amendments, was filed by Brent Stoll of Rose Equities, authorized agent for the applicant and property owner, International Asset Management Holding Group, LLC, requesting approval of the following:

1. **Amendment to Development Agreement No. 20-02**, by amending the timing of payment of impact fees and community benefits funding;
2. **Amendment to Ordinance Nos. 2021-11, 2021-12, and 2021-13**, by modifying the approved Ordinances to be consistent with Article 22 and reflect the City Council's One Metro West project approval date of July 20, 2021; and
3. **Amendment to Resolution No. 2021-55**, by amending certain conditions of approval related to the artwork design submittal to the City and the final approval body for the proposed artwork (Conditions 9 and 66 of Resolution 2021-55).

WHEREAS, a duly noticed public hearing was held by the Planning Commission on May 13, 2024, with all persons having the opportunity to speak for and against the proposal;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), pursuant to Section 15162 of the State CEQA Guidelines, the project was reviewed and found to be consistent with the One Metro West Environmental Impact Report (EIR) (State Clearinghouse No. 2019050014), which was certified on May 4, 2021, by the City Council of the City of Costa Mesa (Resolution No. 2021-54). Pursuant to Section 15162 of the

Guidelines, no subsequent environmental review is warranted for the project because there are no substantial changes to the project in that there are no modifications to the approved project plans or required mitigation measures.

WHEREAS, the requested amendments propose the following revisions to Development Agreement 20-02, which are depicted in more specific detail in Exhibit B attached hereto:

1. Development Impact Fees shall be paid in two installments over five years, with the first payment received with the issuance of the first building permit (Year 1), the second payment received four years from the day the first building permit was issued (Year Five). Fees not paid in Year 1 shall accrue a 3% interest rate. The total of the Development Impact Fees plus 3% interest rate shall be \$11,403,652.
2. Funding for Economic Recovery and Community Enhancements fees shall be paid in one installment and received in Year Five, and shall be subject to a 3% interest rate. The payment shall be received four years from the date of the issuance of the first building permit (Year 1). The total of the Funding for Economic Recovery and Community Enhancement fees shall be \$3,477,822, this includes the 3% interest rate.

WHEREAS, the City Council approved Ordinance No. 2021-11, One Metro West Development Agreement, Ordinance No. 2021-12, Rezone to Planned Development Residential, and Ordinance No. 2021-13, One Metro West Specific Plan, shall be modified to reflect the requirements of Article 22 (Measure K), a measure approved by the residents of the City of Costa Mesa on November 8, 2022, rescinding the requirement that the previously noted Ordinance shall become effective following approval of the Project by the electorate, and shall take effect 31 days after adoption, as depicted further in detail in Exhibit C.

WHEREAS, amending City Council approved Resolution No. 2021-55, Approving General Plan Amendment 20-01, Master Plan 19-19, and Tentative Tract Map No. 19015 (One Metro West), modifying certain conditions of approval related to the required timing of the artwork design submittal to the City, landscaping requirements associated with the art design, and final approval authority for the art design, as depicted further in Exhibit D.

NOW, THEREFORE, based on the evidence in the record and the findings contained in Exhibit A, and modifications as shown in Exhibit B, C, and D, the Planning Commission hereby **RECOMMENDS THAT THE CITY COUNCIL APPROVE PDEV-23-0001.**

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 PDEV-23-0001, Exhibits B, C and D, and in 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. Except to the extent modified by these amendments all prior ordinances and resolutions remain in full force and effect for the project site.

BE IT FURTHER RESOLVED that if any section, division, sentence, clause, phrase or portion of this resolution, or the document 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 13 day of May, 2024.

Adam Ereth, Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
COUNTY OF ORANGE)ss
CITY OF COSTA MESA)

I, Scott Drapkin, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution No. PC-2024- XX was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on May 13, 2024, by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Scott Drapkin, Secretary
Costa Mesa Planning Commission

Resolution No. PC-2024-__

EXHIBIT A

FINDINGS

PDEV 23-0001 is a request to amend certain provisions of Development Agreement DA 20-02; amend certain conditions of approval of Resolution 2021-55 (Resolution that approved General Plan 20-01, Master Plan 19-19, and Tentative Tract Map 19015), and to clarify the project's effective date in approved Ordinance Numbers 2021-11, 2021-12, and 2021-13, for the One Metro West project. The requested amendments do not change the previously approved project plans. Therefore, the findings, and facts in support of those findings, contained in the above-mentioned Ordinances and Resolution remain true and in effect. The following findings, and facts in support of those findings, pertain only to the proposed amendments.

A. REVIEW CRITERIA FOR ALL PLANNING APPLICATIONS:

The proposed project complies with Costa Mesa Municipal Code Section 13-29(e), Review Criteria, because:

Finding: Compatible and harmonious relationship between the proposed building and site development, and use(s), and the building and site developments, and uses that exist or have been approved for the general neighborhood.

Facts in Support of Finding: The One Metro West Development was found to have a compatible and harmonious relationship between the proposed building and site development and use(s), and the building and site developments, and uses that exist or have been approved for the general neighborhood at the time of its original approval which remains in effect. The proposed amendments do not change the previously approved project plans or uses and therefore the project remains compatible and harmonious with the general neighborhood.

Finding: Safety and compatibility of the design of buildings, parking area, landscaping, luminaries and other site features which may include functional aspects of the site development such as automobile and pedestrian circulation.

Facts in Support of Finding: The One Metro West Development was found to be safe and compatible in the design of buildings, parking area, landscaping, luminaries, and other site features, including functional aspects of the site development such as automobile and pedestrian circulation, at the time of its original approval, which remains in effect. The proposed amendments do not change the previously approved project plans and therefore the project remains a safe and compatible development.

Finding: Compliance with any performance standards as prescribed elsewhere in this Zoning Code.

Facts in Support of Finding: A General Plan Amendment (adopted by Resolution 2021-55), and Rezone (adopted by Ordinance No. 2021-12), was adopted by the City Council on July 20, 2021. The approvals permitted a site-specific density of 80 dwelling units per acre, with a maximum of 1,057 dwelling units. The One Metro West development was approved in compliance with these requirements and the proposed amendments do not change the previously approved project plans. Therefore, the project complies with the requirements of the Zoning Code.

Finding: Consistency with the General Plan and any applicable Specific Plan.

Facts in Support of Finding: A General Plan Amendment (adopted by Resolution 2021-55), and Specific Plan (adopted by Ordinance No. 2021-13), was adopted by the City Council on July 20, 2021. The approvals permitted a site-specific density of 80 dwelling units per acre, with a maximum of 1,057 dwelling units. The One Metro West development was approved in compliance with these requirements and the proposed amendments do not change the previously approved project plans. Therefore, the project complies with the requirements of the General Plan, and the One Metro West Specific Plan.

Finding: The planning application is for a project-specific case and is not to be construed to be setting a precedent for future development.

Facts in Support of Finding: This application, PDEV-23-0001, is for amendments to certain provisions and conditions of the previously-approved One Metro West project. The approved project is a mixed-use development with residential, office, retail, and open space use that would replace an existing industrial use, and the proposed amendments do not change the previously approved plans. Any similar future developments would be required to submit planning applications as necessary or required by the Planning Division.

Finding: When more than one (1) planning application is proposed for a single development, the cumulative effect of all the planning applications shall be considered.

Facts in Support of Finding: No substantial changes to the project are proposed in that there are no modifications to the approved project plans or uses. Therefore, no cumulative effect for the planning applications will result.

Finding: For residential developments, consistency with any applicable design guidelines adopted by city council resolution.

Facts in Support of Finding: The One Metro West Specific Plan contains the project's development standards and design guidelines. The One Metro West development was approved in compliance with these requirements and the

proposed amendments do not change the previously approved project plans. Therefore, the project complies with the requirements of the One Metro West Specific Plan.

Finding: For affordable multi-family housing developments that include a minimum of sixteen (16) affordable dwelling units at no less than twenty (20) dwelling units per acre, the maximum density standards of the general plan shall be applied, and the maximum density shall be permitted by right and not subject to discretionary review during the design review or master plan application process.

Facts in Support of Finding: The approved One Metro West development includes a multi-family residential development. Though the project is not an affordable housing development, there would still be a portion of the overall dwelling units set aside for affordable housing opportunities. The terms and conditions of the affordable units are included in the project's Development Agreement. The proposed amendments do not change or modify the terms and conditions of the affordable units in the Development Agreement.

C. **AMENDMENT TO GENERAL PLAN AMENDMENT GP-20-01**

Per Zoning Code Section 13-29(g), there are no specific findings criteria for a general plan amendment application. Such action is considered a legislative action subject to the discretion of the final decision body, which is the City Council. The proposed projects amendments do not change the previously approved project plans or uses, and therefore are consistent with the General Plan.

Below is staff's justification in support of the proposed general plan amendment:

The proposed project would continue to contribute to the City meeting its City's 6th cycle RHNA allocations including affordable housing allocation and improve the City's overall jobs-housing balance.

Facts in Support: General Plan Amendment 20-01 implemented the One Metro West development. The facts in support of the General Plan Amendment include the project's contribution to helping the City meet its City's 6th cycle RHNA allocations, including affordable housing allocation, as well as improve the City's overall jobs-housing balance. The proposed amendments do not change the previously approved project plans and the project would continue to help the City meet its City's 6th cycle RHNA allocations, including affordable housing allocation, and improve the City's overall jobs-housing balance.

D. **AMENDMENT TO SPECIFIC PLAN SP-20-01**

Per Zoning Code Section 13-29(g), there are no specific findings criteria for a specific plan application. Such action is considered a legislative action subject to the discretionary approval of the final decision body, which is the City Council. The One

Metro West Specific Plan establishes the development's land use plan, development standards, zoning regulations, permitted uses, design guidelines, infrastructure systems, and implementation strategies on which subsequent project-related development activities would be founded. The One Metro West Specific Plan, and subsequently approved project-specific architectural plans, detailed site plans, grading, landscape, and building permits, are consistent with the specific plan. The proposed amendment is limited to rescinding the requirement that the Project be approved by the electorate, consistent with approved Measure K, and reflect the July 20, 2021, second reading and adoption date by the City of Costa Mesa, City Council, and adds the provision that the Ordinance shall be effective 31 days from adoption. The proposed amendment does not change the previously approved project plans and any future ministerial or discretionary approvals would be required to demonstrate consistency with the Specific Plan.

E. **MASTER PLAN PA-19-19**

The proposed project complies with Costa Mesa Municipal Code Section 13-29(g)(5) for a Master Plan because:

Finding: The master plan meets the broader goals of the general plan, any applicable specific 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 Finding: General Plan Amendment 20-01 changed the land use designation to High-Density Residential, and Rezone 2021-12 approved PDR-HD, allowing for the redevelopment of the property from industrial use to the mixed-use development as depicted in the Master Plan (residential, office, retail, open space). The Master Plan depicts the development plans that meet the Specific Plan development standards and design guidelines. The Master Plan serves as a precise plan of development for the project site and includes schematic designs of the various project components such as building locations, parking design, off-site improvements along Sunflower Avenue, exterior elevations of residential buildings, and the open space. The proposed amendments do not change the previously approved Master Plan, or the approved project plans. Therefore, the Master Plan continues to meet the broader goals of the general plan, any applicable specific 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.

Finding: Master Plan findings for mixed-use development projects in the mixed-use overlay district are identified in Chapter V, Article 11, mixed-use overlay district.

Facts in Support of Finding: The One Metro West project is not subject to the mixed-use overlay district findings because the project site is not one of the overlay districts identified in Chapter V, Article 11. The nearest overlay district to

the project site is the North Costa Mesa Specific Plan, approximately one-half mile east.

Finding: As applicable to affordable multi-family housing developments, the project complies with the maximum density standards allowed pursuant to the general plan and provides affordable housing to low or very-low income households, as defined by the California Department of Housing and Community Development. The project includes long-term affordability covenants in compliance with state law.

Facts in Support of Finding: The approved project includes 1,057 units within a mixed-use multi-family residential development. The project is proposing to provide 10 percent of the project dwelling units (minimum of 106 units) as affordable units to low- and very-low-income households. The applicant's proposal of affordable housing is included in the Development Agreement and remains unchanged by the scope of these amendments.

F. **AMENDMENT TO REZONE R-20-01**

The proposed project complies with Costa Mesa Municipal Code Section 13-29(g)(11) for a Rezone because:

Finding: The proposed Rezone is consistent with the Zoning Code, General Plan, and applicable Specific Plan.

Facts in Support of Finding: The original approval rezoned the property from Industrial Park (MP) to Planned Development Residential – High Density (PDR-HD). Per General Plan Table LU-19 (General Plan and Zoning Consistency), the PDR-HD zoning designation is compatible with the High-Density Residential land use designation. According to Zoning Code Section 13-20(p), PDR-HD districts are intended for multi-family residential developments and complementary non-residential uses could also be included in the planned development. As such, the zoning district allows a mix of residential and non-residential uses and is consistent with the intent of the General Plan and the PDR-HD zoning designation. The PDR-HD zoning designation also allows up to 20 du/acre but also allows for a higher density pursuant to the adopted specific plan. The Specific Plan acts as the project's zoning regulations. Future development on-site and off-site improvements would be required to comply with the Specific Plan development standards and design guidelines. As the project does not propose any modifications to the approved plans the project would remain consistent with the General Plan, Zoning, and Specific Plan.

G. **TENTATIVE TRACT MAP T-19-01**

The proposed project complies with Costa Mesa Municipal Code Section 13-29(g)(13) for a Tentative Tract Map because:

Finding: The creation of the subdivision and related improvements is consistent with the General Plan and the Zoning Code.

Facts in Support of Finding: The previously approved subdivision, including establishing the right to a future airspace subdivision for condominium purposes and related improvements, would not be modified by the scope of the proposed amendments and, therefore, is consistent with the General Plan, Zoning, and Specific Plan.

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

Facts in Support of Finding: The project is a mixed-use development with residential, office, and retail uses on the property. No change to the mix of uses is proposed as part of the requested amendments; therefore, the project remains compatible with 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 Finding: The previously approved subdivision is not proposed to be modified and, therefore, remains suitable to accommodate the development 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.

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

Facts in Support of Finding: The previously approved subdivision will not be modified and will still provide adequate setbacks and private open space areas such as patios or balconies for most units and incorporates extensive landscaping throughout to ensure natural and passive heating and cooling from the sun exposure. The design of the residential buildings also incorporates open courtyards and rooftop terraces which would allow for additional natural cooling and heating. Units would also have operable windows which would provide natural cooling and ventilation opportunities as well. In addition to the private open space areas, the project also provides a publicly-accessible 1.5-acre open space area.

Finding: The subdivision and development of the property will not unreasonably

interfere with the free and complete exercise of the public entity and/or public utility rights-of-way and/or easements within the tract.

Facts in Support of Finding: The approved project does not interfere with the public rights-of-way per the Public Services Department. A public access easement for the public access and use of the 1.5-acre open space and bicycle trail connection to the existing Santa Ana River Trail (for the portion located on the private office lot) is included and reflected on the approved Tentative Tract Map. The scope of the requested amendments does not change this and therefore is consistent with the finding.

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

Facts in Support of Finding: The applicant is required to comply with all regulations set forth by the Costa Mesa Sanitation District as well as the Mesa Water District. The scope of the requested amendments does not change this and therefore is consistent with the finding.

H. **DEVELOPMENT AGREEMENT DA-20-02**

Pursuant to City Council Resolution No. 88-53 and Government Code section 65865(c), staff recommends approval of the request, based on the following assessment of facts and findings, which are also reflected in the draft Resolution:

Finding: The Development Agreement between the City of Costa Mesa and the Developer is:

1. Consistent with the objectives, policies, general land uses and programs specified in the General Plan and with the General Plan as a whole;
2. Compatible with the uses authorized in, and the existing land use regulations prescribed for, the zoning district in which the real property is and will be located; and
3. Is in conformity with and will promote public convenience, general welfare, and good land use practice.

Facts in Support of Findings: The proposed amendment to the approved Development Agreement is consistent with the General Plan as the agreement continues to provide public benefits to the City, including but not limited to, a total of 106 deed-restricted affordable units at the very low and low-income levels for no less than 40 years, an easement to the City of Costa Mesa for public access to a 1.5-acre urban open space, and improvements to Sunflower Avenue. In addition, the amendments would still require contributions of funding (beyond the required development impact fees) for public services such as police and fire, and funding toward economic recovery.

Finding: The Development Agreement between the City of Costa Mesa and the Developer will not:

1. Be detrimental to the health, safety and general welfare; and
2. Adversely affect the orderly development of property or the preservation of property values.

Facts in Support of Finding: The amendment to the approved Development Agreement would not be detrimental to the health, safety, and general welfare of the public or adversely affect the orderly development of property. The Development Agreement reflects the development plan for the site and documents the additional public benefits of the project (such as affordable housing, and an easement in favor of the City for public access to 1.5-acres of open space, and funding to improve City infrastructure) agreed to by the applicant in exchange for the right to develop per the project approvals for the term of the Development Agreement.

- I. Pursuant to Section 15162 of the State CEQA Guidelines, the project was reviewed and found to be consistent with the One Metro West Environmental Impact Report (EIR) (State Clearinghouse No. 2019050014), which was certified on May 4, 2021, by the City Council of the City of Costa Mesa (Resolution No. 2021-54). Pursuant to Section 15162 of the Guidelines, no subsequent environmental review is warranted for the project because there are no substantial changes to the project in that there are no modifications to the approved project plans or required mitigation measures.

EXHIBIT B

REVISED DEVELOPMENT AGREEMENT

Provided under Separate Cover

EXHIBIT C

Amendments to Certain Sections of the approving Ordinances

Legend: New text is shown in **underlined bold**, and the deleted text is shown in ~~strike through~~.

Ordinance No. 2021-11, Section 7: EFFECTIVE DATE, shall be amended as follows:

SECTION 7: EFFECTIVE DATE. This Ordinance shall ~~become effective following approval of the Project by the electorate at the next regular municipal election or at a special election funded by the applicant~~ **take effect on the 31st day after adoption.**

Ordinance No. 2021-12, Section 7: EFFECTIVE DATE, shall be amended as follows:

SECTION 5: EFFECTIVE DATE. This Ordinance shall ~~become effective following approval of the Project by the electorate at the next regular municipal election or at a special election funded by the applicant~~ **take effect on the 31st day after adoption.**

Ordinance No. 2021-13, Section 7: EFFECTIVE DATE, shall be amended as follows:

SECTION 5: EFFECTIVE DATE. This Ordinance shall ~~become effective following approval of the Project by the electorate at the next regular municipal election or at a special election funded by the applicant~~ **take effect on the 31st day after adoption.**

EXHIBIT D

Amendments to certain conditions of approval of Resolution 2021-545

Legend: New text is shown in **underlined bold**, and the deleted test is shown in ~~strike through~~

Artwork Conditions of Approval

- ~~• COA No. 9 – The final design of the public art display on Building A’s parking structure façade along the I-405 Freeway, which shall incorporate vertical landscaping, shall be subject to review and final approval by the Planning Commission. The Cultural Arts Committee (CAC) may first review the proposed freeway façade design and make recommendations to the Planning Commission. No public art display visible along the I-405 Freeway shall be installed without prior review by and approval from the Planning Commission.~~
- COA No. 66 – Prior to the issuance of the first building permit for the proposed project, the owner/developer would be required to submit a Design Plan for the Building “A” parking elevation (façade) along the I-405 Freeway for review by the Planning Division and approval by the City’s Cultural Arts **Commission** ~~Committee~~. All architectural treatments would exclude the use of moving, flashing, or otherwise visually distracting elements or materials that are highly reflective or generate noise. [PPP-AES-1]

EXHIBIT B – Revised Development Agreement 20-02

Legend: New text is shown in **underlined bold**, and the deleted text is shown in ~~strikethrough~~.

Note: The document covenants have been renumbered to account for added text and or sections.

DRAFT

DEVELOPMENT AGREEMENT NO. 20-02

A DEVELOPMENT AGREEMENT BETWEEN

CITY OF COSTA MESA

and

INTERNATIONAL ASSET MANAGEMENT HOLDING GROUP, LLC

Approved July 20, 2021, by Ordinance No. 2021-11

Amended by the City Council on _____, 2024

DEVELOPMENT AGREEMENT NO. 20-02

This Development Agreement (hereinafter “Agreement”) is entered into as of this ____ day of _____, 202_ by and between the City of Costa Mesa, California (hereinafter “CITY”), and International Asset Management Holding Group, LLC, a **California Limited Liability Company** (hereinafter “OWNER”):

RECITALS

WHEREAS, CITY is authorized to enter into binding development agreements with persons having legal or equitable interests in real property for the development of such property, pursuant to Section 65864, et seq. of the Government Code; and

WHEREAS, This Agreement constitutes a current exercise of CITY’s police powers to provide predictability to OWNER in the development approval process by vesting the permitted uses, density, intensity of use, and timing and phasing of development consistent with the Development Plan in exchange for OWNER’s commitment to provide significant public benefits to CITY as set forth in Section 4, below.

WHEREAS, OWNER has requested CITY to enter into a development agreement and proceedings have been taken in accordance with the rules and regulations of CITY; and

WHEREAS, the best interests of the citizens of the CITY and the public health, safety and welfare will be served by entering into this Agreement; and

WHEREAS, the City Council hereby finds and determines that this Agreement is of major significance because it will enable the development of a mixed-use project with residential, commercial, creative office and open space uses and provide the CITY with additional funds that could be used for CITY facilities and will therefore implement numerous general plan and other public policies of the CITY; and

WHEREAS, the provision by OWNER of these aforementioned public benefits allows the CITY to realize significant economic, and social benefits; and

WHEREAS, the physical effects, if any, of the Project and this Agreement have been analyzed pursuant to the California Environmental Quality Act (“CEQA”) (Pub. Res. Code section 21000 et seq.); and

WHEREAS, this Agreement and the Project are consistent with the Costa Mesa General Plan, as amended, and any specific plan, as amended, applicable thereto; and

WHEREAS, all actions taken and approvals given by CITY have been duly taken or approved in accordance with all applicable legal requirements for notice, public hearings, findings, votes, and other procedural matters; and

WHEREAS, development of the Property in accordance with this Agreement will provide substantial benefits to CITY and will further important policies and goals of CITY; and

WHEREAS, this Agreement will eliminate uncertainty in planning and provide for the orderly development of the Property, ensure progressive installation of necessary improvements, provide for public services appropriate to the development of the Project, and generally serve the purposes for which development agreements under Section 65864, et seq. of the Government Code are intended.

COVENANTS

NOW, THEREFORE, in consideration of the above recitals and of the mutual covenants hereinafter contained and for other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties agree as follows:

1. DEFINITIONS AND EXHIBITS.

1.1 **Definitions.** The following terms when used in this Agreement shall be defined as follows:

1.1.1 “Agreement” means this Development Agreement.

1.1.2 “CITY” means the City of Costa Mesa, a California municipal corporation.

1.1.3 “City Council” means the duly elected city council of the City of Costa Mesa.

1.1.4 “Commencement Date” means the date the Term of this Agreement commences.

1.1.5 **“Construction Date” means the date the first building permit is issued.**

1.1.6 “Development” means the improvement of the Property for the purposes of completing the structures, improvements and facilities comprising the Project including, but not limited to: grading; the construction of infrastructure and public facilities related to the Project whether located within or outside the Property; the construction of buildings and structures; and the installation of landscaping. “Development” does not include the maintenance, repair, reconstruction or redevelopment of any building, structure, improvement or facility after the construction and completion thereof.

1.1.7 “Development Approvals” means all permits and other entitlements for use subject to approval or issuance by CITY in connection with development of the Property including, but not limited to:

(a) general plan, general plan amendments, specific plans and specific plan amendments;

(b) tentative and final subdivision and parcel maps;

- (c) conditional use permits and master plans;
- (d) zoning, zoning map amendments, and zoning text amendments; and,
- (e) grading and building permits.

1.1.8 “Development Exaction” means any requirement of CITY in connection with or pursuant to any Land Use Regulation or Development Approval for the dedication of land, the construction of improvements or public facilities, or the payment of fees in order to lessen, offset, mitigate or compensate for the impacts of development on the environment or other public interests.

1.1.9 “Development Impact Fee” a monetary exaction other than a tax or special assessment, whether established for a broad class of projects by legislation of general applicability or imposed on a specific project on an ad hoc basis, that is charged by a local agency to the applicant in connection with approval of a development project for the purpose of defraying all or a portion of the cost of public facilities related to the development project, but does not include park “in lieu” fees specified in Government Code Section 66477, fees for processing applications for governmental regulatory actions or approvals, or fees collected under development agreements adopted pursuant to Article 2.5 of the Government Code (commencing with Section 65864) of Chapter 4.

1.1.10 “Development Plan” means the plan for development of the Property as set forth in the vested entitlements listed in Exhibit “C”.

(a) “Director” means the Director of the City’s Development Services Department, including his or her designee.

1.1.11 “Effective Date” means the date the ordinance approving and authorizing this Agreement becomes effective.

1.1.12 **“Interest Charge” means the interest payment applied to deferred Development Exaction and Development Impact Fees.**

1.1.13 **“Interest Rate” means the rate of interest, three percent (3%) per year, compounded annually, used to calculate the Interest Charge.**

1.1.14 “Land Use Regulations” means all ordinances, resolutions, codes, rules, regulations and official policies of CITY governing the development and use of land, including, without limitation, the permitted use of land, the density or intensity of use, subdivision requirements, the maximum height and size of proposed buildings, the provisions for reservation or dedication of land for public purposes, and the design, improvement and construction standards and specifications applicable to the development of the Property. “Land Use Regulations” does not include any CITY ordinance, resolution, code, rule, regulation or official policy, governing:

- (a) the conduct of businesses, professions, and occupations;

- (b) taxes (special or general) and assessments;
- (c) the control and abatement of nuisances;
- (d) the granting of encroachment permits and the conveyance of rights and interests that provide for the use of or the entry upon public property;
- (e) the exercise of the power of eminent domain.

1.1.15 “OWNER” means the persons and entities listed as OWNER on page 1 of this Agreement and their successors in interest to all or any part of the Property.

1.1.16 “Mortgagee” means a mortgagee of a mortgage, a beneficiary under a deed of trust or any other security-device lender, and their successors and assigns.

1.1.17 “Project” means the development of the Property contemplated by the Development Plan as such Plan may be further defined, enhanced or modified pursuant to the provisions of this Agreement.

1.1.18 “Property” means the real property described on Exhibit “A” and shown on Exhibit “B” to this Agreement.

1.1.19 “Public Benefit” refers to those benefits provided to the CITY and the community by OWNER pursuant to Section 4 below.

1.1.20 “Reservation of Rights” means the rights and authority excepted from the assurances and rights provided to OWNER under this Agreement and reserved to CITY under Section 3.3 of this Agreement.

1.2 Exhibits. The following documents are attached to, and by this reference made a part of, this Agreement:

Exhibit “A” – Legal Description of the Property.

Exhibit “B” – Map showing Property and its location.

Exhibit “C” – Development Plan.

Exhibit “D” – Development Impact Fees

2. GENERAL PROVISIONS.

2.1 Binding Effect of Agreement. The Property is hereby made subject to this Agreement. Development of the Property is hereby fully vested and authorized and shall be carried out in substantial accordance with the terms of the Development Plan and this Agreement.

2.2 Ownership of Property. OWNER represents and covenants that it is the owner of the fee simple title to, or has an equitable interest in, the Property or a portion thereof.

2.3 City Council Findings. The City Council finds that:

2.3.1 This Agreement is consistent with the CITY's General Plan, as amended.

2.3.2 This Agreement ensures a desirable and functional community environment, provides effective and efficient development of public facilities, infrastructure, and services appropriate for the development of the Project and enhances effective utilization of resources within the CITY.

2.3.3 This Agreement provides public benefits to the City.

2.3.4 This Agreement strengthens the public planning process, encourages private participation in comprehensive planning and reduces costs of development and government.

2.3.5 The best interests of the citizens of the CITY and the public health, safety, and welfare will be served by entering into this Agreement.

2.4 Term. The term of this Agreement shall commence on the date (the "Commencement Date") that is the Effective Date, and shall continue for a period of twenty five (25) years thereafter, unless this term is modified or extended pursuant to the provisions of this Agreement. Thereafter, the OWNER shall have no vested right under this Agreement, regardless of whether or not OWNER has paid any Development Impact Fee.

2.5 Assignment.

2.5.1 Right to Assign. OWNER shall have the right to sell, transfer or assign the Property in whole or in part (provided that no such partial transfer shall violate the Subdivision Map Act, Government Code Section 66410, *et seq.*) to any person, partnership, joint venture, firm or corporation at any time during the term of this Agreement; provided, however, that any such sale, transfer or assignment shall include the assignment and assumption of the rights, duties and obligations arising under or from this Agreement and be made in strict compliance with the following conditions precedent:

(a) No sale, transfer or assignment of any right or interest under this Agreement shall be made unless made together with the sale, transfer or assignment of all or a part of the Property.

(b) Concurrent with any such sale, transfer or assignment, OWNER shall notify CITY, in writing, of such sale, transfer or assignment and shall provide CITY with an executed agreement ("Assignment and Assumption Agreement"), in a form reasonably acceptable to CITY, by the purchaser, transferee or assignee and providing therein that the purchaser, transferee or assignee expressly and unconditionally assumes all the duties, obligations, agreements, covenants, waivers of OWNER under this Agreement, including, without limitation, the covenants not to sue and waivers contained in Sections 7.2 and 8.4 hereof.

Any sale, transfer or assignment not made in strict compliance with the foregoing conditions shall constitute a default by OWNER under this Agreement. Notwithstanding the

failure of any purchaser, transferee or assignee to execute the agreement required by Paragraph (b) of this Subsection 2.5.1, the burdens of this Agreement shall be binding upon such purchaser, transferee or assignee, but the benefits of this Agreement shall not inure to such purchaser, transferee or assignee until and unless such agreement is executed.

2.5.2 Release of Transferring Owner. Notwithstanding any sale, transfer or assignment, a transferring OWNER shall continue to be obligated under this Agreement with respect to the transferred Property or any transferred portion thereof, unless such transferring OWNER is given a release in writing by CITY, which release shall be provided by CITY upon the full satisfaction by such transferring OWNER of the following conditions:

(a) OWNER no longer has a legal or equitable interest in all or any part of the Property subject to the transfer.

(b) OWNER is not then in default under this Agreement.

(c) OWNER has provided CITY with the notice and executed agreement required under Paragraph (b) of Subsection 2.5.1 above.

(d) The purchaser, transferee or assignee provides CITY with security equivalent to any security previously provided by OWNER to secure performance of its obligations hereunder.

2.5.3 Subsequent Assignment. Any subsequent sale, transfer or assignment after an initial sale, transfer or assignment shall be made only in accordance with and subject to the terms and conditions of this Section.

2.5.4 Utilities. The Project shall be connected to all utilities necessary to provide adequate water, sewer, gas, electric, and other utility service to the Project, prior to the issuance of a certificate of occupancy for any portion of the Project.

2.5.5 Sale to Public and Completion of Construction. The provisions of Subsection 2.5.1 shall not apply to the sale or lease (for a period longer than one year) of any lot or condominium that has been finally subdivided and is individually (and not in "bulk") sold or leased to a member of the public or other ultimate user. This Agreement shall terminate with respect to any lot/condominium and such lot/condominium shall be released and no longer be subject to this Agreement without the execution or recordation of any further document upon satisfaction of both of the following conditions:

(a) The lot/condominium has been finally subdivided and individually (and not in "bulk") sold or leased (for a period longer than one year) to a member of the public or other ultimate user; and

(b) A certificate of occupancy has been issued for a building on the lot/condominium, and the fees for such lot set forth in this Agreement have been paid.

2.6 Amendment or Cancellation of Agreement. This Agreement may be amended or canceled in whole or in part only by written consent of all parties in the manner

provided for in Government Code Section 65868. This provision shall not limit any remedy of CITY or OWNER as provided by this Agreement.

2.7 Termination. This Agreement shall be deemed terminated and of no further effect upon the occurrence of any of the following events:

- (a) Expiration of the stated term of this Agreement as set forth in Section 2.4.
- (b) Entry of a final judgment setting aside, voiding or annulling the adoption of the ordinance approving this Agreement.
- (c) Completion of the Project in accordance with the terms of this Agreement including issuance of all required occupancy permits and acceptance by CITY or applicable public agency of all required dedications.

Termination of this Agreement shall not constitute termination of any other land use entitlements approved for the Property. Upon the termination of this Agreement, no party shall have any further right or obligation hereunder except with respect to any obligation to have been performed prior to such termination or with respect to any default in the performance of the provisions of this Agreement that has occurred prior to such termination or with respect to any obligations that are specifically set forth as surviving this Agreement. Upon such termination, any Development Impact Fees paid by OWNER to CITY for residential units on which construction has not yet begun shall be refunded to OWNER by CITY.

2.8 Notices.

(a) As used in this Agreement, "notice" includes, but is not limited to, the communication of notice, request, demand, approval, statement, report, acceptance, consent, waiver, appointment or other communication required or permitted hereunder.

(b) All notices shall be in writing and shall be considered given either: (i) when delivered in person to the recipient named below; or (ii) on the date of delivery shown on the return receipt, after deposit in the United States mail in a sealed envelope as either registered or certified mail with return receipt requested, and postage and postal charges prepaid, and addressed to the recipient named below; or (iii) on the date of delivery shown in the records of the telegraph company after transmission by telegraph to the recipient named below. All notices shall be addressed as follows:

If to CITY:

City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92627
(714) 754-5245
Attn: City Manager

Copy to:

Jones & Mayer
3777 N Harbor Blvd.
Fullerton, CA
(714) 446-1400
Attn: Kimberly Hall Barlow

If to OWNER:

Rose Equities, as agent for International Asset Management Holding Group, LLC
8383 Wilshire Boulevard, Suite 632
Beverly Hills, CA 90211
Attn: Brent Stoll
Telephone: (323) 782-4300

Copy to:

Rutan & Tucker, LLP
611 Anton Blvd., Suite 1400
Costa Mesa, CA 92694
Attn: John A. Ramirez
Telephone: (714) 662-4610

(c) Either party may, by notice given at any time, require subsequent notices to be given to another person or entity, whether a party or an officer or representative of a party, or to a different address, or both. Notices given before actual receipt of notice of change shall not be invalidated by the change.

3. DEVELOPMENT OF THE PROPERTY.

3.1 Rights to Develop. Subject to the terms of this Agreement including the Reservation of Rights, OWNER shall have a vested right to develop the Property in accordance with, and to the extent of, this Agreement. Except as expressly provided otherwise herein, the Project shall remain subject to all Land Use Regulations and Development Approvals in effect on the Effective Date that are required to complete the Project as contemplated by the Development Plan. Except as otherwise provided in this Agreement, the permitted uses of the Property, the density and intensity of use, the maximum height and size of proposed buildings, and provisions for reservation and dedication of land for public purposes shall be those set forth in the Land Use Regulations and Development Approvals in effect on the Effective Date or, if consented to by OWNER, those subsequently adopted or amended. OWNER shall comply with all mitigation measures required to be undertaken pursuant to any document prepared in compliance with the California Environmental Quality Act with respect to the Project.

3.2 Effect of Agreement on Land Use Regulations. Except as otherwise provided under the terms of this Agreement including the Reservation of Rights, the rules, regulations and official policies governing permitted uses of the Property, the density and intensity of use of the Property, the maximum height and size of proposed buildings, and the

design, improvement and construction standards and specifications applicable to development of the Property shall be the Land Use Regulations and Development Approvals in effect on the Effective Date. In connection with any subsequently adopted Development Approvals and except as specifically provided otherwise herein, CITY may exercise its discretion in accordance with the Land Use Regulations then in effect, as provided by this Agreement, including, but not limited to, the Reservation of Rights. CITY shall accept for processing, review and action all applications for subsequent development approvals, and such applications shall be processed expeditiously.

3.3 Reservation of Rights.

3.3.1 Limitations, Reservations and Exceptions. Notwithstanding any other provision of this Agreement, the following regulations shall apply to the development of the Property:

(a) Processing fees and charges of every kind and nature imposed by CITY to cover the estimated actual costs to CITY of processing applications for Development Approvals or for monitoring compliance with any Development Approvals granted or issued.

(b) Procedural regulations relating to hearing bodies, petitions, applications, notices, findings, records, hearings, reports, recommendations, appeals and any other matter of procedure.

(c) Regulations, policies and rules governing engineering and construction standards and specifications applicable to public and private improvements, including, without limitation, all uniform codes adopted by the City and any local amendments to those codes adopted by the CITY, including, without limitation, the CITY's Building Code, Plumbing Code, Mechanical Code, Electrical Code, and Grading Ordinance.

(d) Regulations imposing Development Exactions; provided, however, that no such subsequently adopted Development Exaction shall be applicable to development of the Property unless such Development Exaction is applied uniformly to development, either throughout the CITY or within a defined area of benefit which includes the Property. No such subsequently adopted Development Exaction shall apply if its application to the Property would physically prevent development of the Property for the uses and to the density or intensity of development set forth in the Development Plan. In the event any such subsequently adopted Development Exaction fulfills the same purposes, in whole or in part, as the fees set forth in Section 4 of this Agreement, CITY shall allow a credit against such subsequently adopted Development Exaction for the fees paid under Section 4 of this Agreement to the extent such fees fulfill the same purposes.

(e) Regulations that may be in material conflict with this Agreement but that are reasonably necessary to protect the residents of the project or the immediate community from a condition perilous to their health or safety. To the extent possible, any such regulations shall be applied and construed so as to provide OWNER with the rights and assurances provided under this Agreement.

(f) Regulations that are not in material conflict with this Agreement or the

Development Plan. Any regulation, whether adopted by initiative or otherwise, limiting the rate or timing of development of the Property shall be deemed to materially conflict with the Development Plan and shall therefore not be applicable to the development of the Property.

(g) Regulations that are in material conflict with the Development Plan; provided OWNER has given written consent to the application of such regulations to development of that Property in which the OWNER has a legal or equitable interest.

(h) Regulations that impose, levy, alter or amend fees, charges, or Land Use Regulations relating to consumers or end users, including, without limitation, trash can placement, service charges and limitations on vehicle parking.

(i) Regulations of other public agencies, including Development Impact Fees adopted or imposed by such other public agencies, although collected by CITY.

3.3.2 Subsequent Development Approvals. This Agreement shall not prevent CITY, in acting on subsequent development approvals and to the same extent it would otherwise be authorized to do so absent this Agreement, from applying subsequently adopted or amended Land Use Regulations that do not materially conflict with this Agreement and do not impose increased costs on OWNER.

3.3.3 Modification or Suspension by State or Federal Law. In the event that State, County or Federal laws or regulations, enacted after the Effective Date of this Agreement, prevent or preclude compliance with one or more of the provisions of this Agreement, such provisions of this Agreement shall be modified or suspended as may be necessary to comply with such State or Federal laws or regulations; provided, however, that this Agreement shall remain in full force and effect to the extent it is not inconsistent with such laws or regulations and to the extent such laws or regulations do not render such remaining provisions impractical to enforce.

3.4 Regulation by Other Public Agencies. It is acknowledged by the parties that other public agencies not within the control of CITY may possess authority to regulate aspects of the development of the Property separately from or jointly with CITY and this Agreement does not limit the authority of such other public agencies.

3.5 Timing of Development. Because the California Supreme Court held in Pardee Construction Co. v. City of Camarillo, 37 Cal. 3d 465 (1984), that the failure of the parties in that case to provide for the timing of development resulted in a later-adopted initiative restricting the timing of development to prevail over the parties' agreement, it is the specific intent of the Parties to provide for the timing of the Project in this Agreement. To do so, the Parties acknowledge and provide that Owner shall have the right, but not the obligation, to complete the Project in such order, at such rate, at such times, and in as many development phases and sub-phases as Owner deems appropriate in its sole subjective business judgment.

3.6 Conditions, Covenants and Restrictions. Owner shall have the ability to reserve and record such covenants, conditions, and restrictions (CC&Rs) against the Property as Owner deems appropriate, in its sole and absolute discretion. Such CC&Rs may not conflict with this Agreement or the General Plan. Before recording any CC&Rs, Owner shall provide a

copy of the CC&Rs to the City for review and approval by the City Attorney. The City Attorney's review shall be limited to determining if the CC&Rs substantially comply with this Agreement. Within thirty (30) days after receiving a copy of the proposed CC&Rs from Owner, the City Attorney shall provide Owner with either (i) a statement that the CC&Rs comply with this Agreement ("CC&R Approval") or (ii) written comments identifying each aspect of the CC&Rs which the City Attorney believes not to be in compliance with this Agreement (a "Statement of Non-Compliance"). If the City Attorney fails to provide Owner with either CC&R Approval or a Statement of Non-Compliance within thirty (30) days following a written request by Owner, City shall be deemed to have approved the CC&Rs and Owner may record the CC&Rs against the Property. If the City Attorney provides a Statement of Non-Compliance, Owner shall have thirty (30) days in which to respond to the Statement of Non-Compliance. Upon submittal of Owner's response, the procedure described above for the initial submittal and City Attorney review of proposed CC&Rs shall again be followed. This procedure shall be followed until Owner either (1) receives CC&R Approval, (2) submits the compliance issues to binding arbitration pursuant to the rules of the American Arbitration Association, (3) files an action for declaratory relief in Orange County Superior Court seeking a judicial determination of the compliance of the proposed CC&Rs, or (4) an agreement is otherwise reached between the Parties allowing for the recording of the CC&Rs. The CC&Rs may run with the land and bind Owner's successors and assigns. Except as provided above, any dispute between the Parties regarding the City's approval or rejection of the CC&Rs shall be subject to immediate and binding arbitration pursuant to the rules of the American Arbitration Association.

4. PROJECT BENEFITS & COMMITMENTS

4.1 Public Benefits. The Project will serve to redevelop an industrial site, will provide on-site infrastructure upgrades; and will provide additional housing opportunities to residents of the City. In addition, the Project will improve the City's open space and recreational facilities by providing the following:

4.1.1 Public Open Space: The Project will include the construction, ongoing maintenance and management of a 1.5-acre passive open space area that will be made available to the general public through dedication of a perpetual public access easement to the CITY, which easement shall run with the land in perpetuity and be recorded against the Property in a form and manner approved by the CITY;

4.1.2 Community Center: The Project will also include construction, ongoing maintenance and management of a 1,500-square-foot community room located in Building B that will be made available for use to the CITY at no cost and to the general public subject to the same cost and schedule availability applicable to Project residents (subject to commercially reasonable rules regarding access, insurance requirements, security, etc.);

4.1.3 Sunflower Avenue Improvements: The Project will include off-site improvements to Sunflower Avenue that would include, but not be limited to, wider pedestrian sidewalks, street furniture, lighting, wayfinding and public art, pedestrian signal, pedestrian and bike crossings, improved bicycle lanes (beyond the Class II facilities required along the Project frontage) with identification and separation from vehicles, new landscaped street median pockets, and striped on-street parking along the south side of Sunflower Avenue;

4.1.4 Maintenance of Off-Site Improvements: The CITY will maintain pavement, curb and gutter; the OWNER is to maintain offsite landscaping, irrigation and other features;

4.1.5 Advancement of Development Impact Fees: OWNER shall pay all development impact fees identified in Section 4.3 to the CITY, **fees shall be paid in two installments with deferred fees subject to a three percent (3%) interest rate. The first payment shall be received with the issuance of the first building permit (Year 1), the second and final payment received by the end of Year 5, five years from the date of the first permit issuance** prior to the issuance of the first building permit;

4.1.6 Funding for Public Safety: prior to issuance of first building permit OWNER shall pay to CITY the sum of two million dollars (\$2,000,000.00) to be used, in the City's sole and absolute discretion, to enhance the operations of the CITY's Police and Fire departments, including, but not limited to updates to the firing range, replacement Fire apparatus, and other public safety related projects and/or expenses;

4.1.7 Funding for Community Infrastructure Improvements: prior to issuance of first building permit OWNER shall pay to CITY the sum of one million dollars (\$1,000,000.00) to be used, in the City's sole and absolute discretion, to be used toward City-wide roadway and trail improvements (e.g. Adams Avenue improvements and Citywide bike trail improvements);

4.1.8 Economic Recovery and Community Enhancement Fund: ~~prior to issuance of first building permit~~ **no later than five years from the date of the first issuance building permit "Construction Date",** the OWNER shall pay to CITY the sum of three million dollars (\$3,000,000.00) **plus the Interest Charge, being a three percent (3%) interest rate,** to be used by the City, in its sole and absolute discretion, to assist community enhancement programs and projects related to economic sustainability and recovery, and/or to support essential governmental functions impacted during states of emergency and/or recovery therefrom, and/or other community enhancement efforts such as park and open space acquisition, rehabilitation, refurbishment or enhancement (e.g. Shalimar Community Center, Ketchum-Libolt park improvements, etc.).

4.1.9 4.1.9 Gisler Avenue/Garfield Avenue Bridge: OWNER agrees to support CITY's objections to and actions to remove the planned Gisler/Garfield Avenue Santa Ana River crossing from the OCTA's Master Plan of Arterial Highways ("OCMPAH").

4.2 **Affordable Housing.** It is the intent of CITY to consider and adopt a citywide affordable housing program to require the inclusion of affordable housing, or fees in-lieu thereof, in conjunction with all new residential development. The Project shall provide one hundred six (106) of its units at rates that are affordable to lower-income families; of the total units, sixty-seven (67) units shall be reserved for very low-income and thirty-nine (39) units for low-income tenants. The Project shall not satisfy this requirement by payment of fees in-lieu thereof. The provisions of this Section 4.2 shall continue to apply in the event of a condominium conversion.

Affordable units shall be deed restricted in a form approved by the Director and maintained in for a period of not less than forty (40) years from the date of the last certificate of occupancy of the Project at the affordability levels described in this section. Such units shall be evenly distributed throughout the Project and shall be identical to all other similarly sized units at the Project in terms of design, construction, access and OWNER provided amenities. Construction of affordable units will be proportional throughout the development of the Project, such that a proportional share of affordable units will be included in each phase of development, i.e., if the first phase of the Project is 25% of the total residential units, then approximately 25% of the total affordable units must be completed in that first phase, etc. In addition, the sizes of the affordable units shall be proportionate to the sizes of all other units within the Project, i.e., if the Project is comprised of 40% one-bedroom, 50% two-bedroom and 10% three-bedroom, then the bedroom count for the affordable units shall be similarly allocated.

If OWNER determines to record a Final Tract Map and convert the apartment units to condominium units, and notwithstanding any provision of Section 2.5.5 of this Agreement to the contrary, Owner shall either: maintain the residential rental units as rental units at the then current income and affordability levels described in this section; market for sale and thereafter sell the units based on the then current income and affordability levels described in this section; or, if applicable, relocate any and all tenants residing in affordable units under the terms imposed by applicable law and/or the citywide affordable housing program in existence at the time of relocation and sell the former rental units at the then current income and affordability levels described in this section.

4.3 Development Impact Fees. Unless specified below, the OWNER shall pay all development impact fees identified in this section, and further detailed in Exhibit D, to the CITY. Fees shall be paid in two installments, Year 1 and by the end of Year 5, with deferred fees subject to a 3% interest rate. The first payment shall be received with the issuance of the first building permit (Year 1), the second and final payment received by the end of Year 5, five years from the date of the first permit issuance.

4.3.1 ~~Parkland Impact Fee. Project will be subject to the park impact fee for apartment units at \$5,000.00 per unit and shall be paid to the CITY prior to the issuance of the first building permit.~~ The project includes a subdivision for condominium purposes that OWNER indicates may or may not be exercised. Should the OWNER determine to record a Final Tract Map and convert the apartment units to condominium units, OWNER shall pay the difference in fees between the initial \$5,000.00 per unit park impact fee and the fee in place at the time of Map recordation for condominium units. The Tentative Tract Map shall remain valid for the term of this agreement and expire coterminous with this agreement if not exercised.

4.3.2 ~~Traffic Impact Fee. The Project will be subject to the traffic impact fee for all additional vehicle trips generated by the Project at the rate in place at the time of approval of the Project (currently two hundred thirty-five dollars (\$235.00) per additional vehicle trip) and shall be paid to the CITY prior to the issuance of the first building permit.~~ The Project will generate a total of six thousand eight hundred (6,800) vehicle trips.

4.3.3 ~~Open Space and Public Park Impact Fee (Measure Z). The Project is subject to the Open Space and Public Park Impact Fee (also known as Measure Z) at the fee established by~~

Resolution of the City Council at the time of issuance of the first building permit up to \$1.50 per square foot. ~~The fee shall be paid to the CITY prior to the issuance of the first building permit.~~

4.3.4 Fire Protection System Development Impact Fee. The intent of the parties is that the Project shall be subject to the most current Fire Protection System Development Impact Fee. Accordingly, the Project is subject to a Fire Protection System Development Impact fee in an amount calculated to be the equivalent of the North Costa Mesa Fire Fee study; provided, however, that if a new citywide Fire Protection System Development Impact Fee study is adopted after issuance of first building permit, the Project shall then be subject to this new fee.

4.3.5 Time of Payment. ~~Except as described in Subsection 4.3, the fees required shall be paid to CITY as specified in Exhibit D.~~ All Development Impact Fees required shall be paid to CITY in accordance with the terms of the implementing ordinance(s), as detailed in Exhibit D, and according to the following schedule:

- (i) for Building A, prior to the issuance of the first building permit;
- (ii) for Building B, Building C and the Office Building, at the end of Year 5, plus the three percent (3%) Interest Charge, following the Construction Date.

4.4 Dedication of On-Site Easements and Rights of Way. OWNER shall dedicate to CITY all on-site rights of way and easements deemed necessary for public improvements, in CITY's sole discretion, within 15 days of receipt of written demand from CITY.

5. FINANCING OF IMPROVEMENTS. If deemed appropriate by CITY, CITY and OWNER shall cooperate in the formation of any special assessment district, community facilities district or alternate financing mechanism to pay for the construction and/or maintenance and operation of public or private improvements required as part of the Development Plan and/or payment of any Development Impact Fees. Without limiting the generality of the foregoing, for the purposes of this paragraph, included within the definition of public improvements are street improvements, sewer improvements, drainage improvements, water improvements, other utility improvements, park improvements, trail improvements, pedestrian or bicycle improvements and open space. To the extent any such district or other financing entity is formed and sells bonds in order to finance such reimbursements, OWNER may be reimbursed to the extent that OWNER spends funds or dedicates land for the establishment of public improvements. Notwithstanding the foregoing, it is acknowledged and agreed by the parties that nothing contained in this Agreement shall be construed as requiring CITY or the City Council to form any such district or to issue and sell bonds.

6. REVIEW FOR COMPLIANCE.

6.1 Periodic Review. The CITY may review this Agreement annually, on or before the anniversary of the Effective Date, in order to ascertain the compliance by OWNER with the terms of the Agreement. OWNER shall submit an Annual Monitoring Report, in a form acceptable to the Director, within thirty (30) days after written notice from the CITY. The Annual Monitoring Report shall be accompanied by an annual review and administration fee sufficient to defray the estimated costs of review and administration of the Agreement during the

succeeding year. The amount of the annual review and administration fee shall be set annually by resolution of the City Council.

6.2 Special Review. The City Council may order a special review of compliance with this Agreement at any time. The Director, or his or her designee, shall conduct such special reviews.

6.3 Procedure.

(a) During either a periodic review or a special review, OWNER shall be required to demonstrate good faith compliance with the terms of the Agreement. The burden of proof on this issue shall be on OWNER.

(b) Upon completion of a periodic review or a special review, the Director, or his or her designee, may submit a report to the Planning Commission setting forth the evidence concerning good faith compliance by OWNER with the terms of this Agreement and his or her recommended finding on that issue.

(c) If the Planning Commission finds and determines on the basis of substantial evidence that OWNER has complied in good faith with the terms and conditions of this Agreement, the review shall be concluded.

(d) If the Planning Commission finds and determines on the basis of substantial evidence that OWNER has not complied in good faith with the terms and conditions of this Agreement, the Commission may recommend to the City Council modification or termination of this Agreement. Notice of default as provided under Section 7.3 of this Agreement shall be given to OWNER prior to or concurrent with proceedings under Section 6.4 and Section 6.5.

6.4 Proceedings Upon Modification or Termination. If, upon a finding under Section 6.3, CITY determines to proceed with modification or termination of this Agreement, CITY shall give written notice to OWNER of its intention so to do. The notice shall be given at least ten (10) calendar days prior to the scheduled hearing and shall contain:

- (a) The time and place of the hearing;
- (b) A statement as to whether or not CITY proposes to terminate or to modify the Agreement; and,
- (c) Such other information that the CITY considers necessary to inform OWNER of the nature of the proceeding.

6.5 Hearing on Modification or Termination. At the time and place set for the hearing on modification or termination, OWNER shall be given an opportunity to be heard. OWNER shall be required to demonstrate good faith compliance with the terms and conditions of this Agreement. The burden of proof on this issue shall be on OWNER. If the City Council finds, based upon substantial evidence, that OWNER has not complied in good faith with the

terms or conditions of the Agreement, the City Council may terminate this Agreement or modify this Agreement and impose such conditions as are reasonably necessary to protect the interests of the CITY. The decision of the City Council shall be final.

6.6 Certificate of Agreement Compliance. If, at the conclusion of a Periodic or Special Review, OWNER is found to be in compliance with this Agreement, CITY shall, upon request by OWNER, issue a Certificate of Agreement Compliance ("Certificate") to OWNER stating that after the most recent Periodic or Special Review and based upon the information known or made known to the Director and City Council that: (1) this Agreement remains in effect; and (2) OWNER is not in default. The Certificate shall be in recordable form, shall contain information necessary to communicate constructive record notice of the finding of compliance, shall state whether the Certificate is issued after a Periodic or Special Review and shall state the anticipated date of commencement of the next Periodic Review. OWNER may record the Certificate with the County Recorder.

Whether or not the Certificate is relied upon by assignees or other transferees or OWNER, CITY shall not be bound by a Certificate if a default existed at the time of the Periodic or Special Review, but was concealed from or otherwise not known to the Director or City Council.

7. DEFAULT AND REMEDIES.

7.1 Remedies in General. It is acknowledged by the Parties that neither CITY nor OWNER would have entered into this Agreement if either were to be liable in damages under this Agreement, or with respect to this Agreement or the application thereof. In general, each of the parties hereto may pursue any remedy at law or equity available for the breach of any provision of this Agreement, except damages.

7.2 Release. Except for non-monetary remedies, OWNER, for itself, its successors and assignees, hereby releases CITY, its officers, agents and employees from any and all claims, demands, actions, or suits of any kind or nature arising out of any liability, known or unknown, present or future, including, but not limited to, any claim or liability, based or asserted, pursuant to Article I, Section 19 of the California Constitution, the Fifth and Fourteenth Amendments to the United States Constitution, or any other law or ordinance which seeks to impose any other liability or damage, whatsoever, upon CITY because it entered into this Agreement or because of the terms of this Agreement. OWNER hereby acknowledges that it has read and is familiar with the provisions of California Civil Code Section 1542, which is set forth below:

"A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM OR HER MUST HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR."

By initialing below, OWNER hereby waives the provisions of Section 1542 in connection with the matters that are the subject of the foregoing waivers and releases.

Owner's Initials

7.3 Termination or Modification of Agreement for Default of OWNER. CITY may terminate or modify this Agreement for any failure of OWNER to perform any material duty or obligation of OWNER under this Agreement, or to comply in good faith with the terms of this Agreement (hereinafter referred to as "default"); provided, however, CITY may terminate or modify this Agreement pursuant to this Section only after providing written notice to OWNER of default setting forth the nature of the default and the actions, if any, required by OWNER to cure such default and, where the default can be cured, OWNER has failed to take such actions and cure such default within sixty (60) days after the effective date of such notice or, in the event that such default cannot be cured within such sixty (60) day period but can be cured within a longer time, has as determined by the Director failed to commence the actions necessary to cure such default within such sixty (60) day period and to diligently proceed to complete such actions and cure such default.

7.4 Termination of Agreement for Default of CITY. OWNER may terminate this Agreement only in the event of a default by CITY in the performance of a material term of this Agreement and only after providing written notice to CITY of default setting forth the nature of the default and the actions, if any, required by CITY to cure such default and, where the default can be cured, CITY has failed to take such actions and cure such default within sixty (60) days after the effective date of such notice or, in the event that such default cannot be cured within such sixty (60) day period but can be cured within a longer time, has failed to commence the actions necessary to cure such default within such sixty (60) day period and to diligently proceed to complete such actions and cure such default.

8. LITIGATION.

8.1 Third Party Litigation Concerning Agreement. OWNER shall defend, at its expense, including attorneys' fees, indemnify, and hold harmless CITY, its agents, officers and employees from any claim, action or proceeding against CITY, its agents, officers, or employees to attack, set aside, void, or annul the approval of this Agreement, or the approval of any permit granted pursuant to this Agreement. CITY shall promptly notify OWNER of any claim, action, proceeding or determination included within this Section 8.1, and CITY shall cooperate in the defense. If CITY fails to promptly notify OWNER of any such claim, action, proceeding or determination, or if CITY fails to cooperate in the defense, OWNER shall not thereafter be responsible to defend, indemnify, or hold harmless CITY. CITY may in its discretion participate in the defense of any such claim, action, proceeding or determination.

8.2 Environmental Assurances. OWNER shall indemnify and hold CITY, its officers, agents, and employees free and harmless from any liability, based or asserted, upon any act or omission of OWNER, its officers, agents, employees, subcontractors, predecessors in interest, successors, assigns and independent contractors for any violation of any federal, state or local law, ordinance or regulation relating to industrial hygiene or to environmental conditions on, under or about the Property, including, but not limited to, soil and groundwater conditions, and OWNER shall defend, at its expense, including attorneys' fees, CITY, its officers, agents

and employees in any action based or asserted upon any such alleged act or omission. CITY may in its discretion participate in the defense of any such action.

8.3 Reservation of Rights. With respect to Section 8.1 and Section 8.2 herein, CITY reserves, the right to either (1) approve the attorney(s) that the indemnifying party selects, hires or otherwise engages to defend the indemnified party hereunder, which approval shall not be unreasonably withheld, or (2) conduct its own defense; provided, however, that the indemnifying party shall reimburse the indemnified party forthwith for any and all reasonable expenses incurred for such defense, including attorneys' fees, upon billing and accounting therefor.

8.4 Challenge to Existing Land Use Approvals. By accepting the benefits of this Agreement, OWNER, on behalf of itself and its successors in interest, hereby expressly agrees and covenants not to sue or otherwise challenge any land use approval affecting the Property and in effect as of the Effective Date. Such agreement and covenant includes, without limitation, the covenant against any direct suit by OWNER or its successor in interest, or any participation, encouragement or involvement whatsoever that is adverse to CITY by OWNER or its successor in interest, other than as part of required response to lawful orders of a court or other body of competent jurisdiction. OWNER hereby expressly waives, on behalf of itself and its successors in interest, any claim or challenge to any land use approval affecting the Property and in effect as of the Effective Date. In the event of any breach of the covenant or waiver contained herein, CITY shall, in addition to any other remedies provided for at law or in equity, be entitled to:

(a) impose and recover (at any time, including after sale to a member of the public or other ultimate user) from the party breaching such covenant or waiver, the full amount of Development Impact Fees that the breaching party would have been required to pay in the absence of this Development Agreement; and

(b) impose any subsequently adopted land use regulation on those land use approvals for which the breaching party had not, as of the time of such breach, obtained a building permit.

OWNER hereby acknowledges that it has read and is familiar with the provisions of California Civil Code Section 1542, which is set forth below:

“A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM OR HER MUST HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR.”

By initialing below, OWNER hereby waives the provisions of Section 1542 in connection with the matters that are the subject of the foregoing waivers and releases.

Owner's Initials

8.5 Survival. The provisions of Sections 8.1 through 8.4, inclusive, shall survive the termination of this Agreement.

9. MORTGAGEE PROTECTION.

The parties hereto agree that this Agreement shall not prevent or limit OWNER, in any manner, at OWNER's sole discretion, from encumbering the Property or any portion thereof or any improvement thereon by any mortgage, deed of trust or other security device securing financing with respect to the Property. CITY acknowledges that the lenders providing such financing may require certain Agreement interpretations and modifications and agrees upon request, from time to time, to meet with OWNER and representatives of such lenders to negotiate in good faith any such request for interpretation or modification. CITY will not unreasonably withhold its consent to any such requested interpretation or modification provided such interpretation or modification is consistent with the intent and purposes of this Agreement. Any Mortgagee of the Property shall be entitled to the following rights and privileges:

(a) Neither entering into this Agreement nor a breach of this Agreement shall defeat, render invalid, diminish or impair the lien of any mortgage on the Property made in good faith and for value, unless otherwise required by law.

(b) The Mortgagee of any mortgage or deed of trust encumbering the Property, or any part thereof, which Mortgagee, has submitted a request in writing to the CITY in the manner specified herein for giving notices, shall be entitled to receive written notification from CITY of any default by OWNER in the performance of OWNER's obligations under this Agreement.

(c) If CITY timely receives a request from a mortgagee requesting a copy of any notice of default given to OWNER under the terms of this Agreement, CITY shall provide a copy of that notice to the Mortgagee within ten (10) days of sending the notice of default to OWNER. The Mortgagee shall have the right, but not the obligation, to cure the default during the remaining cure period allowed such party under this Agreement.

(d) Any Mortgagee who comes into possession of the Property, or any part thereof, pursuant to foreclosure of the mortgage or deed of trust, or deed in lieu of such foreclosure, shall take the Property, or part thereof, subject to the terms of this Agreement. Notwithstanding any other provision of this Agreement to the contrary, no Mortgagee shall have an obligation or duty under this Agreement to perform any of OWNER's obligations or other affirmative covenants of OWNER hereunder, or to guarantee such performance; provided, however, that to the extent that any covenant to be performed by OWNER is a condition precedent to the performance of a covenant by CITY, the performance thereof shall continue to be a condition precedent to CITY's performance hereunder, and further provided that any sale, transfer or assignment by any Mortgagee in possession shall be subject to the provisions of Section 2.5 of this Agreement.

10. MISCELLANEOUS PROVISIONS.

10.1 Recordation of Agreement. This Agreement and any amendment or cancellation thereof shall be recorded with the Orange County Recorder by the Clerk of the City

Council within ten (10) days after the City enters into the Agreement, in accordance with Section 65868.5 of the Government Code. If the parties to this Agreement or their successors in interest amend or cancel this Agreement, or if the CITY terminates or modifies this Agreement as provided herein for failure of the OWNER to comply in good faith with the terms and conditions of this Agreement, the City Clerk shall have notice of such action recorded with the Orange County Recorder.

10.2 Entire Agreement. This Agreement sets forth and contains the entire understanding and agreement of the parties, and there are no oral or written representations, understandings or ancillary covenants, undertakings or agreements that are not contained or expressly referred to herein. No testimony or evidence of any such representations, understandings or covenants shall be admissible in any proceeding of any kind or nature to interpret or determine the terms or conditions of this Agreement.

10.3 Severability. If any term, provision, covenant or condition of this Agreement shall be determined invalid, void or unenforceable, the remainder of this Agreement shall not be affected thereby to the extent such remaining provisions are not rendered impractical to perform taking into consideration the purposes of this Agreement. Notwithstanding the foregoing, the provision of the Project Benefits & Commitments set forth in Section 4 of this Agreement, including the payment of the Development Impact Fees set forth therein, are essential elements of this Agreement and CITY would not have entered into this Agreement but for such provisions, and therefore in the event any such provision is determined to be invalid, void or unenforceable, this entire Agreement shall be null and void and of no force and effect whatsoever.

10.4 Interpretation and Governing Law. This Agreement and any dispute arising hereunder shall be governed and interpreted in accordance with the laws of the State of California. This Agreement shall be construed as a whole according to its fair language and common meaning to achieve the objectives and purposes of the parties hereto, and the rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not be employed in interpreting this Agreement, all parties having been represented by counsel in the negotiation and preparation hereof.

10.5 Section Headings. All section headings and subheadings are inserted for convenience only and shall not affect any construction or interpretation of this Agreement.

10.6 Singular and Plural. As used herein, the singular of any word includes the plural.

10.7 Joint and Several Obligations. If at any time during the Term of this Agreement the Property is owned, in whole or in part, by more than one OWNER, all obligations of such OWNERS under this Agreement shall be joint and several, and the default of any such OWNER shall be the default of all such OWNERS. Notwithstanding the foregoing, no OWNER of a single lot that has been finally subdivided and sold to such OWNER as a member of the general public or otherwise as an ultimate user shall have any obligation under this Agreement except as expressly provided for herein.

10.8 Time of Essence. Time is of the essence in the performance of the provisions of this Agreement as to which time is an element.

10.9 Waiver. Failure by a party to insist upon the strict performance of any of the provisions of this Agreement by the other party, or the failure by a party to exercise its rights upon the default of the other party, shall not constitute a waiver of such party's right to insist and demand strict compliance by the other party with the terms of this Agreement thereafter.

10.10 No Third Party Beneficiaries. This Agreement is made and entered into for the sole protection and benefit of the parties and their successors and assigns. No other person shall have any right of action based upon any provision of this Agreement.

10.11 Force Majeure. Neither party shall be deemed to be in default where failure or delay in performance of any of its obligations under this Agreement is caused by floods, earthquakes, other Acts of God, fires, wars, riots or similar hostilities, strikes and other labor difficulties beyond the party's control, (including the party's employment force), government regulations, court actions and pending litigation (such as lawsuits seeking to overturn the project approvals, restraining orders or injunctions), or other causes beyond the party's control. If any such events shall occur, the Term of this Agreement and the time for performance by either party of any of its obligations hereunder may be extended by the written agreement of the parties for the period of time that such events prevented such performance, provided that the Term of this Agreement shall not be extended under any circumstances for more than five (5) years.

10.12 Mutual Covenants. The covenants contained herein are mutual covenants and also constitute conditions to the concurrent or subsequent performance by the party benefited thereby of the covenants to be performed hereunder by such benefited party.

10.13 Successors in Interest. The burdens of this Agreement shall be binding upon, and the benefits of this Agreement shall inure to, all successors in interest to the parties to this Agreement. All provisions of this Agreement shall be enforceable as equitable servitudes and constitute covenants running with the land. Each covenant to do or refrain from doing some act hereunder with regard to development of the Property: (a) is for the benefit of and is a burden upon every portion of the Property; (b) runs with the Property and each portion thereof; and (c) is binding upon each party and each successor in interest during ownership of the Property or any portion thereof.

10.14 Counterparts. This Agreement may be executed by the parties in counterparts, which counterparts shall be construed together and have the same effect as if all of the parties had executed the same instrument.

10.15 Jurisdiction and Venue. Any action at law or in equity arising under this Agreement or brought by a party hereto for the purpose of enforcing, construing or determining the validity of any provision of this Agreement shall be filed and tried in the Superior Court of the County of Orange, State of California, and the parties hereto waive all provisions of law providing for the filing, removal or change of venue to any other court.

10.16 Project as a Private Undertaking. It is specifically understood and agreed by and between the parties hereto that the development of the Project is a private development, that neither party is acting as the agent of the other in any respect hereunder, and that each party is an independent contracting entity with respect to the terms, covenants and conditions contained in this Agreement. No partnership, joint venture or other association of any kind is formed by this Agreement. The only relationship between CITY and OWNER is that of a government entity regulating the development of private property and the owner of such property.

10.17 Further Actions and Instruments. Each of the parties shall cooperate with and provide reasonable assistance to the other to the extent contemplated hereunder in the performance of all obligations under this Agreement and the satisfaction of the conditions of this Agreement. Upon the request of either party at any time, the other party shall promptly execute and file or record such required instruments and writings and take any actions as may be reasonably necessary under the terms of this Agreement to carry out the intent and to fulfill the provisions of this Agreement or to evidence or consummate the transactions contemplated by this Agreement.

10.18 Eminent Domain. No provision of this Agreement shall be construed to limit or restrict the exercise by CITY of its power of eminent domain.

10.19 Agent for Service of Process. In the event OWNER is not a resident of the State of California or it is an association, partnership or joint venture without a member, partner or joint venturer resident of the State of California, or it is a foreign corporation, then in any such event, OWNER shall file with the Director and the City Clerk, upon its execution of this Agreement, a designation of a natural person residing in the State of California, giving his or her name, residence and business addresses, as its agent for the purpose of service of process in any court action arising out of or based upon this Agreement, and the delivery to such agent of a copy of any process in any such action shall constitute valid service upon OWNER. If for any reason service of such process upon such agent is not feasible, then in such event OWNER may be personally served with such process and such service shall constitute valid service upon OWNER. OWNER is amenable to the process so served, submits to the jurisdiction of the Court so obtained and waives any and all objections and protests thereto.

10.20 Authority to Execute. The person or persons executing this Agreement on behalf of OWNER warrants and represents that he or she/they have the authority to execute this Agreement on behalf of his or her/their corporation, partnership or business entity and warrants and represents that he or she/they has/have the authority to bind OWNER to the performance of its obligations hereunder.

IN WITNESS WHEREOF, the parties hereto have executed this Development Agreement on the last day and year set forth below.

OWNER

Rose Equities, as authorized signatory for International Asset Management Holding Group, LLC

Rose Equities
By: Brent Stoll, Partner

Dated: _____

CITY

CITY OF COSTA MESA, a California municipal corporation

John Stephens, Mayor

Dated: _____

ATTEST

Brenda Green, City Clerk

APPROVED AS TO LEGAL FORM

Kimberly Hall Barlow, City Attorney

EXHIBIT “A”

(Legal Description of the Property)

Parcel 1, in the City of Costa Mesa, County of Orange, State of California, as shown on map filed in Book 73, Pages 11 and 12 of Parcels Maps, in the office of the County Recorder of said County. APN: 13-031-62 and 139-651-14

DRAFT

EXHIBIT “B”

(Map of the Property)



EXHIBIT “C”

(Development Plan)

General Plan Amendment No. 20-01

Specific Plan No. 20-01

Zone Change No. 20-01

Tract Map No. 19015

Master Plan No. 19-19

DRAFT

EXHIBIT “D”

(Development Impact Fees)

CITY OF COSTA MESA DEVELOPMENT IMPACT FEES		
Fee Type	Fee Amount	Time of Payment
Park Impact Fee	\$5,000 per unit	<u>Apartment Project:</u> Prior to the issuance of the first building permit <u>Condominium Project:</u> Prior to Final Tract Map approval; payment for the difference in fees between the initial \$5,000.00 per unit park impact fee and the fee in place at the time of Map recordation for condominium units
Traffic Impact Fee	\$235 for additional trips	Prior to the issuance of the first building permit; The project will generate a total of 6,800 vehicle trips
Open Space and Public Park Impact Fee (Measure Z)	\$1.50 per SF per City Council Resolution 17-19	Prior to issuance of the first building permit
Fire Protection System Development Impact Fee	Equivalent to North Costa Mesa Specific Plan (\$0.28 per square foot of new development <u>and</u> \$469.35 per new residential unit) or fee in effect as a result of a new citywide fire fee study	Prior to issuance of the first building permit
Drainage Fees	Fees effective at the time of building permit issuance (currently \$5,026.00 per acre)	Prior to issuance of the first building permit issuance

<u>CITY OF COSTA MESA DEVELOPMENT IMPACT FEES</u>		
<u>Fee Type</u>	<u>Fee Amount</u>	<u>Time of Payment</u>
<u>Park Impact Fee</u>	<u>\$5,000 per unit</u>	<u>Condominium Project: Prior to Final Tract Map approval, payment for the difference in fees between the initial \$5,000.00 per unit park impact fee and the fee in place at the time of Map recordation for condominium units</u> <u>Apartment Project: shall be paid in three installments with deferred fees subject to a 3% interest rate as stated below</u>
<u>Traffic Impact Fee</u>	<u>\$235 for additional trips</u> <u>The project will generate a total of 6,800 vehicle trips</u>	<u>Development Fees shall be paid in two installments with deferred fees subject to a 3% interest rate. The first payment shall be received with the issuance of the first building permit (Year 1), the second and final payment received by the end of Year 5, five years from the date of the first permit issuance</u>
<u>Open Space and Public Park Impact Fee (Measure Z)</u>	<u>\$1.50 per SF per City Council Resolution 17-19</u>	
<u>Fire Protection System Development Impact Fee</u>	<u>Equivalent to North Costa Mesa Specific Plan (\$0.28 per square foot of new development and \$469.35 per new residential unit) or fee in effect as a result of a new citywide fire fee study</u>	
<u>Drainage Fees</u>	<u>Fees effective at the time of building permit issuance (currently \$5,026.00 per acre)</u>	

<u>OTHER AGENCY DEVELOPMENT IMPACT FEES</u>		
Newport-Mesa Unified School District	Fees effective at the time of building permit issuance (currently 1.84 per SF)	Payment of non-city fees are required prior to building permit issuance or as otherwise required by the implementing agency.
Costa Mesa Sanitary District	Plan check and permit fees effective at the time of building permit issuance	
Mesa Water District	Plan check and permit fees effective at the time of building permit issuance	
San Joaquin Hills Transportation Corridor Fees	Fees effective at the time of building permit issuance (currently \$2,664 for multi-family)	

ROSE EQUITIES

Owner-Builders since 1949

February 14, 2024

Mr. Scott Drapkin
Economic and Development Services
City Costa Mesa
77 Fair Drive
Costa Mesa, CA 92626

Subject: One Metro West – Follow up to December 4, 2023 request letter

Dear Mr. Drapkin,

As a follow up to our letter to the Economic and Development Services Department sent December 4, 2023 (included herein), we would like to provide some background to our requests to address the following items:

1. **Measure Y/Measure K Procedure**
2. **Amendments to the Development Agreement**
3. **Amendments to the Conditions of Approval**

Measure Y/Measure K Procedure - Background

The voter approved Measure K exempts portions of the city, including the One Metro West site, from the public vote requirement outlined in Measure Y. As a result, One Metro West is no longer bound by the previously required public vote requirement and the development's entitlements should be amended to reflect the current city ordinance.

Requested Amendments to the Development Agreement - Background

There are a number of public benefits within the One Metro West community, including:

1. 1.5 acres of publicly accessible, improved, open space (approximately **\$4,500,000 plus** in land value and improvements)
2. Enhancements to the bike path from Sunflower to the Santa Ana River Trail (approximately **\$1,000,000** in improvements)
3. Improvements to Sunflower Avenue (approximately **\$4,000,000**)
4. 1,500 square foot community center to the benefit of the City of Costa Mesa (approximately **\$700,000** in improvements)
5. 67 Very Low and 39 Low affordable units for a total of 106 units (approximately **\$30,000,000** of present-day value)
6. Impact Fees (approximately **\$13,000,000**) and Exactions (**\$6,000,000**)

As required in the Development Agreement and above, **all** of these items are to be paid or installed during **Phase I** of construction (with the exception of the affordable housing, of which approximately 45 units or 42% of the affordable units, will be included in Phase I and the Community Room in Phase III).

These upfront costs to a multi-phased development are significant and are challenging to the financial feasibility of the community's first phase. Furthermore, it establishes a **precedent**, creating a significant barrier and discouraging for new housing in the city.

The history of this request goes back to the development's approval, in the spring of **2021**. On April 28, 2021, Rose Equities requested a similar amendment (included herein) to the Development Agreement. This was in advance of the Planning Commission approval on May 11, 2021 and was to be addressed by the City Council.

On June 15, 2021, One Metro **West** was approved by City Council. The request highlighted in the April 28 letter was not addressed by the City Council. It was an unintended oversight on everyone's part.

The request then and now as it relates to the Development Agreement is the basically the same. All of the upfront infrastructure (**\$10 million plus**) will be installed with Phase I. The Exactions will be divided up within first three phases at 40%, 30% and 30% respectively.

The Impact Fees will be proportionate (plus a **10%** down payment toward the next phase's fees) to the number of units in each phase. By way of example, if the proportionate Impact Fees for Phase I of the project result in \$5 million, the actual fees paid would equal \$5.5 million. The city will always be ahead. The Impact Fees for the final phase will equal to the remainder of the total fees to be paid for the entire project, less what has been paid to date.

This accomplishes the following:

1. Allocates a significant amount of upfront costs/improvements to Phase I, but not all.
2. Ensures all upfront infrastructure, including 1.5 acres of new open space and improvements to Sunflower Avenue, are built in Phase I.
3. Prevents the establishment of an anti-housing precedent from being enacted.

Requested Amendments to the Conditions of Approval - Background

The two requested amendments to the Conditions of Approval address Rose Equities' intent to create a truly special façade along the I-405 freeway. The plan is to engage multiple design teams to develop the façade, while working closely with the Arts Committee. By removing as many constraints as possible, there will be time and freedom for the creative team's dream. This design effort and approval will be completed before first occupancy of the first phase.

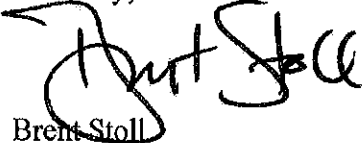
These requested amendments include:

1. Removing the constraint to include vertical landscaping on the façade. This will leave all creative design options on the table, including vertical landscaping.
2. Adjusting the time frame to design and obtain final approval of the façade. The current requirement is for the approval to occur prior to first building permit. Rose Equities proposes

this change prior to issuance of the certificate of occupancy for the first phase. This adjustment allows for additional time to design the elevation, while removing barriers to demolition and portions of the construction of Building A.

We are looking forward to working with the city to address these items and move toward demolition and construction of One Metro West in early 2025.

Sincerely,

A handwritten signature in black ink, appearing to read "Brent Stoll". The signature is stylized with a large, looping initial "B" and a trailing "Stoll".

Brent Stoll

on behalf of Rose Equities

Cc: Leonard Glickman, Rose Equities
Dan Miller, Rose Equities
John Ramirez, esq., Rutan & Tucker

ROSE EQUITIES

Owner-Builders since 1949

December 4, 2023

Ms. Jennifer Le
Economic and Development Services Director
City Costa Mesa
77 Fair Drive
Costa Mesa, CA 92626

Subject: One Metro West

Dear Ms. Jennifer Le,

In conjunction to our city council approved, One Metro West community, to be located at 1683 Sunflower Avenue, please use this letter as Rose Equities' request to address the following items:

1. **Measure Y/Measure K Procedure**
2. **Amendments to the Development Agreement**
3. **Amendments to the Conditions of Approval**

Measure Y/Measure K Procedure

The voter approved Measure K exempts portions of the city, including the One Metro West site, from the voter requirement outlined by Measure Y. As a result, said voter requirement for One Metro West is no longer necessary, and the project's entitlements should be amended to reflect the current circumstances. These details are outlined by the following:

- Measure K, approved by the voters at the November 8, 2022 election, adds a new subsection (g) to Section 13-200.106 of the Costa Mesa Municipal Code. Said subsection provides that Measure Y "shall not apply to any amendment, change, or replacement of the general plan, or of Costa Mesa's zoning ordinance . . . or any specific plan or overlay plan . . . applicable to property located in" certain defined areas "to provide for the development of housing and/or mixed use and/or revitalization of existing commercial and/or industrial corridors therein." The One Metro West site is within an area excepted by Measure K, specifically, it is "[n]orth of the 405 freeway as bordered by the city limits." (Section 13-200.106(g)(9).)
- Resolution No. XX, adopted by the City Council on June 15, 2021, indicates that its approvals of General Plan Amendment GP-20-01, Planning Application 19-19, and Tentative Tract Map No. 19015 are each "subject to the requirements of Measure Y." Because Measure Y is no longer applicable to the Site, there are no such requirements, and the approvals granted by Resolution No. XX are now in effect, with no further action by the City Council required.

- On the other hand, Ordinance Nos. 2021-11, 2021-12, and 2021-13 all contain a version of the following language regarding their effective dates: "This Ordinance shall become effective following approval of the Project by the electorate at the next regular municipal election or at a special election funded by the applicant." While such approval is no longer required to comply with the City's code due to Measure K, these ordinances need to be edited to reflect the self-executing nature of Measure K removing any vote-requirement on the previously approved ordinances.
- In order to move the project forward consistent with the previously-approved general plan amendment and Measure K, we request the City Council take action to amend/edit each of the ordinances to reflect consistency with Measure K.

Requested Amendments to the Development Agreement

Community Benefits within the Development Agreement that will remain **unchanged** include:

- 1.5 acres of publicly accessible, improved, open space (approximately \$4,500,000 in land value plus improvements) in Phase I of the project
- Enhancements to the bike path from Sunflower to the Santa Ana River Trail (approximately \$1,000,000) in Phase I of the project
- Improvements to Sunflower Avenue (approximately \$4,000,000) in Phase I of the project
- 1,500 square foot community center to the benefit of the City of Costa Mesa (approximately \$700,000)
- 67 Very Low and 39 Low affordable units (approximately \$30,000,000 of value)
- Impact fees (approximately \$14,000,000) and exactions (\$6,000,000)

We request the following Community Benefits within the Development Agreement to be **amended**. The goal of these amendments is to phase the development fees and exactions, which are heavily front loaded. Most importantly, if approved, Phase I will still include more than \$10,000,000 of physical improvements (open space, bike path and Sunflower Avenue), plus the phase's portion of affordable units. Requested amendments:

- *4.1.5 Advancement of Development Impact Fees: OWNER shall pay all development impact fees identified in Section 4.3 to the CITY, prior to the issuance of the first building permit of the building permit for said phase, plus an additional 10% downpayment on the next phase. 10% downpayment to be estimated by the Planning Division.*
- *4.1.6 Funding for Public Safety: prior to issuance of first building permit OWNER shall pay to CITY the sum of two million dollars (\$2,000,000) to be used, in the City's sole and absolute discretion, to enhance the operations of the CITY's Police and Fire departments, including, but not limited to updates to the firing range, replacement Fire apparatus, and other public safety related projects and/or expenses, in accordance to the following schedule:*
 - *Eight hundred thousand dollars (\$800,000) prior to the issuance of the building permit for Phase I of the project;*

- *Six hundred thousand dollars (\$600,000) prior to the issuance of the building permit for Phase II of the project;*
- *Six hundred thousand dollars (\$600,000) prior to the issuance of the building permit for Phase III of the project.*
- *4.1.7 Funding for Community Infrastructure Improvements: ~~prior to issuance of first building permit~~ OWNER shall pay to CITY the sum of one million dollars (\$1,000,000) to be used, in the City's sole and absolute discretion, to be used toward City-wide roadway and trail improvements (e.g. Adams Avenue improvements and Citywide bike trail improvements), in accordance to the following schedule:*
 - *Four hundred thousand dollars (\$400,000) prior to the issuance of the building permit for Phase I of the project;*
 - *Three hundred thousand dollars (\$300,000) prior to the issuance of the building permit for Phase II of the project;*
 - *Three hundred thousand dollars (\$300,000) prior to the issuance of the building permit for Phase III of the project.*
- *4.1.8 Economic Recovery Fund: ~~prior to issuance of first building permit~~ OWNER shall pay to CITY the sum of three million dollars (\$3,000,000) to be used by the City, in its sole and absolute discretion, to assist community incentives related to economic recovery and/or to support essential government functions during the states of emergency and/recovery therefrom, in accordance to the following schedule:*
 - *One million, two hundred thousand dollars (\$1,200,000) prior to the issuance of the building permit for Phase I of the project;*
 - *Nine hundred thousand dollars (\$900,000) prior to the issuance of the building permit for Phase II of the project;*
 - *Nine hundred thousand dollars (\$900,000) prior to the issuance of the building permit for Phase III of the project.*

Requested Amendments to the Conditions of Approval

The requested amendments to the Conditions of Approval include:

- Removal of Planning Condition #9 – This condition states:

"The final design of the public art display on Building A's parking structure façade along the I-405 Freeway, which shall incorporate vertical landscaping, shall be subject to review and final approval by the Planning Commission."

The final design will require Arts Commission approval. By removing this constraint, we leave all creative design options on the table, including vertical landscaping.

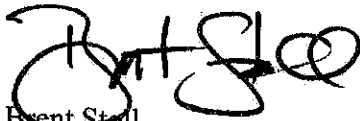
- Edit Planning Condition #66 as follows:

"Prior to issuance of the ~~first building permit~~ certificate of occupancy for Building "A" of the proposed project, the owner/developer would be required to submit a Design Plan for the Building "A" parking elevation (facade) along the I-405 Freeway for review by the Planning Division and approval by the City's Cultural Arts Committee. All architectural treatments including public art installations must comply with the regulations in the One Metro West Specific Plan. As such, architectural treatments would exclude the use of moving, flashing, or otherwise visually distracting elements or materials that are highly reflective or generate noise."

This change potentially allows for additional time to design the elevation, while removing barriers to demolition and portions of the construction of Building A.

We are looking forward to working with the city to address these items and move toward demolition and construction of One Metro West in 2024.

Sincerely,



Brent Stoll

on behalf of Rose Equities

Cc: Leonard Glickman, Rose Equities
John Ramirez, esq., Rutan & Tucker

ROSE EQUITIES

Owner-Builders since 1949

April 28, 2021

Ms. Jennifer Le
Economic and Development Services Director
City Costa Mesa
77 Fair Drive
Costa Mesa, CA 92626

Subject: One Metro WEST

Dear Ms. Jennifer Le,

In conjunction with our upcoming May 4th, 2021 city council hearing, please use this letter as our formal request to amend the Development Agreement.

Section 4.3 of the agreement states the payment of fees (Park, Traffic, Measure Z and Fire Protection System) for the entire project be paid prior to first building permit.

For each of these fees, we request the following change:

- The fee paid prior to obtaining the building permit would be equal to proportionate amount of the fee for said phase, **plus** 25% of the fee for the next phase.

By way of example - if the proportionate fee for phase I is \$2,000,000 and the estimated proportionate fee for phase II is \$1,000,000, then \$2,250,000 ($\$2,000,000 + (\$1,000,000 \times 25\%)$) would be paid prior to issuance of the building permit for phase I.

Again, this equation would be applied to the Park, Traffic, Measure Z and Fire Protection System fee. It ensures payment of the appropriate fee for said phase, in addition to a 'down payment' on the subsequent phase. The city would always be ahead.

The public benefit package in the first phase is significant. One Metro West will be funding \$6 million in development agreement exactions, as well as constructing the park, the bike path and Sunflower Avenue in the first phase. These benefits range from \$13-\$15 million. By comparison, the entire 2020-2021 city budget for capital expenditures is \$17.5 million.

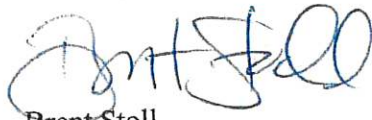
We hope you see this change to Development Agreement section 4.3 as reasonable. With this change, One Metro West will still be providing about 75% of the total project's fees, infrastructure and exactions during the first phase. We are looking forward to discussing this with the Mayor and Council.

I have included a suggested redline and amended agreement for your review. I have also included an estimated breakdown of these aforementioned fees and costs.

Looking forward to continuing to move One Metro West forward and our upcoming hearing on May 4th.

Sincerely,

Rose Equities



Brent Stoll

Cc: Leonard Glickman, Rose Equities
John Ramirez, esq., Rutan & Tucker
Nicole Morse, esq., T&B Planning

**OMW Estimated City Impact Fees +
Infrastructure Costs**

<u>Costa Mesa Impact Fees (Total)</u>	<u>Total</u>	<u>Per Unit</u>		
Park	\$ 5,285,000	\$ 5,000		
Measure Z	\$ 2,172,135	\$ 2,055	1,370	sf
Traffic Trips	\$ 1,598,000	\$ 1,512	6,800 trips	
Fire Impact Fee	\$ 900,000	\$ 851	TBD	
Contingency/Plan Check	\$ 2,642,500	\$ 2,500		
Total Impact Fees	\$ 12,597,635	\$ 11,918		

<u>Costa Mesa Impact Fees (Phase I)</u>	<u>Total</u>	<u>Per Unit</u>		
Park	\$ 2,240,000	\$ 5,000		
Measure Z	\$ 920,640	\$ 2,055	1,370	sf
Traffic Trips	\$ 677,298	\$ 1,512		
Fire Impact Fee	\$ 381,457	\$ 851	TBD	
Contingency/Plan Check	\$ 1,120,000	\$ 2,500		
Total Impact Fees Phase I	\$ 5,339,395	\$ 11,918		

<u>Development Agreement Improvements</u>	<u>Total</u>	<u>Per Unit</u>	
Public Open Space	\$ 3,000,000	\$ 2,838	Improvements only
Sunflower	\$ 3,500,000	\$ 3,311	
Bike Path	\$ 750,000	\$ 710	
Community Center	\$ 600,000	\$ 568	
	\$ 7,850,000	\$ 7,427	

<u>Development Agreement Exactions</u>		
Public Safety	\$ 2,000,000	\$ 1,892
Community Infrastructure	\$ 1,000,000	\$ 946
Economic Recovery	\$ 3,000,000	\$ 2,838
Total Community Benefit	\$ 6,000,000	\$ 5,676

Total Fees and Improvements (Phase I)	\$ 19,189,395
Total Fees and Improvements (All Phases)	\$ 26,447,635
Percentaged of Fees + Improvements Phase I	73%



CITY COUNCIL AGENDA REPORT

MEETING DATE: JUNE 15, 2021

ITEM NUMBER: PH-3

SUBJECT: FINAL ENVIRONMENTAL IMPACT REPORT (SCH NO. 2019050014), GENERAL PLAN AMENDMENT GP-20-01, REZONE R-20-01, SPECIFIC PLAN SP-20-01, MASTER PLAN PA-19-19, TENTATIVE TRACT MAP NO. 19015, AND DEVELOPMENT AGREEMENT DA-20-02 FOR DEVELOPMENT OF A MIXED-USE PROJECT (ONE METRO WEST) LOCATED AT 1683 SUNFLOWER AVENUE

DATE: JUNE 3, 2021

FROM: DEVELOPMENT SERVICES DEPARTMENT/PLANNING DIVISION

PRESENTATION BY: MINOO ASHABI, PRINCIPAL PLANNER
NANCY HUYNH, SENIOR PLANNER

FOR FURTHER INFORMATION CONTACT: MINOO ASHABI 714.754.5610
minoo.ashabi@costamesaca.gov
NANCY HUYNH 714.754.5609
nancy.huynh@costamesaca.gov

RECOMMENDATION:

Staff recommends that the City Council:

1. Conduct a public hearing including presentations from staff and the applicant and receipt of public comments; and
2. Continue the item to the next regular City Council meeting in order to have further deliberations; or
3. Approve the EIR, General Plan Amendment, Master Plan, Tract Map and language of the Development Agreement, and give first reading to the Zoning Code Amendment, Specific Plan, and Ordinance adopting the Development Agreement.

APPLICANT OR AUTHORIZED AGENT:

The applicant and property owner is International Asset Management Holding Group, LLC. The authorized agent is Brent Stoll with Rose Equities.

BACKGROUND/ANALYSIS:

The proposed project, One Metro West, was previously agendized and noticed for the May 4, 2021 City Council meeting. However, the item was not heard pending City Attorney's Office review of information submitted by the Applicant regarding potential conflicts of interest. The item was re-agendized for the next available City Council meeting, June 15, 2021.

Refer to the May 4, 2021 City Council Agenda Report for the detailed project description, full analysis of the proposed project, and attachments:

<http://ftp.costamesaca.gov/costamesaca/council/agenda/2021/2021-05-04/PH-1.pdf>

Written public comments submitted for the May 4, 2021 City Council meeting can be found here: <http://ftp.costamesaca.gov/costamesaca/council/agenda/2021/2021-05-04/PH-1-PublicComments.pdf>. Thirty-two written comments were submitted.

The main topics expressed in the public comments were previously addressed in the Planning Commission staff reports as well as the Responses to Comments in the Environmental Impact Report (these documents are provided as part of the May 4, 2021 Agenda Report).

Development Agreement

The draft Development Agreement attached to this Agenda Report includes Agreement exhibits, which were not previously included with the May 4, 2021 Agenda Report. The exhibits include the property's legal description, site map, development plans, and summary of development impact fees (refer to Attachment 1). The added exhibits do not change the substance of the Development Agreement or draft Ordinance No. 2021-XX.

In addition, minor revisions to certain provisions of the Development Agreement are proposed by staff, as shown in underline/strikethrough format in Attachment 1 and briefly summarized below. These modifications are intended to clarify the intent of existing Development Agreement provisions.

- Section 4.1.2, Community Center, has been modified to specify that the 1,500-square-foot community room located within Building B of the Project would be made available to the City *at no cost* and to the general public *subject to the same fees and scheduling availability applied to Project residents*.
- Section 4.1.8, Economic Recovery and Community Enhancement Fund, has been modified to provide greater flexibility allowing for the \$3,000,000 public benefit payment to be used for economic sustainability and recovery efforts as well as other community enhancement efforts such as park and open space acquisition and improvements.
- Section 4.2, Affordable Housing, has been modified to clarify that affordable housing requirements would continue to apply should the applicant decide to process a Final Tract Map for condominium purposes in the future.

- Section 4.3.5, Time of Payment, has been modified to refer to Exhibit D for the time of payment for development impact fees (rather than making reference to the “implementing ordinances”).

The Applicant is also requesting that the City Council modify Section 4.3 of the Development Agreement modifying the timing of payment for certain development impact fees to coincide with project construction phasing. The Applicant’s request dated April 28, 2021 was previously included with the May 4, 2021 Agenda Report and is included as Attachment 3 to this report for reference.

Applicant Letters

The Applicant submitted a letter dated June 3, 2021 requesting the City Council amend Condition of Approval No. 9 pertaining to the aesthetic treatment of the proposed parking structure facade, as requested by the Planning Commission (refer to Attachment 2).

The Applicant also submitted a memorandum dated June 3, 2021 responding to public comments submitted for the May 4, 2021 City Council meeting (refer to Attachment 4).

ENVIRONMENTAL DETERMINATION:

A Draft Environmental Impact Report (DEIR) was prepared by the City in accordance with the California Environmental Quality Act (CEQA). The DEIR examines the potential environmental impacts of the proposed project and focuses on the changes to the existing environment that would result from the proposed project. The EIR examines all stages of the project, including construction and operation.

The DEIR evaluated the proposed project’s potential environmental impacts on various topics (such as air quality, aesthetics, hydrology and water quality, and land use) and identified specific mitigation measures to lessen environmental impacts whenever feasible. In accordance with CEQA Guidelines Section 15073, the DEIR was made available for a public comment period beginning on February 7, 2020 and ending at 5PM on March 23, 2020. However, as a result of Governor Newsom’s direction regarding COVID-19, City Hall and other facilities that had hard copies of the DEIR began closing to the public on March 16, 2020; as such, the City extended the public review period and accepted comments through March 30, 2020 to allow the public additional time to review and submit comments.

Final EIR including Response to Comments

A total of seven comments were received from public agencies, three from Indian tribes, three from organizations, and 78 from individuals. Copies of all comments received and responses to the comments are included in the Final EIR, Volume II. The Final EIR consists of the response to comments, errata and mitigation monitoring and reporting program (MMRP). The response to comments represents responses to the public

comments received during the public review period of the Draft EIR. The errata makes minor changes to the Draft EIR that do not affect the overall conclusions of the environmental document. The MMRP is a comprehensive list of all mitigation measures identified in the EIR.

Modification to the Project Construction Phasing Schedule

The Draft EIR analyzed construction of the project to occur in one phase. The revised construction phasing schedule shows construction is planned to occur in three phases. A technical memo was drafted to evaluate the construction phasing change in terms of impacts to air quality, greenhouse gases, noise, and transportation associated with the revised phasing schedule. The proposed change in the phasing resulted in no significant environmental effects not previously considered in the Draft EIR and do not substantially alter the conclusions or findings of the Draft EIR related to the project's potential environmental effects or proposed mitigation measures. The technical memorandum is included in the Final EIR.

While the Final EIR consists of a modification to the project, it does not constitute "significant new information" pursuant to CEQA Guidelines Section 15088.5; as a result, a recirculation of the EIR is not required.

Summary of Significant Environmental Impacts and Mitigation Measures

The MMRP lists the mitigation based on each environmental topic with mitigation measures required in order to reduce the project's potentially significant impacts. The MMRP also specifies which City department is responsible for monitoring and ensuring compliance with the mitigations. The MMRP also includes timing of when the mitigation measure applies e.g. prior to issuance of building permits, during ground disturbance activities, etc. The MMRP includes mitigation for the following potentially significant environmental impacts identified in the EIR:

- Aesthetics
- Air Quality
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Public Services and Recreation
- Transportation
- Tribal Cultural Resources

With the implementation of mitigation measures, environmental impacts were reduced to less than significant levels in all areas except greenhouse gas and transportation. In these two areas, impacts remain significant and unavoidable after implementation of all feasible mitigation.

Summary of Significant and Unavoidable Impacts

The EIR finds that the project would result in significant unavoidable adverse impacts in the areas of greenhouse gas emissions during project operation and transportation during project operation.

In order to approve a project with significant unavoidable impacts, the City Council must approve a Statement of Overriding Considerations (SOC) before it renders a decision. An SOC documents the balance of the benefits of a proposed project weighed against its significant unavoidable environmental impacts. An SOC is required in order to make the determination that a project's benefits outweigh its adverse impacts and therefore it may be approved. A Draft SOC was included as Attachment 1, Exhibit C to the May 4, 2021 Agenda Report.

ALTERNATIVES CONSIDERED:

The City Council has the following alternatives:

1. Approve the project. The City Council could approve the project as proposed with an 80 du/acre site-specific density for a mixed-use development including 1,057 residential units, 6,000 square feet of retail, 25,000 square feet of commercial office, and a 1.5-acre open space – subject to conditions of approval and mitigation measures; or
2. Approve the environmentally superior alternative project. The City Council could approve the environmentally-superior alternative project which is the Reduced Development Intensity. Under this alternative the proposed project would be reduced to 845 residential units along with the elimination of the office building and 1.5-acre open space; or
3. Modify the project. The City Council could request specific changes to the project design that are necessary to alleviate concerns. If any 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, staff will return with revised resolution(s) incorporating new findings and/or conditions; or
4. Deny the project. If the City Council believes that there are insufficient facts to support the findings for approval, the City Council could deny the application(s) and provide facts in support of denial.

FISCAL REVIEW:

The project is estimated to generate an annual net fiscal deficit of approximately \$5,000 to the City's General Fund, as discussed in the May 4, 2021 Agenda Report. A Fiscal Impact Study is provided as Attachment 10 to the May 4, 2021 City Council Agenda Report.

LEGAL REVIEW:

The City Attorney's Office has reviewed Ordinance No. 2021-XX and the Development Agreement and approves them as to form.

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 and occupants within a 500-foot radius of the project site. The required notice radius is measured from the external boundaries of the property.
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 the date of this report, no additional written public comments have been received. Any additional public comments received after the publication of the staff report will be forwarded to the City Council separately.

CONCLUSION:

The proposed project, One Metro West, would redevelop an existing industrial site into a mixed-use development with residential, office, retail and open space uses. In addition, One Metro West proposes off-site improvements that would enhance Sunflower Avenue into a more pedestrian and bicycle-friendly street. The proposed project includes a General Plan Amendment to re-designate the property to High Density Residential, a Rezone to change the zone to PDR-HD, a Specific Plan to establish site-specific regulations, a Master Plan to implement the Specific Plan, a Tentative Tract Map to establish future airspace subdivision for condominium purposes, and a Development Agreement between the applicant and the City.

NANCY HUYNH
Senior Planner

MINOO ASHABI
Principal Planner

JENNIFER LE
Director of Economic and Development Services

CAROL MOLINA
Finance Director

KIMBERLY HALL BARLOW
City Attorney

- Attachments: 1. [Draft Ordinance 2021-XX](#)
- [Exhibit A: Development Agreement with Exhibits with staff modifications shown in underline/strikethrough format](#)
2. [Applicant Letter Request \(dated June 3, 2021\) to modify Condition of Approval No. 9](#)
3. [Applicant Letter Request \(dated April 28, 2021\) to modify the Development Agreement related to timing for payment of development impact fees](#)
4. [Applicant Memo \(dated June 3, 2021\) with Responses to Public Comments submitted for the May 4, 2021 City Council hearing](#)

Applicant:
Brent Stoll
Rose Equities
8383 Wilshire Blvd.
Beverly Hills, CA 90211

Property
Owner:
International Asset Management Holding Group, LLC
1683 Sunflower Avenue
Costa Mesa, CA 92626



CITY COUNCIL AGENDA REPORT

MEETING DATE: JULY 20, 2021

ITEM NUMBER: CC-7

SUBJECT: SECOND READING AND ADOPTION OF AN ORDINANCE TO APPROVE REZONE R-20-01 TO REZONE A 15.23-ACRE SITE TO PLANNED DEVELOPMENT RESIDENTIAL-HIGH DENSITY (PDR-HD) AND ESTABLISH A SITE-SPECIFIC DENSITY OF 80 DWELLING UNITS PER ACRE, AN ORDINANCE TO APPROVE SPECIFIC PLAN SP-20-01, AND AN ORDINANCE TO APPROVE DEVELOPMENT AGREEMENT DA-20-02 BETWEEN THE CITY OF COSTA MESA AND INTERNATIONAL ASSET MANAGEMENT HOLDING GROUP, LLC FOR A MIXED-USE PROJECT LOCATED AT 1683 SUNFLOWER AVENUE (ONE METRO WEST)

DATE: JULY 12, 2021

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

PRESENTATION BY: NANCY HUYNH, SENIOR PLANNER

**FOR FURTHER INFORMATION CONTACT: NANCY HUYNH, (714) 754-5609
nancy.huynh@costamesaca.gov**

RECOMMENDATION:

Staff recommends that the City Council give second reading to and adopt the following for the property located at 1683 Sunflower Avenue:

- Ordinance No. 2021-12 to approve Rezone R-20-01 to rezone the subject property from Industrial Park (MP) to Planned Development Residential-High Density (PDR-HD) and establish a site-specific density of 80 dwelling units per acre and maximum of 1,057 units;
- Ordinance No. 2021-13 to approve Specific Plan SP-20-01 to apply zoning standards for the subject property; and
- Ordinance No. 2021-11 to approve Development Agreement DA-20-02 between the City of Costa Mesa and International Asset Management, LLC for the development terms, affordable housing, and off-site improvements at the subject property.

ANALYSIS:

At its regular meeting of June 15, 2021, the City Council conducted a public hearing and received public comments for the One Metro West project. Written public comments

submitted for the June 15, 2021 meeting can be found here: <http://ftp.costamesaca.gov/costamesaca/council/agenda/2021/2021-06-15/PH-3-PublicComments.pdf>. A total of 25 members of the public provided public comments at the meeting in person or via Zoom.

The City Council approved by a 5-1 vote (Councilmember Harper voting no and Councilmember Harlan recusing) the following: General Plan Amendment GP-20-01, Master Plan PA-19-19, Tentative Tract Map No. 19015 (T-19-01), and language of the Development Agreement (DA-20-02) as presented in Attachment 1 to the June 15, 2021 staff report and as modified at the June 15, 2021 City Council meeting. The City Council also certified the project's Final Environmental Impact Report (SCH. No. 2019050014) and adopted a Statement of Overriding Consideration for the significant unavoidable environmental impacts to air quality and traffic. In addition to the above project approvals, the City Council gave first reading to and introduced Ordinance Nos. 2021-11, 2021-12, and 2021-13.

As part of the motion, Section 4.1.1 of the Development Agreement was modified to note that the dedication of a public access easement to the City for use of the 1.5-acre open space is "perpetual" and modified the other approvals as needed to conform to that change. This change is reflected in Exhibit A to Attachment 3, the Development Agreement, and is further clarified on the Tentative Tract Map for the project, provided for reference purposes as Attachment 4. In addition, as part of their motion to approve the project, City Council requested the project applicant explore possible design options for a shared common driveway with the adjacent commercial development to the east (South Coast Collection) – which the applicant agreed to study further.

The agenda report and video for the June 15, 2021 City Council meeting can be found at the following links:

June 15, 2021 Agenda Report:

<http://ftp.costamesaca.gov/costamesaca/council/agenda/2021/2021-06-15/PH-3.pdf>

June 15, 2021 Meeting Video:

https://costamesa.granicus.com/player/clip/3735?view_id=10&redirect=true

The proposed Ordinances are included as Attachments 1 through 3 to this agenda report. If adopted by City Council, the Ordinances would become effective if and when the One Metro West project has been approved by the voters pursuant to Measure Y at either the next general election or at a special election funded by the project applicant. Should the project not be approved by the voters pursuant to Measure Y, the proposed Ordinances, Development Agreement and other project approvals will have no force and effect.

Timeline for Final Approval of the Project Under Measure Y

Unless the Applicant elects to pay for a special election, pursuant to Measure Y, the Project would be submitted to the voters at the next regularly scheduled municipal election on

November 8, 2022. Because the Registrar of Voters (ROV) has not yet published the calendar for the November 2022 general election, the following is a tentative proposed timeline that is subject to change:

- June 15, 2021: City Council approved General Plan Amendment GP-20-01, Master Plan PA-19-19, Tentative Tract Map No. 19015 (T-19-01), and certified the Final EIR for the Project, and introduced ordinances approving the Development Agreement, Specific Plan and Rezone for the Project
- July 20, 2021: City Council considers adopting the ordinances approving the Development Agreement, Specific Plan and Rezone for the Project
- June 7, 2022: City Council meeting to call for the election and approve the ballot title and summary for the Project
- June 17, 2022: Last date to file direct arguments and impartial analysis with the City Clerk
- June 27, 2022: Last date to file rebuttal arguments with the City Clerk
- August 12, 2022: Last date for City Clerk to submit the ballot title and summary, and impartial analysis to, and last day for filing of direct arguments with, the ROV
- August 22, 2022: Last date for filing of rebuttal arguments with the ROV
- November 8, 2022: Election Day
- December 6, 2022: City Council accepts certification of the election results by the ROV
- December 16, 2022: If approved by 51-percent of the electorate, the Project approvals subject to Measure Y become effective

PUBLIC NOTICE:

Pursuant to Government Code 36933, a summary of the proposed Ordinances was published once in the newspaper no less than 5 days prior to the July 20, 2021 second reading. A summary of the adopted Ordinances will be published within 15 days after the adoption.

As of this report, no additional written public comments have been received. Any additional written comments received will be forwarded under separate cover.

ALTERNATIVES CONSIDERED:

The City Council may give second reading and adopt the Ordinances as proposed, modify the Ordinances, or not adopt the Ordinances. If the City Council chooses to make substantive modifications to one or more of the Ordinances after introduction, the modified Ordinance(s) would need to be brought back at a future meeting for second reading and adoption.

FISCAL REVIEW:

The project is estimated to generate an annual net fiscal deficit of approximately \$5,000 to the City's General Fund, as discussed in the May 4, 2021 City Council Agenda Report. A Fiscal Impact Study is provided as Attachment 10 to the May 4, 2021 Agenda Report.

LEGAL REVIEW:

The City Attorney's Office has reviewed this report, Ordinance Nos. 2021-11, 2021-12, 2021-13 as well as the Development Agreement and approves them as to form.

CITY COUNCIL GOALS & PRIORITIES:

Diversify, stabilize, and increase housing to reflect community needs.

CONCLUSION:

Staff recommends that the City Council give second reading to and adopt Ordinance Nos. 2021-11, 2021-12, and 2021-13. The adoption of the proposed Ordinances would rezone the property located at 1683 Sunflower Avenue to PDR-HD and establish a site-specific maximum density, apply zoning standards through the Specific Plan, and enter into a Development Agreement between the City and the project applicant.

NANCY HUYNH
Senior Planner

JENNIFER LE
Director of Economic and Development
Services

CAROL MOLINA
Finance Director

KIMBERLY HALL BARLOW
City Attorney

- Attachments: 1. [Ordinance No. 2021-12 \(Rezone R-20-01\)](#)
- [Exhibit A, Amendments to Zoning Map and Zoning Code](#)
2. [Ordinance No. 2021-13 \(Specific Plan SP-20-01\)](#)
- [Exhibit A, One Metro West Specific Plan](#)
3. [Ordinance No. 2021-11 \(Development Agreement DA-20-02\)](#)
- [Exhibit A, Development Agreement](#)
4. [Tentative Tract Map No. 19015](#)

ORDINANCE NO. 2021-11**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, APPROVING DEVELOPMENT AGREEMENT DA-20-02 BETWEEN THE CITY OF COSTA MESA AND INTERNATIONAL ASSET MANAGEMENT HOLDING GROUP, LLC**

THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA DOES HEREBY FIND AND DECLARE AS FOLLOWS:

WHEREAS, public hearings were held on April 13, 2020 and May 11, 2020 before the Planning Commission pursuant to the Procedures and Requirements for Consideration of Development Agreements set forth in City Council Resolution No. 88-53, regarding the proposed Development Agreement DA-20-02, attached hereto as Exhibit "A" (hereinafter, the "Agreement"), at which time the Planning Commission considered testimony presented by the public and applicant and property owner International Asset Management Holding Group, LLC (hereinafter, "Developer") and thereafter made recommendations to the City Council;

WHEREAS, a public hearing was subsequently held before the City Council on June 15, 2021 pursuant to the requirements of Resolution No. 88-53, at which time the City Council considered testimony presented by the public and the Developer and the recommendations of the Planning Commission regarding the proposed Agreement; and

WHEREAS, the Agreement is:

- (a) Consistent with the objectives, policies, general land uses and programs specified in the General Plan and with the General Plan as a whole and the North Costa Mesa Specific Plan;
- (b) Compatible with the uses authorized in, and the existing land use regulations prescribed for, the zoning district in which the real property is and will be located; and
- (c) Is in conformity with and will promote public convenience, general welfare, and good land use practice.

WHEREAS, the Agreement will not:

- (a) Be detrimental to the health, safety and general welfare; or
- (b) Adversely affect the orderly development of property or the preservation of property values.

WHEREAS, The Agreement will promote and encourage the development of the proposed project and will ensure the public benefits promised therein, by providing stability and certainty to Developer; and

WHEREAS, the proposed project includes General Plan Amendment GP-20-01, Rezone R-20-01, Specific Plan SP-20-01, Master Plan PA-19-19 and Tentative Tract Map No. 19015 (T-19-01) (the "Project"); and

WHEREAS, the Project is subject to the requirements of Measure Y, codified in Chapter 22, Article IX of Title 13 of the Costa Mesa Municipal Code; and

WHEREAS, this Ordinance including the Agreement shall have no force and effect unless and until the Project has been approved by a vote of the electorate pursuant to Measure Y; and

WHEREAS, pursuant to the provisions of the California Environmental Quality Act ("CEQA") (California Public Resources Code Sections 21000 et seq.) and State CEQA guidelines (Sections 15000 et seq.) the Final Environmental Impact Report (EIR), State Clearing House No. 2019050014, including a mitigation monitoring program and statement of overriding consideration, was certified for the Project on [date] and the City has determined that this Ordinance itself is not a separate "project" and further, that it is exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15061(b)(3) (because it can be seen with certainty that the adoption of this Ordinance itself will not have an effect on the environment) such that no further environmental review under CEQA is required; and

WHEREAS, all legal prerequisites prior to the adoption of this Ordinance have occurred.

NOW, THEREFORE, THE COSTA MESA CITY COUNCIL DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: FINDINGS AND DECLARATIONS. The above stated findings and declarations are true and correct.

SECTION 2: APPROVAL. The City Council hereby approves, adopts and enters into the Agreement in the form attached hereto and incorporates the Agreement herein by this reference.

SECTION 3: RECORDATION. Upon execution of the Agreement by all parties and following approval of the project by the electorate, the City Clerk is directed to record the Amendment pursuant to Resolution No. 88-53.

SECTION 4: ENVIRONMENTAL COMPLIANCE. Pursuant to the provisions of CEQA and State CEQA guidelines, a Final EIR, State Clearing House No. 2019050014, including a mitigation monitoring program and statement of overriding consideration, was certified for the Project on [date] and the City has determined that this Ordinance itself is not a separate "project" and further, that it is exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15061(b)(3) (because it can be seen with certainty that the adoption of this Ordinance itself will not have an effect on the environment) such that no further environmental review under CEQA is required; and

SECTION 5: INCONSISTENCIES. Any provision of the Costa Mesa Municipal Code or appendices thereto inconsistent with the provisions of this ordinance, to the extent of such inconsistencies and or further, is hereby repealed or modified to the extent necessary to affect the provisions of this ordinance.

SECTION 6: SEVERABILITY. If any chapter, article, section, subsection, subdivision, sentence, clause, phrase, word, or portion of this Ordinance, or the application thereof to any person, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this Ordinance or its application to other persons. The City Council hereby declares that it would have adopted this Ordinance and each chapter, article, section, subsection, subdivision, sentence, clause, phrase, word, or portion thereof, irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, phrases, or portions of the application thereof to any person, be declared invalid or unconstitutional. No portion of this Ordinance shall supersede any local, State, or Federal law, regulation, or codes dealing with life safety factors.

SECTION 7: EFFECTIVE DATE. This Ordinance shall become effective following approval of the Project by the electorate at the next regular municipal election or at a special election funded by the applicant.

SECTION 8: CERTIFICATION. The City Clerk shall certify the passage and adoption of this Ordinance and shall cause the same to be published or posted in the manner as required by law.

PASSED AND ADOPTED this 20th day of July 2021.

John Stephens, Mayor

ATTEST:

APPROVED AS TO FORM:

Brenda Green, City Clerk

Kimberly Hall Barlow, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
CITY OF COSTA MESA)

I, Brenda Green, City Clerk of the City Council of the City of Costa Mesa, hereby certify that the above and foregoing Ordinance No. 2021-11 was introduced and considered section by section at a regular meeting of said City Council held on the 15th day of June, 2021, and thereafter passed and adopted as a whole at the regular meeting of said City Council held on the 20th day of July, 2021, by the following roll call vote:

AYES: COUNCILMEMBERS: CHAVEZ, GAMEROS, REYNOLDS, MARR, AND
STEPHENS.

NOES: COUNCILMEMBERS: HARPER

ABSENT: COUNCILMEMBERS: NONE

ABSTAIN: COUNCILMEMBERS: HARLAN

IN WITNESS WHEREOF, I have hereby set my hand and affixed the Seal of the City of Costa Mesa this 21st day of July, 2021.

Brenda Green, City Clerk

ORDINANCE NO. 2021-12**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA APPROVING REZONE 20-01 TO REZONE A 15.23-ACRE SITE TO PLANNED DEVELOPMENT RESIDENTIAL-HIGH DENSITY (PDR-HD) AND ESTABLISH A SITE-SPECIFIC DENSITY OF 80 DWELLING UNITS PER ACRE AND MAXIMUM 1,057 UNITS FOR THE PROPERTY GENERALLY LOCATED AT 1683 SUNFLOWER AVENUE**

THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA DOES HEREBY FIND AND DECLARE AS FOLLOWS:

WHEREAS, an application was filed by Brent Stoll of Rose Equities, representing the property owners, requesting approval of certain land use entitlements;

WHEREAS, duly noticed public hearings were held by the Planning Commission on April 13, and May 11, 2020 with all persons having the opportunity to speak for and against the proposal;

WHEREAS, at their regular meeting on May 11, 2020, the Planning Commission recommended that City Council approve the project by a 6-1 vote (Commissioner Zich voting No);

WHEREAS, a duly noticed public hearing was held by the City Council on June 15, 2021 with all persons having the opportunity to speak for and against the proposal;

WHEREAS, on June 15, 2021, the City Council approved the first reading by a 5-1 vote (Councilmember Harper voting no and Councilmember Harlan recusing);

WHEREAS, the City Council took or will take the following actions by separate resolution;

1. CERTIFY the Final Environmental Impact Report (SCH No. 2019050014) including the Mitigation Monitoring and Reporting Program, Finding of Facts and Statement of Overriding Consideration;
2. APPROVE General Plan Amendment GP-20-01 to change the land use designation of the project site from Industrial Park (IP) to High Density Residential (HDR) with a site-specific density of 80 du/acre and maximum of 1,057 units;

3. APPROVE Master Plan PA-19-19 for a mixed use development with 1,057 residential units, 6,000 square feet of commercial space and 25,000 square feet of office development;
4. APPROVE Tentative Tract Map No. 19105 (T-19-01) for future subdivision of the subject property including establishing the right to a future airspace subdivision for condominium purposes;
5. APPROVE Development Agreement DA-20-02 by adopting a separate ordinance; and,
6. APPROVE Specific Plan SP-20-01 by adopting a separate ordinance;

WHEREAS, the proposed general plan amendment would re-designate the land use from Industrial Park to High Density Residential in order to allow residential use with a site-specific density and building height. To ensure consistency between the General Plan Land Use Map and the Zoning Map, the property is rezoned from Industrial Park (MP) to Planned Development Residential – High Density (PDR-HD).

WHEREAS, PDR-HD districts are intended for multi-family residential developments and complementary non-residential uses within a planned development. As such, the proposed zoning district would allow a mix of residential and non-residential uses.

WHEREAS, the project includes a specific plan adopted with a separate ordinance to allow site-specific development standards (density, building setbacks, open space, land use matrix, parking). The Specific Plan would act as the project's zoning regulations. Future development on-site and off-site improvements would be required to comply with the Specific Plan development standards and design guidelines – thus, the rezone would be consistent with the Zoning Code, General Plan, and Specific Plan.

WHEREAS, rezone is a legislative action subject to the discretionary approval of the final decision body, City Council. The One Metro West Specific Plan establishes the development's land use plan, development standards, regulations, design guidelines, infrastructure systems, and implementation strategies on which subsequent, project-related development activities would be founded. Upon adoption of the Specific Plan, subsequent project-specific architectural plans, detailed site plans, grading and building permits, and any other actions requiring either ministerial or discretionary approvals would be required to demonstrate consistency with the Specific Plan.

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), a Project Environmental Impact Report (EIR) was prepared by the City in accordance with the California Environmental Quality Act (CEQA).

WHEREAS, in accordance with CEQA Guidelines Section 15073, the Draft EIR was made available for a public comment period beginning on February 7, 2020 and ending on March 23, 2020. During the public review period, City facilities that had copies of the EIR for public review were closed as a result of Governor Newsom's direction regarding COVID-19; as such, the City extended the review period through March 30, 2020.

WHEREAS, a list of comments received and response to the comments are included as part of the Final EIR presented to City Council on June 15, 2021.

WHEREAS, the Draft EIR analyzed construction of the project to occur in one phase. The revised construction phasing schedule shows construction is planned to occur in three phases. A technical memo was drafted to evaluate the construction phasing change in terms of impacts to air quality, greenhouse gases, noise, and transportation associated with the revised phasing schedule. The proposed change in the phasing resulted in no significant environmental effects not previously considered in the Draft EIR and do not substantially alter the conclusions or findings of the Draft EIR related to the project's potential environmental effects or proposed mitigation measures. The change in construction phasing does not constitute "significant new information" pursuant to CEQA Guidelines Section 15088.5; as a result, a recirculation of the EIR is not required;

WHEREAS, the Final EIR was made available to the public 10 days prior to the City Council public hearing date on the City's website as well as an email notification sent to previous commenters of the Draft EIR;

WHEREAS, the Draft EIR found that the following areas are considered significant unavoidable adverse impacts: greenhouse gas emissions during project operation and transportation during project operation. The City prepared a Statement of Overriding Considerations to demonstrate that decision-makers have balanced the benefits of the proposed project against its significant unavoidable impacts and have determined the benefits outweigh the adverse impacts; therefore, the significant unavoidable impacts would be considered acceptable.

WHEREAS, the Statement of Overriding Consideration is included as Exhibit C of Resolution No. 2021-54.

NOW, THEREFORE, THE COSTA MESA CITY COUNCIL DOES HEREBY ORDAIN AS FOLLOWS:

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

1. The proposed rezone to Planned Development Residential-High Density (PDR-HD) with a site-specific density of 80 dwelling units per acre and maximum 1,057 units consistent with the General Plan as amended by General Plan Amendment 20-02 and adopted by Resolution No. 2021-55.
2. There is hereby placed and included in the Planned Development Residential-High Density (PDR-HD) zoning district a 15.23-acre parcel, situated in the City of Costa Mesa, County of Orange, State of California.
3. Pursuant to the provisions of Section 13-22 of the Costa Mesa Municipal Code, the Official Zoning Map of the City of Costa Mesa is hereby amended by the change of zone described in Subsections Number 1 and Number 2 above. A copy of the Official Zoning Map and Zoning Code is on file in the office of the Planning Division.

SECTION 2: SPECIFIC PLAN. The City of Costa Mesa by a separate ordinance adopts Specific Plan 20-01 for the project area that would be applied as the Zoning document for the area. The One Metro West Specific Plan establishes the development's land use plan, development standards, zoning regulations and permitted uses, design guidelines, infrastructure systems, and implementation strategies on which subsequent, project-related development activities would be founded.

SECTION 3: INCONSISTENCIES. Any provision of the Costa Mesa Municipal Code or appendices thereto inconsistent with the provisions of this ordinance, to the extent of such inconsistencies and or further, is hereby repealed or modified to the extent necessary to affect the provisions of this ordinance.

SECTION 4: SEVERABILITY. If any provision or clause of this ordinance or the application thereof to any person or circumstances is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect

other provisions or clauses or applications of this ordinance which can be implemented without the invalid provision, clause or application; and to this end, the provisions of this ordinance are declared to be severable.

SECTION 5: EFFECTIVE DATE. This Ordinance shall become effective following approval of the Project by the electorate at the regular municipal election or at a special election funded by the applicant.

SECTION 6: CERTIFICATION. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted in the manner required by law.

PASSED AND ADOPTED this 20th day of July 2021.

John Stephens, Mayor

ATTEST:

APPROVED AS TO FORM:

Brenda Green, City Clerk

Kimberly Hall Barlow, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
CITY OF COSTA MESA)

I, Brenda Green, City Clerk of the City Council of the City of Costa Mesa, hereby certify that the above and foregoing Ordinance No. 2021-12 was introduced and considered section by section at a regular meeting of said City Council held on the 15th day of June, 2021, and thereafter passed and adopted as a whole at the regular meeting of said City Council held on the 20th day of July, 2021, by the following roll call vote:

AYES: COUNCILMEMBERS: CHAVEZ, GAMEROS, REYNOLDS, MARR, AND STEPHENS.

NOES: COUNCILMEMBERS: HARPER

ABSENT: COUNCILMEMBERS: NONE

ABSTAIN: COUNCILMEMBERS: HARLAN

IN WITNESS WHEREOF, I have hereby set my hand and affixed the Seal of the City of Costa Mesa this 21st day of July, 2021.

Brenda Green, City Clerk

EXHIBIT A**REZONE R-20-01****Amendment to the Zoning Map**

Change the zoning district designation of the 15.23-acre site at 1683 Sunflower Avenue from Industrial Park (MP) to Planned Development Residential - High Density (PDR-HD)

**Proposed Zoning Code: Planned Development
Residential- High Density**

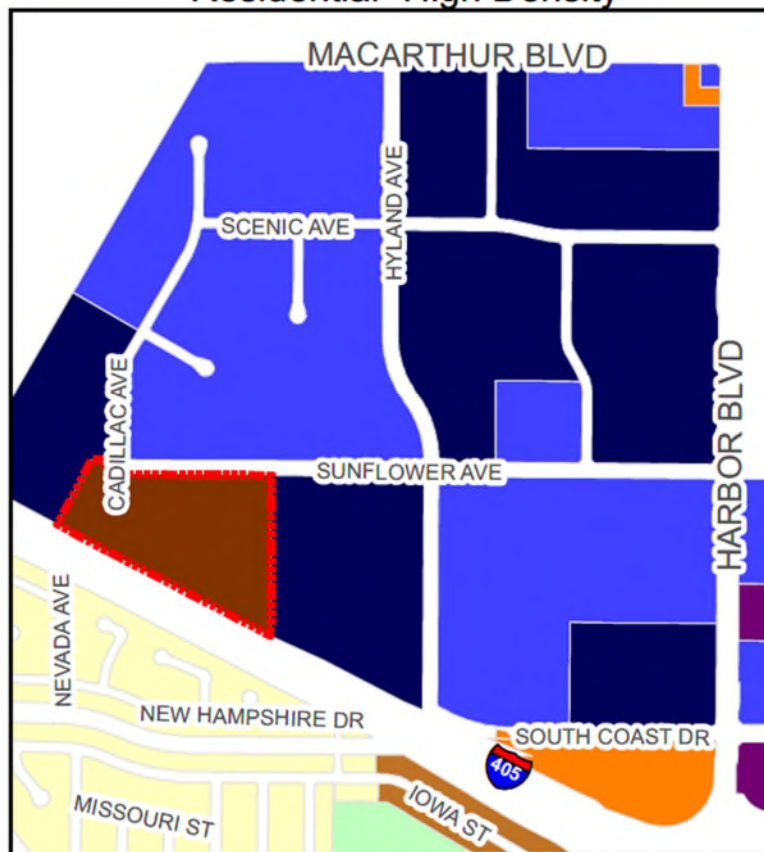


EXHIBIT B**Amendment to Table 13-58**

Update Table 13-58 to note the site-specific density for the One Metro West project (text changes shown in bold font below)

<i>DEVELOPMENT STANDARD</i>	<i>PDR-LD</i>	<i>PDR-MD</i>	<i>PDR-HD</i>	<i>PDR- NCM</i>	<i>PDC</i>	<i>PDI</i>
Maximum Density per section 13-59 MAXIMUM DENSITY CRITERIA. (dwelling units per acre)	8	12	20 Note: See North Costa Mesa Specific Plan for exceptions. Note: The maximum density for 125 East Baker Street is 58 dwelling units per acre (C0-13-02). Note: The maximum density for 2277 Harbor Boulevard is 54 dwelling units per acre (C0-14-02). Note: The maximum density for 1683 Sunflower Avenue is 80 dwelling units per acre (R-20-01) and maximum 1,057 units	35	20 Note: The maximum density for 1901 Newport Boulevard is 40 dwelling units per acre. See North Costa Mesa Specific Plan for exceptions. Note: No residential development is permitted within the 23.4-acre project site generally addressed as 1375 Sunflower Ave. and 3370 Harbor Blvd.	

ORDINANCE NO. 2021-13**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA APPROVING SPECIFIC PLAN 20-01 APPLYING ZONING STANDARDS TO A 15.23-ACRE PROPERTY REZONED TO PLANNED DEVELOPMENT RESIDENTIAL-HIGH DENSITY (PDR-HD) WITH A SITE-SPECIFIC DENSITY OF 80 DWELLING UNITS PER ACRE FOR THE PROPERTY LOCATED AT 1683 SUNFLOWER AVENUE**

THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA DOES HEREBY FIND AND DECLARE AS FOLLOWS:

WHEREAS, an application was filed by Brent Stoll of Rose Equities, representing the property owners, requesting approval of certain land use entitlements;

WHEREAS, duly noticed public hearings were held by the Planning Commission on April 13, 2020 and May 11, 2020 with all persons having the opportunity to speak for and against the proposal;

WHEREAS, at their regular meeting on May 11, 2020 meeting, the Planning Commission recommended that City Council approve the project by a 6-1 vote (Commissioner Zich voting No);

WHEREAS, a duly noticed public hearing was held by the City Council on June 15, 2021 with all persons having the opportunity to speak for and against the proposal;

WHEREAS, on June 15, 2021, the City Council approved the first reading by a 5-1 vote (Councilmember Harper voting no and Councilmember Harlan recusing);

WHEREAS, the City Council took or will take the following actions by separate resolution;

1. CERTIFY the Final Environmental Impact Report (SCH No. 2019050014) including the Mitigation Monitoring and Reporting Program;
2. APPROVE General Plan Amendment GP-20-01 to change the land use designation of the project site from Industrial Park (IP) to High Density Residential (HDR) with a site-specific density of 80 du/acre with maximum 1,057 units;
3. APPROVE Master Plan PA-19-19 for a mixed use development with 1,057 residential units, 6,000 square feet of commercial space and 25,000 square feet of office development;

4. APPROVE Tentative Tract Map No. 19105 (T-19-01) for future subdivision of the subject property including establishing the right to a future airspace subdivision for condominium purposes;
5. APPROVE Development Agreement DA-20-02 by introduction of a separate ordinance;
6. APPROVE Rezone R-20-01 by introduction of a separate ordinance; and
7. APPROVE Specific Plan 20-01 by introduction of a separate ordinance.

WHEREAS, the proposed general plan amendment would re-designate the land use from Industrial Park to High Density Residential in order to allow residential use with a site-specific density and building height. To ensure consistency between the General Plan Land Use Map and the Zoning Map, the property is rezoned from Industrial Park (MP) to Planned Development Residential – High Density (PDR-HD).

WHEREAS, PDR-HD districts are intended for multi-family residential developments and complementary non-residential uses within a planned development. As such, the proposed zoning district would allow a mix of residential and non-residential uses.

WHEREAS, the project includes a specific plan to allow site-specific development standards (e.g., density, building setbacks, open space, land use matrix, parking).

WHEREAS, the Specific Plan would act as the project's zoning regulations. Future development on-site and off-site improvements would be required to comply with the Specific Plan development standards and design guidelines – thus, the rezone would be consistent with the Zoning Code, General Plan, and Specific Plan.

WHEREAS, adoption of a Specific Plan is considered a legislative action subject to the discretionary approval of the City Council.

WHEREAS, the One Metro West Specific Plan establishes the development's land use plan, development standards, zoning regulations and permitted uses, design guidelines, infrastructure systems, and implementation strategies on which subsequent, project-related development activities would be founded. Upon adoption of the Specific Plan, subsequent project-specific architectural plans, detailed site plans, grading and building permits, and any other actions requiring either ministerial or discretionary approvals would be required to demonstrate consistency with the Specific Plan.

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), a Project Environmental Impact Report (EIR) was prepared by the City in accordance with the California Environmental Quality Act (CEQA).

WHEREAS, in accordance with CEQA Guidelines Section 15073, the Draft EIR was made available for a public comment period beginning on February 7, 2020. During the public review period, City facilities that had copies of the EIR for public review were closed as a result of Governor Newsom's direction regarding COVID-19; as such, the City accepted late written comments through March 30, 2020.

WHEREAS, the Draft EIR analyzed construction of the project to occur in one phase. The revised construction phasing schedule shows construction is planned to occur in three phases. A technical memo was drafted to evaluate the construction phasing change in terms of impacts to air quality, greenhouse gases, noise, and transportation associated with the revised phasing schedule. The proposed change in the phasing resulted in no significant environmental effects not previously considered in the Draft EIR and do not substantially alter the conclusions or findings of the Draft EIR related to the project's potential environmental effects or proposed mitigation measures. The change in construction phasing does not constitute "significant new information" pursuant to CEQA Guidelines Section 15088.5; as a result, a recirculation of the EIR is not required;

WHEREAS, the Final EIR was made available to the public 10 days prior to the City Council public hearing date on the City's website as well as an email notification sent to previous commenters of the Draft EIR;

WHEREAS, a list of comments received and response to the comments are included as part of the Final EIR presented to City Council on June 15, 2021.

WHEREAS, the Draft EIR found that the following areas are considered significant unavoidable adverse impacts: greenhouse gas emissions during project operation and transportation during project operation. The City prepared a Statement of Overriding Considerations to demonstrate that decision-makers have balanced the benefits of the proposed project against its significant unavoidable impacts and have determined the benefits outweigh the adverse impacts; therefore, the significant unavoidable impacts would be considered acceptable.

WHEREAS, the Statement of Overriding Consideration is included as Exhibit C of Resolution No. 2021-54.

NOW, THEREFORE, THE COSTA MESA CITY COUNCIL DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: SPECIFIC PLAN. The City of Costa Mesa by an ordinance adopts Specific Plan 20-01 for the project area that would be applied as the Zoning document for the area. The One Metro West Specific Plan establishes the development's land use plan, development standards, zoning regulations and permitted uses, design guidelines, infrastructure systems, and implementation strategies on which subsequent, project-related development activities would be founded.

SECTION 2: INCONSISTENCIES. Any provision of the Costa Mesa Municipal Code or appendices thereto inconsistent with the provisions of this ordinance, to the extent of such inconsistencies and or further, is hereby repealed or modified to the extent necessary to affect the provisions of this ordinance.

SECTION 3: SEVERABILITY. If any provision or clause of this ordinance or the application thereof to any person or circumstances is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions or clauses or applications of this ordinance which can be implemented without the invalid provision, clause or application; and to this end, the provisions of this ordinance are declared to be severable.

SECTION 4: EFFECTIVE DATE. This Ordinance shall become effective following approval of the Project by the electorate at the regular municipal election or at a special election funded by the applicant.

SECTION 5: CERTIFICATION. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted in the manner required by law.

PASSED AND ADOPTED this 20th day of July 2021.

John Stephens, Mayor

ATTEST:

APPROVED AS TO FORM:

Brenda Green, City Clerk

Kimberly Hall Barlow, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
CITY OF COSTA MESA)

I, Brenda Green, City Clerk of the City Council of the City of Costa Mesa, hereby certify that the above and foregoing Ordinance No. 2021-13 was introduced and considered section by section at a regular meeting of said City Council held on the 15th day of June, 2021, and thereafter passed and adopted as a whole at the regular meeting of said City Council held on the 20th day of July, 2021, by the following roll call vote:

AYES: COUNCILMEMBERS: CHAVEZ, GAMEROS, REYNOLDS, MARR, AND
STEPHENS.

NOES: COUNCILMEMBERS: HARPER

ABSENT: COUNCILMEMBERS: NONE

ABSTAIN: COUNCILMEMBERS: HARLAN

IN WITNESS WHEREOF, I have hereby set my hand and affixed the Seal of the City of Costa Mesa this 21st day of July, 2021.

Brenda Green, City Clerk

RESOLUTION NO. 2021-55**A RESOLUTION OF CITY OF COSTA MESA CITY COUNCIL APPROVING GENERAL PLAN AMENDMENT 20-01, MASTER PLAN PA-19-19, TENTATIVE TRACT MAP NO. 19015 FOR DEVELOPMENT OF A MIXED-USE DEVELOPMENT (ONE METRO WEST) LOCATED AT 1683 SUNFLOWER AVENUE**

THE CITY COUNCIL OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

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

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

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

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

WHEREAS, an application was filed by Brent Stoll of Rose Equities, authorized agent for the property owners, for the real property generally located at 1683 Sunflower Avenue;

WHEREAS, the proposed project, One Metro West, is a mixed-use development on a 15.23-acre lot with 1,057 multi-family dwelling units at a site-specific density of 80 dwelling units per acre and maximum 1,057 units, and includes a 25,000 square foot office building, 6,000 square foot retail area, 1.5-acre open space available for public use, and off-site improvements along Sunflower Avenue. The applicant is requesting approval of the following:

1. **Environmental Impact Report** (SCH No. 2019050014);
2. **General Plan Amendment GP-20-01** to amend the Land Use Element and re-designate the property from Industrial Park to High Density Residential;
3. **Rezone R-20-01** to rezone from Industrial Park (MP) to Planned Development Residential – High Density (PDR-HD);
4. **Specific Plan SP-20-01** to establish site-specific zoning regulations including development standards and design guidelines for the proposed project;
5. **Master Plan PA-19-19** to implement the Specific Plan and provide site plan and architectural details for the proposed project;

6. **Tentative Tract Map No. 19015** to subdivide the site including establishing the right to a future airspace subdivision for condominium purposes; and
7. **Development Agreement DA-20-02** between the City and the applicant;

WHEREAS, General Plan Amendment 20-01 includes the following revisions to the Land Use Element, and as depicted in further details in Exhibit A attached hereto:

1. Figure LU-1 City wide Land Use Plan – amend the land use designation for the parcel noted above from Industrial Park to High Density Residential
2. Pages LU-16, LU-29, LU-31, LU-32, LU-35, LU-59, and LU-81 – amend the text on these specific pages to include the One Metro West project as noted in Exhibit A
3. Tables LU-3, LU-4, LU-5, LU-6, and LU-20 – amend the text in these specific tables to include the One Metro West project as noted in Exhibit A;

WHEREAS, based on the proposed General Plan Amendment, adoption of Ordinance No. 2021-12 for Rezone 20-01 and Ordinance No. 2021-13 for Specific Plan 20-01 is necessary to establish consistency between the General Plan and Zoning Code;

WHEREAS, consistent with the General Plan Amendment, Rezone 20-01 will change the zoning for the parcel generally addressed 1683 Sunflower Avenue from Industrial Park (MP) to Planned Development Residential High Density (PDR-HD) with a maximum site-specific density of 80 dwelling units per acre, maximum number of 1,057 units, and maximum building height of 98 feet that will be included in Table 13-58 for the project's 15.23-acre site (net acres);

WHEREAS, Specific Plan 20-01 is a request for a specific plan to establish the project's site-specific zoning regulations including design guidelines and development standards such as building setbacks, parking, and allowable land uses;

WHEREAS, Planning Application 19-19 is a request for a master plan to implement the project's Specific Plan and provide site plan and architectural details for the proposed buildings, on-site improvements as well as common open space, and off-site improvements along Sunflower Avenue;

WHEREAS, Tentative Tract Map No. 19015 is a request to subdivide the property including establishing the right to a future airspace subdivision for condominium purposes, but at this time the project is proposed as rental and not ownership, the subdivision allows for future sales of the units if pursued by the property owner;

WHEREAS, Development Agreement 20-02 is an agreement between the City of Costa Mesa and the applicant pursuant to California Government Code Sections 65864 et. seq. The Development Agreement includes affordable housing terms, public benefits to the City, and payment of development impact fees;

1. 106 affordable housing units for 40 years;
2. Off-site improvements to Sunflower Avenue fully paid by the applicant;
3. Dedication of an easement for public access use of the 1.5-acre open space for public use; and
4. Payment of impact fees for Measure Z, traffic and public services including to the Police Department and Costa Mesa Fire and Rescue Department.

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), an Environmental Impact Report (EIR) including the Mitigation Monitoring and Reporting Program was prepared in compliance with CEQA and the local environmental review guidelines;

WHEREAS, the Draft EIR was circulated for the required 45-day public review period beginning on February 7, 2020 and ending on March 23, 2020 with the City accepting late written comments through March 30, 2020;

WHEREAS, the Draft EIR analyzed construction of the project to occur in one phase. The revised construction phasing schedule shows construction is planned to occur in three phases. A technical memo was drafted to evaluate the construction phasing change in impacts to air quality, greenhouse gases, noise, and transportation associated with the revised phasing schedule. The proposed change in the phasing resulted in no significant environmental effects not previously considered in the Draft EIR and do not substantially alter the conclusions or findings of the Draft EIR related to the project's potential environmental effects or proposed mitigation measures. The change in construction phasing does not constitute "significant new information" pursuant to CEQA Guidelines Section 15088.5; as a result, a recirculation of the EIR is not required;

WHEREAS, the Final EIR was made available to the public 10 days prior to the City Council public hearing date on the City's website as well as an email notification to previous commenters of the Draft EIR;

WHEREAS, the final adoption of the Final EIR shall be considered by the City Council as the final approval authority, after evaluation of the environmental document and all comments on the Draft EIR received during the public review period;

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

WHEREAS, no significant new information has been added to the Draft EIR since its circulation for public comment and no changes to the proposed project have occurred which would require recirculation of the Draft EIR under CEQA Guidelines Section 15073.5;

WHEREAS, the City Council has reviewed and considered the EIR and has found that the EIR adequately evaluates the environmental impacts of the proposed project, and the EIR is complete, adequate, and fully complies with all requirements of CEQA, the CEQA Guidelines, and the City of Costa Mesa Environmental Guidelines;

WHEREAS, the EIR reflects the independent judgment and analysis of the City of Costa Mesa;

WHEREAS, the City has found that this project will generate an annual net fiscal deficit of \$5,000 to the City's General Fund per the City's Fiscal Impact Analysis report;

WHEREAS, duly-noticed public hearings were held by the Planning Commission on April 13, and May 11, 2020 with all persons provided an opportunity to speak for and against the proposed project;

WHEREAS, on May 11, 2020, the Planning Commission recommended approval of the proposed project with a 6-1 vote (Commissioner Zich voting No);

WHEREAS, on June 15, 2021, the City Council held a public hearing with all persons provided an opportunity to speak for and against the project;

NOW, THEREFORE, BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit A2, and subject to the conditions of approval contained in Exhibits A3 and A4, and all the mitigation measures included in the Mitigation Monitoring and Reporting Program, the City Council hereby finds that the proposed project is in conformance with the General Plan and takes the following actions:

1. **CERTIFY** the Final EIR (SCH No. 2019050014) including the Mitigation Monitoring and Reporting Program and Statement of Overriding Consideration;
2. **ADOPT** General Plan Amendment 20-02 to change the land use designation of the project site from Industrial Park to High Density Residential with a site density of 80

dwelling units per acre, a maximum of 1,057 units and maximum building height of 98 feet, as shown in Exhibit A1, subject to the requirements of Measure Y;

3. **GIVE FIRST READING** to Ordinance 2021-12 to rezone the project site (R-20-01) from Industrial Park (MP) to Planned Development High Density (PDR-HD) and to amend the Zoning Code to include the site density of 80 dwelling units per acre and maximum of 1,057 units for the project site, in substantially the form as shown in Exhibit D, subject to the requirements of Measure Y;
4. **GIVE FIRST READING** to Ordinance 2021-13 to adopt Specific Plan 20-01 which includes design guidelines and development standards in substantially the form as shown in Exhibit A of said Ordinance, subject to the requirements of Measure Y;
5. **APPROVE** Planning Application 19-19 for the project's master plan, subject to the requirements of Measure Y;
6. **APPROVE** Tentative Tract Map No. 19015 to subdivide the subject property including establishing the right to a future airspace subdivision for condominium purposes subject to requirements of Measure Y; and
7. **GIVE FIRST READING** to Ordinance 2021-11 to approve Development Agreement 20-02 between the City and the applicant, in substantially the form as shown in Exhibit A of said Ordinance, contingent on approval of the project pursuant to Measure Y.

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 15th day of June, 2021.



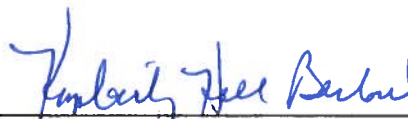
John Stephens
Mayor of the City of Costa Mesa

ATTEST:



Brenda Green, City Clerk

APPROVED AS TO FORM:



Kimberly Hall Barlow
City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
CITY OF COSTA MESA)

I, Brenda Green, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing is the original of Resolution No. 2021-55 and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 15th day of June, 2021, by the following roll call vote:

AYES: COUNCILMEMBERS: CHAVEZ, GAMEROS, REYNOLDS, MARR, AND STEPHENS.

NOES: COUNCILMEMBERS: HARPER

ABSENT: COUNCILMEMBERS: NONE

ABSTAIN: COUNCILMEMBERS: HARLAN

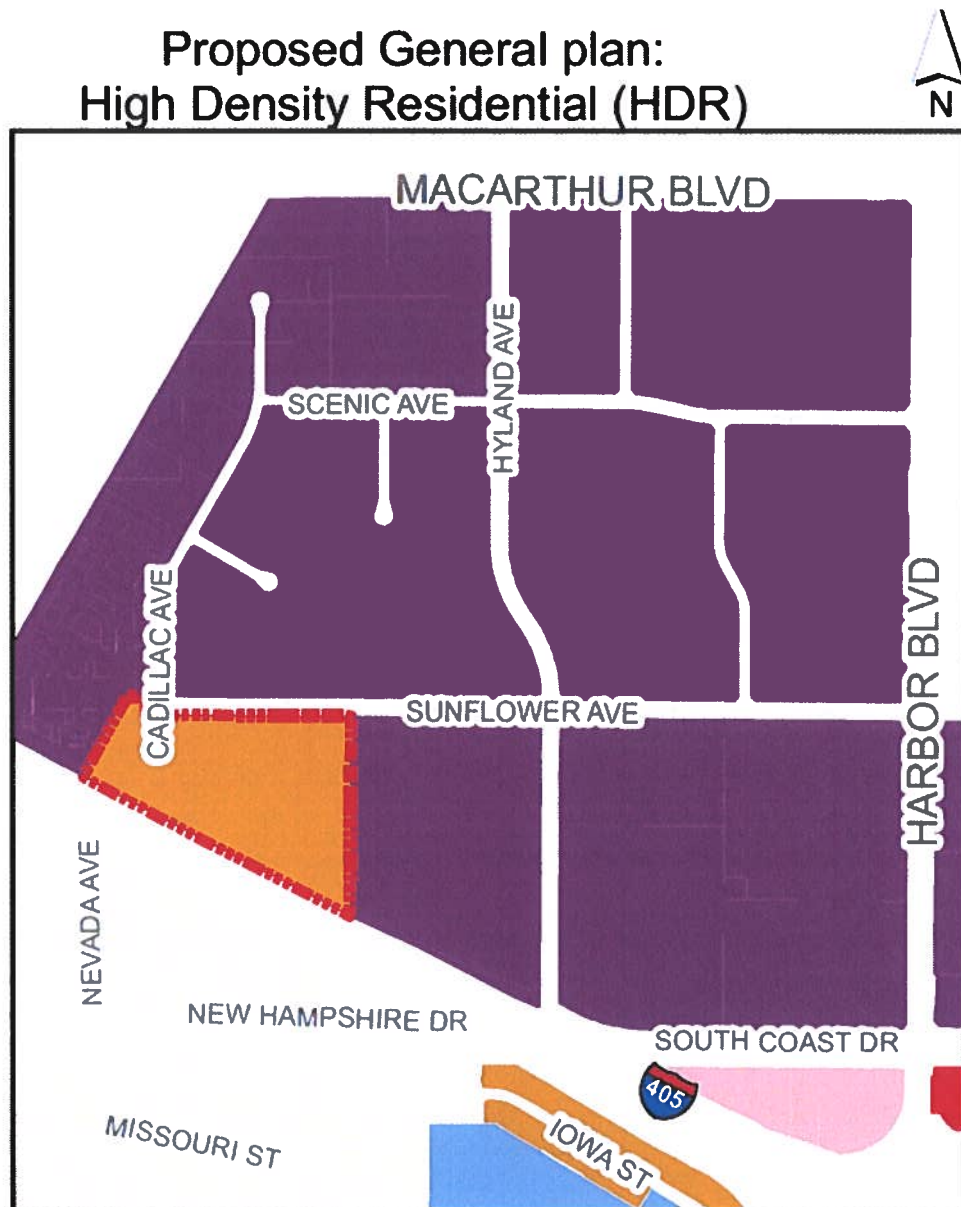
IN WITNESS WHEREOF, I have hereby set my hand and affixed the Seal of the City of Costa Mesa this 16th day of June, 2021.



Brenda Green, City Clerk

EXHIBIT A1**GENERAL PLAN AMENDMENT 20-01****Amendment to Land Use Map (Page LU-25)**

Change the land use designation of the 15.23-acre site at 1683 Sunflower Avenue from Industrial Park to High Density Residential with a site-specific density of 80 dwelling units per acre and maximum 1,057 units



Amendment to Related Land Use Tables

Table LU-3: Land Use Designations (Page LU-12)

Update the total Acres Developed, Acres Undeveloped, Net Acres and % of Acres for High Density Residential

Table LU-4: Housing, Population, and Employment (Page LU-13)

Update the total housing, population, and employment numbers for Year 2040

Table LU-5: Nonresidential Maximum Floor-Area Ratios (Page LU-23)

Update Footnote 5 and 6 to include the One Metro West Specific Plan

Table LU-6: Land Use Density and Intensity Summary (Page LU-27)

Add a footnote to include reference to the One Metro West Specific Plan

Table LU-20: General Plan Land Use 2035 (Page LU-72)

Update the following: total net acres for Multi-Family and Industrial Park, 2035 Future Residential Dwelling Units for Multi-Family, and 2035 Future Non-Residential Square Feet for Industrial Park

Amendment to Related Land Use Text

Update text in Land Use Element where appropriate to include reference to the One Metro West project (text changes shown in bold font below)

Page LU-16, *Mixed Use Districts*: In other areas of Costa Mesa, **including High Density Residential**, areas and the Harbor Mixed-Use Overlay District, the City encourages mixed-use urban environments that include purposeful combinations of entertainment, retail, office, hospitality, and residential uses.

Page LU-29, *High Density Residential*: **In 2021, the City Council approved the One Metro West project which is a mixed-use development on a 15.23-acre property located at 1683 Sunflower Avenue. The approval included the following entitlements: general plan amendment (GP-20-01), rezone (R-20-01), specific plan (SP-20-01), master plan (PA-19-19) and Tentative Tract Map No. 19015 (T-19-01). The land use plan for One Metro West depicts the following: three multi-family residential structures with 1,057 multi-family residential units and associated amenities including parking structures within a base building height of seven stories; one 25,000 square foot creative office building; 6,000 square feet of supporting special retail uses; a 1.5 acre open space; two off-site improvements that relate to the trail connection to the Santa Ana River Trail and improvements to the south side of Sunflower Avenue north of the South Coast Collection retail center.**

Page LU-31, *High-Density Residential*: Mixed-use developments shall be implemented through an adopted urban plan (such as the 19 West Urban Plan), **or an adopted Specific Plan**, and shall be identified on the Zoning Map by designating either the R2-HD and R-3 base zoning districts with the mixed-use overlay district, **or by designating a site with “(SP).”**

Page LU-35, *Commercial Center*: Mixed-use developments shall be implemented through an adopted urban plan (such as the 19 West Urban Plan and Harbor Boulevard Mixed-Use Overlay) **or through an adopted Specific Plan**, and shall be identified on the Zoning Map by designating either the CL, C1, and/or C2 base zoning districts with the mixed-use overlay district, **or by designating a site as “(SP).”**

EXHIBIT A2

FINDINGS

A. REVIEW CRITERIA FOR ALL PLANNING APPLICATIONS:

The proposed project complies with Costa Mesa Municipal Code Section 13-29(e), Review Criteria, because:

Finding: Compatible and harmonious relationship between the proposed building and site development, and use(s), and the building and site developments, and uses that exist or have been approved for the general neighborhood.

Facts in Support of Finding: With implementation of the mitigation measures identified in the Final EIR including Mitigation Monitoring and Reporting Program for the proposed project, all potentially significant environmental impacts have been reduced to less than significant levels – with the exception of the significant unavoidable impacts regarding air quality, greenhouse gas emissions, and transportation. For those significant unavoidable impacts, the City must prepare a Statement of Overriding Considerations to deem those impacts as acceptable and project benefits outweigh those impacts. Upon certifying the Final EIR, the significant unavoidable impacts would be acceptable to the City.

With the implementation of the recommended mitigation measures and conditions of approval, the proposed project will be compatible and harmonious with uses that exist within the general neighborhood. The project features quality construction and materials. The proposal provides on-site amenities comparable with quality residential units including a 1.5-acre open space available for the general public's use. The proposed parking is adequate to meet the demand for this project.

Finding: Safety and compatibility of the design of buildings, parking area, landscaping, luminaries and other site features which may include functional aspects of the site development such as automobile and pedestrian circulation.

Facts in Support of Finding: The proposed on-site parking will be sufficient to accommodate the proposed mix of units along with the other uses (office, retail, and open space) within this project. The project will provide adequate sight distance for vehicles at all project drive approaches. Adequate turnaround areas for the Costa Mesa Fire and Rescue Department (CMFD) will be provided within the development's private street network; a Fire Master Plan was also prepared for the project and has been reviewed and approved by the CMFD. The project's Specific Plan also incorporates Crime Prevention through Environmental Design in the design of parking structures, recreational amenities, and open spaces (private and public). Furthermore, prior to issuance of building permits, the applicant shall submit a Lighting Plan and

Photometric Study to demonstrate compliance with City Code requirements (required as a condition of approval). As such, the safety and compatibility of the project's design of parking areas, landscaping and lighting have been considered.

Finding: Compliance with any performance standards as prescribed elsewhere in this Zoning Code.

Facts in Support of Finding: The project includes a maximum of 1,057 dwelling units at a site-specific density of 80 dwelling units per acre, which is subject to approval of a General Plan Amendment adopted by resolution and Rezone adopted by ordinance. Both actions require final approval by the City Council.

Finding: Consistency with the general plan and any applicable specific plan.

Facts in Support of Finding: The project includes 1,057 dwelling units at a site-specific density of 80 dwelling units per acre, which is subject to approval of a General Plan Amendment adopted by resolution and require final approval by the City Council. The project also includes a specific plan and any future development at One Metro West would be subject to the requirements of the Specific Plan and must demonstrate consistency with the Specific Plan.

Finding: The planning application is for a project-specific case and is not to be construed to be setting a precedent for future development.

Facts in Support of Finding: The planning applications is for a specific project. The proposed project is a mixed-use development with residential, office, retail and open space use that would replace an existing industrial use. Any similar future developments would be required to submit planning applications as necessary or required by the Planning Division.

Finding: When more than one (1) planning application is proposed for a single development, the cumulative effect of all the planning applications shall be considered.

Facts in Support of Finding:

Per Section 15130(b)(1) of the CEQA Guidelines, the project was analyzed based on a list of past, present and probable projects producing related cumulative impacts including projects outside the control of the agency as well as projections contained in the adopted general plan and regional conditions. In addition, the growth projections were supplemented with a list of related projects in Costa Mesa, Fountain Valley and Santa Ana for a total of 24 related projects.

Finding: For residential developments, consistency with any applicable design guidelines adopted by city council resolution.

Facts in Support of Finding: The project includes a specific plan which contains the project's development standards and design guidelines. Upon approval, the Specific Plan will become the project's zoning regulations; any future development at One Metro West site would be subject to the requirements of the Specific Plan and must demonstrate consistency.

Finding: For affordable multi-family housing developments which include a minimum of sixteen (16) affordable dwelling units at no less than twenty (20) dwelling units per acre, the maximum density standards of the general plan shall be applied, and the maximum density shall be permitted by right and not subject to discretionary review during the design review or master plan application process.

Facts in Support of Finding: The proposed project includes a multi-family residential development. Though the project is not an affordable housing development, there would still be a portion of the overall dwelling units set aside for affordable housing opportunities. The terms and conditions of the affordable units would be included in the project's Development Agreement.

C. **GENERAL PLAN AMENDMENT GP-20-01**

Per Zoning Code Section 13-29(g), there are no specific findings criteria for a general plan amendment application. Such action is considered a legislative action subject to the discretion of the final decision body, the City Council. The proposed general plan amendment would re-designate the land use from Industrial Park to High Density Residential in order to allow the proposed residential use with a site-specific density of 80 du/acre and seven-story building heights. The amendment would update the text, tables, and graphic within the Land Use Element to include the One Metro West project.

Below is staff's justification in support of the proposed general plan amendment:

The proposed project would contribute to the City meeting its City's 6th cycle RHNA allocations including affordable housing allocation.

Facts in Support: The Regional Housing Needs Assessment (RHNA) is mandated by State Housing Law as part of the periodic process of updating local General Plan Housing Elements. Once RHNA allocations are assigned, each jurisdiction must update its General Plan Housing Element and demonstrate through sites and zoning analysis how it will accommodate the future housing needs and meet its local RHNA allocation. For the 2021-2029 Housing Element planning period (6th RHNA cycle), the City has been allocated 11,760 units. Given the large anticipated RHNA allocation and to meet the requirements of state Housing Element law related to identifying adequate sites that are zoned at a high enough density to accommodate the housing

construction that would be necessary to meet the RHNA allocation, the City will likely need to identify areas City-wide to rezone for housing at a minimum density of 30 du's per acre (HCD's minimum density necessary to accommodate affordable housing). As such, the proposed project would fit that criteria with a proposed density of 80 du/acre (maximum of 1,057 units). Additionally, the project is proposing a total of 106 units (or ten percent of the total units) as deed-restricted affordable housing units. The affordable units are proposed to be at the low and very low income levels.

The proposed density at 80 du/acre is appropriate given the property's location, site size, and design of the project.

Facts in Support: Higher density residential developments are beneficial because it allows for a self-contained development (with mix of uses like the proposed project) which could generate less traffic than typical low density developments. In that sense, higher density tends to be more walkable as well since destinations like retail and commercial are clustered or located in closer distance. Research also shows walkable communities have a healthier lifestyle. Higher density developments also attract new employers since companies are drawn to convenient housing options for potential employees especially options that reduce or cut commuting time as well as provide convenient access to retail and commercial amenities.

The proposed project would improve the City's overall jobs-housing balance.

Facts in Support: The jobs-housing ratio is a general measure of the total number of jobs and housing units in defined geographic area. The jobs-housing balance has implications for mobility, air quality and the distribution of tax revenues and is one indicator of a project's effect on quality of life. SCAG considers an area balanced when the jobs-housing ratio is 1.36; communities with more than 1.36 jobs per du are considered job-rich and those with fewer than 1.36 are housing-rich. The City is currently considered job-rich at 2.11 jobs per du; in the year 2040, the ratio is anticipated to be 2.19 jobs per du. With the proposed project, however, the ratio would be reduced to 2.14 because the project would introduce more housing in a job-rich area. More housing in job-rich area would improve quality of life because of less time spent commuting to work (reducing vehicle miles traveled) which could also reduce potential adverse impacts such as traffic and air quality. While the proposed project would provide only rental units including affordable units, providing market rate and affordable rental housing at this location would improve the City's jobs/housing balance.

D. SPECIFIC PLAN SP-20-01

Per Zoning Code Section 13-29(g), there are no specific findings criteria for a specific plan application. Such action is considered a legislative action subject to the discretionary approval of the final decision body, the City Council. The One Metro West

Specific Plan establishes the development's land use plan, development standards, zoning regulations, permitted uses, design guidelines, infrastructure systems, and implementation strategies on which subsequent project-related development activities would be founded. Upon adoption of the Specific Plan, subsequent project-specific architectural plans, detailed site plans, grading, landscape and building permits, and any other actions requiring either ministerial or discretionary approvals would be required to demonstrate consistency with the Specific Plan.

E. MASTER PLAN PA-19-19

The proposed project complies with Costa Mesa Municipal Code Section 13-29(g)(5) for a Master Plan because:

Finding: The master plan meets the broader goals of the general plan, any applicable specific 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 Finding: The proposed general plan land use change to High Density Residential and rezone to PDR-HD, would allow for the redevelopment of the property from an industrial use to the mixed-use development as depicted in the Master Plan (residential, office, retail, open space). Overall, the Master Plan depicts the development plans that meet the Specific Plan development standards and design guidelines. The Master Plan would serve as a precise plan of development for the project site and would include schematic designs of the various project components such as building locations, parking design, the off-site improvements along Sunflower Avenue, exterior elevations of residential buildings, and the open space.

The site plan has been designed to consider the project's location adjacent to the I-405 Freeway, Santa Ana River Trail, and SOCO. Residential units are located so that they generally face toward the project's internal courtyards and open spaces; no dwelling units in Building A (which is situated adjacent to the freeway) are proposed directly along the freeway. Units adjacent to SOCO would be further separated by a decorative six-foot block wall. The 1.5-acre publicly accessible open space is strategically located at the northwesterly corner of the property which allows for it to be a visually prominent feature of the development and convenient and accessible to the public from Sunflower Avenue.

The residential buildings are designed so that each building has its own distinct feature. For example, Building A is proposed to feature a large public art display facing the I-405 Freeway, Building B includes units with front stoops facing Sunflower Avenue and Building C is designed with a rooftop terrace with private recreational amenities. Overall, the designs of the buildings incorporate several architectural elements that would visually enhance the buildings and avoid long, unbroken building façades – such as breaks in the horizontal and vertical building

planes, changes in building massing, various materials and colors, and projecting bays or recesses. The Master Plan would be required to demonstrate consistency with the Specific Plan including development standards such as building setbacks, maximum building heights, and the design guidelines.

Finding: Master plan findings for mixed-use development projects in the mixed-use overlay district are identified in Chapter V, Article 11, mixed-use overlay district.

Facts in Support of Finding: The proposed project is a mixed-use development; however, it is not located within a mixed-use overlay district. Therefore, these master plan findings do not apply.

Finding: As applicable to affordable multi-family housing developments, the project complies with the maximum density standards allowed pursuant to the general plan and provides affordable housing to low or very-low income households, as defined by the California Department of Housing and Community Development. The project includes long-term affordability covenants in compliance with state law.

Facts in Support of Finding: The proposed project includes 1,057 units within a mixed-use multi-family residential development. The project is proposing to provide 10 percent of the project dwelling units (minimum of 106 units) as affordable units to low- and very-low-income households. The applicant's proposal of affordable housing is included in the Development Agreement.

F. REZONE R-20-01

The proposed project complies with Costa Mesa Municipal Code Section 13-29(g)(11) for a Rezone because:

Finding: The proposed rezone is consistent with the Zoning Code and the general plan and any applicable specific plan.

Facts in Support of Finding: The proposed general plan amendment would change the General Plan land use designation from Industrial Park to High Density Residential in order to allow a residential use with a site-specific density and building height. To ensure consistency between the General Plan Land Use Map and the Zoning Map, the property would be rezoned from Industrial Park (MP) to Planned Development Residential – High Density (PDR-HD). Per General Plan Table LU-19 (General Plan and Zoning Consistency), the PDR-HD zoning designation is compatible with the High Density Residential land use designation. According to Zoning Code Section 13-20(p), PDR-HD districts are intended for multi-family residential developments and complementary non-residential uses could also be included in the planned development. As such, the proposed zoning district would allow a mix of residential and non-residential uses and is consistent with the intent of the General Plan and the PDR-HD zoning designation. The PDR-HD zoning designation also allows up to 20 du/acre but

also allows for a higher density with pursuant to an adopted specific plan. The project includes adoption of a Specific Plan to allow specific development standards (density, building height, setbacks, open space, permitted uses land use matrix, and parking) that are different than the development standards outlined in the Zoning Code. The Specific Plan would act as the project's zoning regulations. Future development on-site and off-site improvements would be required to comply with the Specific Plan development standards and design guidelines – thus, the project would be consistent with the General Plan, Zoning, and Specific Plan.

G. TENTATIVE TRACT MAP T-19-01

The proposed project complies with Costa Mesa Municipal Code Section 13-29(g)(13) for a Tentative Tract Map because:

Finding: The creation of the subdivision and related improvements is consistent with the General Plan and the Zoning Code.

Facts in Support of Finding: The formation of the subdivision including establishing the right to a future airspace subdivision for condominium purposes and related improvements is consistent with the General Plan, Zoning, and Specific Plan; the site is physically suitable to accommodate the subdivision in terms of type, design, and density of development; and the proposal is consistent with the State Subdivision Map Act. The proposed subdivision is consistent with General Plan Land Use Element in that the project complies with Policy LU-1.1 which encourages the development of a mix and balance of housing opportunities, commercial goods and services, and employment opportunities in consideration of the needs of the business and residential segments of the community. The proposed project is a mixed-use development that would provide housing, commercial, and employment opportunities contained within a single development. Additionally, the project includes recreational opportunities through the proposed 1.5-acre open space and off-site improvements for new bicycle lanes and sidewalks. Public Services staff have confirmed that there are no interferences with the City's or other utility right-of-way areas and/or easements within the tract.

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

Facts in Support of Finding: The project proposes a mixed-use development with residential, office, and retail uses on the property. The proposed project would have a site-specific density of 80 du's per acre. Upon approval of the general plan amendment (GP-20-01) rezone (R-20-01), and Specific Plan (SP-20-01) the proposed project, including the site-specific density, would be consistent with 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 Finding: The City of Costa Mesa prepared an Environmental Impact Report (EIR) pursuant to the requirements of the California Environmental Quality Act (CEQA). The Draft EIR analyzed the proposed project's impact on the environment including air quality, noise, traffic, and public services among other topics as required per CEQA. The Draft EIR concluded that the project would result in significant and unavoidable impacts to air quality during construction, greenhouse gas emissions during project operation, and traffic during project operation. All other environmental topics analyzed in the Draft EIR would not result in significant environmental impacts with implementation of the mitigation measures identified in the Draft EIR as well as implementation of City standard conditions of approval/code requirements. It should be noted that the unavoidable environmental impacts do not affect the physical condition of the subject property and the property would be able to support the proposed mixed-use development. The property is developed with an industrial building and associated parking/landscaping, so it is physically suitable to accommodate the proposed use without the need of extensive infrastructure improvements to provide service to the site.

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

Facts in Support of Finding: The project provides adequate setbacks and private open space areas such as patios or balconies for most units and incorporates extensive landscaping throughout to ensure natural and passive heating and cooling from the sun exposure. The design of the residential buildings also incorporates open courtyards and rooftop terrace which would allow for additional natural cooling and heating. Units would also have operable windows which would provide natural cooling and ventilation opportunities as well. In addition to the private open space areas, the project would also provide a publicly-accessible 1.5-acre open space area.

Finding: The subdivision and development of the property will not unreasonably interfere with the free and complete exercise of the public entity and/or public utility rights-of-way and/or easements within the tract.

Facts in Support of Finding: The proposed project does not interfere with the public rights-of-way per the Public Services Department. A public access easement would be necessary for the public access and use of the 1.5-acre open space and bicycle trail connection to the existing Santa Ana River Trail

(for the portion located on the private office lot). These easements are reflected on the proposed Tentative Tract Map.

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

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

H. **DEVELOPMENT AGREEMENT DA-20-02**

Pursuant to City Council Resolution No. 88-53 and Government Code section 65865(c), staff recommends approval of the request, based on the following assessment of facts and findings, which are also reflected in the draft Resolution:

- *The Development Agreement between the City of Costa Mesa and Developer is:*
 - *Consistent with the objectives, policies, general land uses and programs specified in the General Plan and with the General Plan as a whole;*
 - *Compatible with the uses authorized in, and the existing land use regulations prescribed for, the zoning district in which the real property is and will be located; and*
 - *Is in conformity with and will promote public convenience, general welfare, and good land use practice.*

The proposed Development Agreement is consistent with the General Plan as the agreement would provide several public benefits to the City including a total of 106 deed-restricted affordable units at the very low and low income levels, public access to a 1.5-acre open space, and improvements to Sunflower Avenue. In addition, the Development Agreement would contribute additional funding (beyond the required development impact fees) for public services such as police and fire and for City parks and recreational facilities. The 1.5-acre open space accessible to the public would provide needed recreation space. The affordable units would contribute toward the City's compliance with its high RHNA allocation. The improvements to Sunflower Avenue is in line with several goals in the Circulation Element including implementation of a road diet and complete streets.

Upon approval of the general plan amendment (GP-20-01) rezone (R-20-01) and specific plan (SP-20-01), the proposed project would be consistent with the General Plan and Zoning Code.

- *The Development Agreement between the City of Costa Mesa and Developer will not:*
 - *Be detrimental to the health, safety and general welfare; and*

- Adversely affect the orderly development of property or the preservation of property values.

The Development Agreement will not be detrimental to the health, safety and general welfare of the public or adversely affect the orderly development of property. The Development Agreement reflects the development plan for the site and documents the additional public benefits of the project (such as affordable housing, public access to 1.5-acres of open space and funding to improve City infrastructure) agreed to by the applicant in exchange for vesting the project approvals for the term of the DA.

- I. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City's environmental procedures. An Environmental Impact Report (EIR) was prepared for the proposed project, pursuant to CEQA. The EIR found that the following areas are considered significant unavoidable adverse impacts: greenhouse gas emissions during project operation and transportation during project operation. The City must then prepare a Statement of Overriding Considerations before it can approve the proposed project to demonstrate that decision-makers have balanced the benefits of the proposed project against its significant unavoidable impacts and have determined the benefits outweigh the adverse impacts; therefore, the significant unavoidable impacts would be considered acceptable. All other environmental topics analyzed in the EIR would not result in significant environmental impacts with implementation of the mitigation measures identified in the Mitigation Monitoring and Reporting Program as well as implementation of City standard conditions of approval/code requirements.
- J. Mitigation measures from the FEIR including Mitigation Monitoring and Reporting Program have been included as Exhibit A5. If any of these mitigation measures are removed or substantially modified, the City Council must then make a finding that the removed or modified mitigation measures will not result in significant environmental impacts.
- K. The project, as conditioned, is consistent with Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code in that the development project's traffic impacts would be mitigated at all affected intersections by the payment of traffic impact fees and as may be further required by terms and conditions of the Development Agreement.

EXHIBIT A3**CONDITIONS OF APPROVAL**

- Plng. 1. GP-20-01, R-20-01, SP-20-01, PA-19-19, Tentative Tract Map (TTM) 19015, and DA-20-02 shall comply with the conditions of approval, code requirements, special district requirements, and mitigation measures of the Final EIR for this project. Mitigation Measures from the Final EIR for this project have been included as Exhibit A5. If any of these conditions are removed or substantially modified, the City Council must make a finding that the project will not result in significant environmental impacts.
2. The conditions of approval, including Mitigation Measures incorporated as Exhibit A5, code requirements, and special district requirements of GP-20-01, R-20-01, SP-20-01, PA-19-19, TTM 19015, and DA-20-02 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
3. The developer shall contact the Planning Division to arrange a Planning inspection of the site prior to the release of occupancy. This inspection is to confirm that the Planning Division conditions of approval including Mitigation Measures and code requirements have been satisfied.
4. All new and existing construction shall be architecturally compatible with regard to building materials, style, colors, etc. with the existing structure(s). Plans submitted for plan check shall indicate how this will be accomplished.
5. 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.
6. Trash facilities shall be screened from view and designed to be located appropriately in order to minimize potential noise and odor impacts to residential areas.
7. The project is located within 600 feet of a state licensed cannabis business and shall be required to comply with the separation requirements per the Bureau of Cannabis Control Regulations Title 16 CCR Section 5026(a). No playground, tot lot, daycare facility, or other recreational amenity (public or private) designated specifically for children and youth groups (grades K through 12) shall be allowed at the project site.
8. Relating to the retail, office and open space uses – live entertainment, amplified music and/or dancing may only be permitted subject to City issuance of a “public entertainment permit.” Public entertainment permits are reviewed and issued by the Community Improvement Division (CID). Contact CID for application information at (714) 754-5638.
- * PC
Modified 9. The final design of the public art display on Building A’s parking structure façade along the I-405 Freeway, which shall incorporate vertical landscaping, shall be subject to review and final approval by the Planning Commission. The Cultural Arts Committee (CAC) may first review the proposed freeway façade design and make a recommendation to the

Planning Commission. No public art display visible along the I-405 Freeway shall be installed without prior review by and approval from the Planning Commission.

10. The developer shall obtain approval from the adjacent property owner to the west (3505 Cadillac Avenue) for any improvements and maintenance done on their property for a bicycle trail connection to the existing Santa Ana River Trail. Should there be no agreement with the adjacent property owner, the bicycle trail connection must be completely on the subject property along the western-most border of the property.
11. City approval permit shall be required for any art mural visible from the public right-of-way such as but not limited to Sunflower Avenue, I-405 Freeway, Hyland Avenue. Art murals facing internally on private property shall not be required to obtain a building permit.
12. A planned sign program (PSP) shall be required for all proposed signage at the project site including but not limited to tenant identification signs for the retail and office uses, monument (freestanding) signs, and wayfinding signs. The PSP shall be a comprehensive plan with signage details and criteria for all proposed signs on-site. The PSP shall be subject to the Zoning Administrator's review as outlined in the Specific Plan. Future proposed signs for the project site shall be required to demonstrate consistency with the project's PSP. The PSP may be modified (subject to the Zoning Administrator's review) as necessary.
13. The project shall comply with all terms and conditions as agreed upon in the final adopted Development Agreement (DA-20-02) between the project applicant, Rose Equities, and the City of Costa Mesa.
14. A copy of the conditions of approval for the project must be kept on premises and presented to any authorized City official upon request. New business/property owners shall be notified of conditions of approval upon transfer of business or ownership of land.
15. If any section, division, sentence, clause, phrase or portion of this resolution is 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.
16. The applicant shall defend with attorneys of City's choosing, 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 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.

17. The proposed project would be designed and constructed as a Planned Development Residential-High Density (PDR-HD) in accordance with the applicable provisions of Municipal Code Section 13-20, Zoning Districts. As such, future development would be subject to the proposed One Metro West Specific Plan and Master Plan regulations. Where these documents are silent, the Municipal Code would prevail subject to final determination by Development Services Director. *[PPP LU-1]*
18. The proposed project is required to obtain a tree removal permit from the Parks, Arts & Community Services Commission (PACS) for any removal of trees within the City's public right-of-way (Municipal Code Chapter V, Parkway Trees). All permit terms for tree replacement would be implemented (at a ratio of 3:1). Before said trees are removed, the PACS shall provide recommendations and findings to the Director of Public Services. *[PPP BIO-2]*
19. The proposed project shall comply with Government Code Section 66477 (Quimby Act) and Measure Z as required by the Development Agreement, related to payment of an open space and public park impact fee. *[PPP PS-1]*
20. Construction activities are required to comply with the following standards detailed in Municipal Code Section 13-279, Exceptions for Construction:
 - Allowed from 7:00 a.m. to 7:00 p.m. on Mondays through Fridays;
 - Allowed from 9:00 a.m. to 6:00 p.m. on Saturdays; and
 Prohibited on Sundays, New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day. *[PPP N-2]*
21. Residential stationary noise sources are required to comply with Municipal Code Section 13-280, Exterior Noise Standard:
 - 50 dBA from 11:00 pm to 7:00 am; and
 - 55 dBA from 7:00 am to 11:00 pm. *[PPP N-1]*
22. All noise-generating construction activities shall be limited to 7 a.m. to 7 p.m. Monday through Friday and 9 a.m. to 6 p.m. Saturday. Noise-generating construction activities shall be prohibited on Sunday and the following Federal holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. *[SCA CONST HRS-2]*
23. The proposed project is required to comply with California Public Resources Code 5097.9–5097.991 (which protects Native American historical and cultural resources, and sacred sites); Public Resources Code 21084.3 (avoid damaging effects to any tribal cultural resource); Health and Safety Code Section 7050.5 (pertaining to the discovery or recognition of any human remains). *[PPP TCR-1]*
24. The proposed project is required to comply with California Public Resources Code 5097.9-5097.991 (which protects Native American historical and cultural resources, and sacred sites) and Health and Safety Code Section 7050.5 (pertaining to the discovery or recognition of any human remains). *[PPP CUL-1]*

25. The proposed project is required to comply with the Migratory Bird Treaty Act, which governs the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, or nests. *[PPP BIO-1]*
26. Any vegetation removal should take place outside of the active nesting bird season (i.e., February 15–August 15), when feasible, to avoid impacts to nesting birds that are protected under the California Fish and Game Code. Should vegetation removal take place during this period, a qualified biologist should conduct a nesting bird survey prior to construction activities to ensure that birds are not engaged in active nesting within 100 feet of the project site. If nesting birds are discovered during preconstruction surveys, the biologist should identify an appropriate buffer (i.e., up to 500 feet depending on the circumstances and specific bird species) where no construction activities or other disturbances are allowed to occur until after the birds have fledged from the nest and the nest is no longer active (as determined by the qualified biologist). *[SCA BIO-1]*
27. Any project-related hazardous materials and hazardous wastes will be transported to and/or from the project site in compliance with any applicable State and Federal requirements, including the U.S. Department of Transportation regulations listed in the Code of Federal Regulations (CFR) (Title 49, Hazardous Materials Transportation Act); California Department of Transportation standards; and the California Occupational Safety and Health Administration (Cal/OSHA) standards. *[PPP HAZ-1]*
28. Any project-related hazardous waste generation, transportation, treatment, storage, and disposal will be conducted in compliance with Subtitle C of the Resource Conservation and Recovery Act (RCRA) (Code of Federal Regulations [CFR] Title 40, Part 263), including the management of nonhazardous solid wastes. The proposed project will be designed and constructed in accordance with the regulations of the Orange County Environmental Health Department, which serves as the designated Certified Unified Program Agency (CUPA) and implements State and Federal regulations for the following programs: (1) Hazardous Waste Generator Program, (2) Hazardous Materials Release Response Plans and Inventory Program, (3) California Accidental Release Prevention, (4) Aboveground Storage Tank Program, and (5) Underground Storage Tank Program. *[PPP HAZ-2]*
29. The project's sewer infrastructure improvements are required to be designed, constructed, and operated in accordance with the Costa Mesa Sanitary District (CMSD) Operations Code. *[PPP USS-1]*
30. The project's sewer infrastructure is required to be designed, constructed, and operated in accordance with the Orange County Sanitation District (OCSD) Ordinance Nos. 40 and 48, and all wastewater discharges into OCSD facilities shall be required to comply with the discharge standards set forth to protect the public sewage system/and Waters of the United States. *[PPP USS-2]*
31. The project's sewer infrastructure is required to be designed, constructed, and operated in accordance with Municipal Code Sections 15-6, Placing Oil

- on Streets or in Sewers Prohibited, 15-67, Required Construction, 13-180, Application Requirements, and 13-71, Utility Requirements. *[PPP USS-3]*
32. The proposed project's solid waste infrastructure improvements are required to be designed, constructed, and operated in accordance with the applicable regulations in the Costa Mesa Sanitary District (CMSD) Operations Code. *[PPP USS-8]*
 33. The project's water infrastructure improvements are required to be designed, constructed, and operated in accordance with the Mesa Water District's (MWD's) Standard Specification and Standard Drawings for the Construction of Water Facilities. *[PPP USS-4]*
 34. Applicant shall contact the South Coast Air Quality Management District (SCAQMD) at (800) 288-7664 for potential additional conditions of development or for additional permits required by the district. *[SCA AQMD-3]*

ISSUANCE OF DEMOLITION PERMITS:

35. Demolition permits for existing structures shall be obtained and all work and inspections completed prior to final building inspections. Developer is notified that written notice to the Air Quality Management District may be required ten (10) days prior to demolition. *[SCA PLNG-14]*
36. During demolition, grading, and excavation, workers shall comply with the requirements of Title 8 of the California Code of Regulations, Section 1529, which provides for exposure limits, exposure monitoring, respiratory protection, and good working practices by workers exposed to asbestos. Asbestos-contaminated debris and other wastes shall be managed and disposed of in accordance with the applicable provision of the California Health and Safety Code.
37. During demolition, grading, and excavation, workers shall comply with the requirements of Title 8 of the California Code of Regulations, Section 1532.1, which provides for exposure limits, exposure monitoring, respiratory protection, and good working practice by workers exposed to lead. Lead-contaminated debris and other wastes shall be managed and disposed of in accordance with the applicable provision of the California Health and Safety Code.
38. Prior to investigations, demolition, or renovation, all activities shall be coordinated with Dig Alert (811).
39. A comprehensive asbestos and lead-based paint (LBP) survey shall be conducted at the project site. Any project-related demolition activities that have the potential to expose construction workers and/or the public to asbestos-containing material (ACM) or LBP will be conducted in accordance with applicable regulations, including, but not limited to:
 - South Coast Air Quality Management District's (SCAQMD's) Rule 1403
 - California Health and Safety Code (Section 39650 et seq.)

- The California Occupational Safety and Health Administration (Cal/OSHA) Administration Regulations (California Code of Regulations [CCR] Title 8, Section 1529 [Asbestos] and Section 1532.1 [Lead])
 - Code of Federal Regulations (CFR) (Title 40, Part 61 [asbestos]; Title 40, Part 763 [asbestos]; Title 40, Part 745 [lead]; and Title 29, Part 1926 [asbestos and lead])
 - U.S. Environmental Protection Agency's (EPA's) Lead Renovation, Repair and Painting Program Rules and Residential Lead-Based Paint Disclosure Program
 - Sections 402, 404, and 403, as well as Title IV of the Toxic Substances Control Act (TSCA) [PPP HAZ-3]
40. The removal of other hazardous materials, such as polychlorinated biphenyls (PCBs), mercury-containing light ballast, and mold, will be completed in accordance with applicable regulations pursuant to 40 Code of Federal Regulations (CFR) 761 (PCBs), 40 CFR 273 (mercury-containing light ballast), and 29 CFR 1926 (molds) by workers with HAZWOPER training, as outlined in 29 CFR 1910.120 and 8 California Code of Regulations (CCR) 5192. [PPP HAZ-4]
41. Prior to removal of underground tanks, the applicant shall contact the Orange County Environmental Health Care Agency for application procedures and guidelines. Issuance of building permits will be held until a clearance report is issued by the health agency and is submitted to planning staff. [SCA HAZ-1]

ISSUANCE OF GRADING PERMIT(S):

42. Prior to issuance of grading permits, developer shall identify to the Development Services Director a construction relations officer to act as a community liaison concerning on-site activity, including resolution of issues related to dust generation from grading/paving activities.
43. Prior to issuance of grading permits, developer shall submit for review and approval a Construction Management Plan. This plan features methods to minimize disruption to the neighboring uses to the fullest extent that is reasonable and practicable. The plan shall include construction parking and vehicle access and specifying staging areas and delivery and hauling truck routes. The plan should mitigate disruption to businesses during construction. The truck route plan shall preclude truck routes through residential areas and major truck traffic during peak hours. The total truck trips to the site shall not exceed 200 trucks per day (i.e., 100 truck trips to the site plus 100 truck trips from the site) unless approved by the Development Services Director or Transportation Services Manager.
44. 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 shall 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.
45. South Coast Air Quality Management District (SCAQMD) Rule 403 shall be adhered to, ensuring the cleanup of construction-related dirt on approach routes to the project site. Rule 403 prohibits the release of fugitive dust emissions from any active operation, open storage pile, or disturbed surface area beyond the property line of the emission sources. Particulate matter deposits on public roadways are also prohibited. *[SCA HYD-1]*
 46. Adequate watering techniques shall be employed to partially mitigate the impact of construction-generated dust particulates. Portions of the project site that are undergoing earth moving operations would be watered such that a crust is formed on the ground surface and then watered again at the end of the day. *[SCA HYD-2]*
 47. Grading operations shall be suspended during first and second stage ozone episodes or when winds exceed 25 miles per hour. *[SCA HYD-3]*
 48. All bikeway improvements (off-site and within the open space) including but not limited to the design, landscaping and hardscaping shall be reviewed and approved by the Public Services Department prior to issuance of the grading permit and the improvements shall be installed prior to first building occupancy.

ISSUANCE OF BUILDING PERMIT(S):

49. Prior to issuance of the first building permit, developer shall contact the U.S. Postal Service with regard to location and design of mail delivery facilities. Such facilities shall be shown on the site plan, landscape plan, and/or floor plan.
50. Prior to issuance of a building permit for the first residential building, a "Notice to Tenants" shall disclose the surrounding industrial uses in the area including the property's adjacency to the Measure X zone (cannabis manufacturing and/or distribution uses). The notice shall also disclose the property's location adjacent to the freeway and close proximity to John Wayne Airport and the flight path. The notice shall indicate that the project could be subject to potential annoyances and inconveniences associated with industrial use, Measure X uses, and proximity to the freeway and airport. The notice shall disclose, including but not limited to, operational characteristics such as hours of operation, delivery schedules, outdoor activities, noise, and odor generation. In addition, the Notice shall state that the existing land use characteristics are subject to change in the event that new businesses move or existing businesses change ownership. The "Notice to Tenants" shall be reviewed/approved by the City Attorney's office and Development Services Director prior to issuance of building permits and shall be included as a reference document in the Tenants' Lease Agreement. The "Notice to Tenant" shall serve as written notice of the existing noise environment and any odor-generating uses within the vicinity of the project.
51. The project shall incorporate green building design and construction techniques where feasible; CAL Green Code or higher as determined by applicant. The applicant may contact the Building Safety Division at (714) 754-5273 for additional information.
52. In accordance with CAL Green Standards and the project's Specific Plan, all new multi-family residential buildings shall be required to install two-inch Minimum Efficiency Reporting Value (MERV) 13 filters. Prior to issuance of a residential building permit, the plans shall demonstrate compliance with the required installation of MERV 13 filters.
53. Proposed building materials and architectural treatments shall use non-reflective materials to limit and prevent light glare. Prior to the issuance of building permits, the applicant shall provide material samples and manufacturer's specifications (if applicable) for Planning Division's review and approval.
54. 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 upon view, under direction of Planning Division. Any deviation from this requirement shall be subject to review and approval of the Development Services Director.

55. Applicant shall provide proof of recordation of Subdivision Map prior to issuance of building permits unless otherwise approved by the Development Services Director.
56. Developer shall submit a detailed Landscape Plan for the on-site and off-site open spaces, for review and approval by the Development Services and Public Services Department, prior to any construction landscape improvements. The plan shall include all decorative hardscape and landscape improvements as shown on the conceptual plans. Final materials shall be subject to approval by the Planning Division.
57. Perimeter landscaping shall be planted with trees and vegetation. The landscape plan shall be approved prior to issuance of building permits and shall contain additional 24-inch box trees above the minimum Code requirements to the satisfaction of the Development Services Director. Compliance with this requirement may include upgrading smaller sized trees to 24-inch box trees or providing additional 24-inch box trees.
58. Two (2) sets of detailed landscape and irrigation plans, which meet the requirements set forth in Costa Mesa Municipal Code Sections 13-101 through 13-108 and the City's Water Efficient Landscape Guidelines, shall be required as part of the project plan check review and approval process. Plans shall be forwarded to the Planning Division for final approval prior to issuance of building permits. The two (2) sets of landscape and irrigation plans shall be attached to two of the final building plan sets.
59. A residential parking management plan shall be submitted to the Development Services Director and the Transportation Services Manager prior to issuance of first certificate of occupancy. The parking management plan shall denote the following:
 - a. Method of allocation of assigned parking, as applicable.
 - b. Location of visitor parking, including appropriate signage.
 - c. Location of security gates, if any, and how gates will be operated.
 - d. Location of employee parking.
 - e. Provide proof of a contract with a towing service to enforce the parking regulations if parking problems arise.
60. To reduce water demands and energy use associated with landscape water use, the proposed project is required to implement a landscaping palette emphasizing drought-tolerant plants and water-efficient irrigation techniques consistent with provisions of the City's Model Water Efficient Landscape Ordinance (MWELo; Ordinance No. 16-03) requirements. *[PPP EN-2]*
61. To reduce water demands and associated energy use associated with indoor water use, the proposed project is required to provide plumbing fixtures that meet the United States Environmental Protection Agency (EPA) Certified WaterSense, 2019 California Green Building Standards Code (CALGreen) standards or equivalent, faucets, toilets, and other plumbing fixtures. The water conservation strategy is required to demonstrate a minimum 20 percent reduction in indoor water usage

- compared to baseline water demand (total expected water demand without implementation of the water conservation strategy). *[PPP EN-3]*
62. As required by Municipal Code Section 13-107, Irrigation Requirements, irrigation systems would be designed to reduce overspray, runoff, and low-head drainage onto streets, sidewalks, windows, walls, and fences. Automatic systems for watering cycles would be scheduled to maximize ground infiltration rates and further minimize runoff. *[PPP HYD-4]*
 63. Prior to issuance of Certificate of Occupancy (C of O) the applicant shall provide a scaled and dimensioned digital site plan(s) for the project site, on either a CD or thumb drive, to the Planning Division. All site plans shall include an accurate and precise drawing of all building footprints and property line locations for the entire project site. All buildings shall be annotated with its corresponding address and suites if applicable.
 64. The project applicant shall pay developer fees per square foot for residential and commercial construction pursuant to the Newport-Mesa Unified School District (NMUSD) requirements. *[PPP SS-1]*
 65. Commercial or multi-family residential zones may be considered. Preferred locations are close to a commercial area(s) with shops, restaurants, and other commercial activities and services such as banks and medical facilities. There should be easy access to bus service. Off-site pedestrian circulation should provide sidewalks that are convenient and safe to use. The project site should be free of odors, excessive noise, and aesthetically unattractive surroundings. *[SCA D-1]*
 66. Prior to issuance of the first building permit for the proposed project, the owner/developer would be required to submit a Design Plan for the Building "A" parking elevation (facade) along the I-405 Freeway for review by the Planning Division and approval by the City's Cultural Arts Committee. All architectural treatments including public art installations must comply with the regulations in the One Metro West Specific Plan. As such, architectural treatments would exclude the use of moving, flashing, or otherwise visually distracting elements or materials that are highly reflective or generate noise. *[PPP AES-1]*
 67. Prior to the issuance of building permits and during building inspection, the City of Costa Mesa would verify the proposed project is developed pursuant to the development standards and design guidelines included in the One Metro West Specific Plan. *[PPP AES-2]*
 68. Prior to the issuance of building permits, the applicant shall submit an on-site and off-site Lighting Plan and Photometric Study for the approval of the City's Development Services and Public Services Department. The Lighting Plan shall demonstrate compliance with the following:
 - The intensity and location of lights on buildings shall be limited to minimize nighttime light and glare to off-site residents;
 - All site lighting fixtures shall be provided with a flat glass lens. Photometric calculations shall indicate the effect of the flat glass lens fixture efficiency;

- Lighting design and layout shall limit light spillage to no more than 0.5 foot-candles at the property line of off-site residential properties. The level of on-site lighting shall be as determined necessary for safety and security purposes. Light standards shall be located and oriented in such a way as to minimize light spillage onto surrounding properties. Light shall be shielded, and pointed downward or otherwise directed away from off-site properties;
 - The intensity of the parking deck lighting and lighting associated with any public art installation visible from off-site residential properties shall be reduced to low levels from 9:00 p.m. until dawn each day to minimize lighting impacts to off-site residential properties;
 - Illuminated signs visible from off-site residential properties shall be completely shut off at 10:00 p.m., seven days a week [SCA AE-5]
69. 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), would be made during construction without prior Planning Division written approval. Failure to obtain prior Planning Division approval of the modification could result in requirement of the applicant to (re)process the modification through a discretionary review process, or modify the construction drawings to reflect the approved plans. [SCA AE-2]
70. No exterior roof drain scuppers, or roof drain downspouts would be permitted. This condition relates to visually prominent features of scuppers or downspouts that not only detract from the architecture but may be spilling water from overhead without an integrated gutter system which would typically channel the rainwater from the scupper/downspout to the ground. An integrated downspout/gutter system painted to match the building would comply with the condition. This condition would be completed under the direction of the Planning Division. [SCA AE-3]
71. Permits would be required for all signs according to the provisions of the Costa Mesa Sign Ordinance. Freestanding signs would be subject to review and approval by the Planning Division/Development Services Director to ensure compatibility in terms of size, height, and location with the proposed/existing development and existing freestanding signs in the project vicinity. [SCA AE-4]
72. As required by Municipal Code Section 8-32, Control of Urban Runoff, the proposed project would be undertaken in accordance with the County's Drainage Area Management Plan (DAMP) and any conditions and requirements established by the Development Services Department and the Public Services Department, which are reasonably related to the reduction or elimination of pollutants in stormwater runoff from the project site. Prior to the issuance of a grading permit, building permit, or non-residential plumbing permit for any new development, or significant redevelopment, the Development Services Department and Public Services Department would

- review the project plans and impose terms, conditions, and requirements on the project in accordance with Municipal Code Section 8-32. *[PPP HYD-3]*
73. In compliance with the provisions of the California Administrative Code, Title 25, Chapter 1, Subchapter 1, Article 4, the applicant shall submit an acoustical analysis of the proposed development, prepared under the supervision of a person experienced in the field of acoustical engineering. Two copies of the report shall be submitted with the application for building permits. The acoustical analysis shall evaluate existing and projected noise levels, noise attenuation measures to be applied, and the noise insulation effectiveness of the proposed construction. The applicant shall demonstrate compliance with the recommendations of the acoustic analysis report prior to the issuance of building permits. The person preparing the report shall, under the direction of a person experienced in the field of acoustical engineering, perform an inspection of the project prior to or at the time of the framing inspection to certify that construction techniques comply with recommendations contained within the acoustical analysis. Upon completion of the subject structures, field tests may be required under the provisions of Title 25. *[SCA C/I 42]*
 74. As required by Municipal Code Section 5-1, the project is required to comply with the recommendations outlined in the Preliminary Geotechnical Investigation, Proposed Multi-Family Residential Development 1683 Sunflower Avenue, Costa Mesa, California, prepared by Geocon West Inc. on July 24, 2019. *[PPP GEO-2]*
 75. As required by Municipal Code Section 8-32, the project is required to comply with the recommendations outlined in the Preliminary Water Quality Management Plan (Preliminary WQMP), prepared by Urban Resource Corporation on April 30, 2019. A final WQMP must be submitted and approved by the City prior to the issuance of a grading permit. The WQMP includes site design measures, source control measures, and treatment measures that minimize the potential for erosion and siltation. In addition, the WQMP must include an operations and maintenance (O&M) plan and maintenance agreement for review and approval by the City to ensure the treatment measures installed at the site are maintained for perpetuity. *[PPP HYD-6]*
 76. The City of Costa Mesa would be required to verify the proposed project is architecturally compatible (pertaining to building materials, style, colors, etc.) with the existing surrounding development and consistent with the One Metro West Specific Plan during the plan check review process. *[SCA AE-1]*
 77. The proposed project is required to be planned, designed, installed, and maintained in accordance with Municipal Code Section 13-107, Irrigation Requirements, and Section 13-71, Utility Requirements. *[PPP USS-5]*
 78. If present and/or projected exterior noise exceeds 60 Community Noise Equivalent Level (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 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. *[SCA RES 40]*
79. The proposed project is required to store and collect recyclable materials in compliance with AB 341 and handle green waste in accordance with AB 1826. *[PPP USS-9]*
 80. The proposed project is required to comply with Municipal Code Title 5, Buildings and Structures, and all adopted State construction codes. *[PPP FS-2]*
 81. New buildings are required to achieve the current California Building Energy and Efficiency (BEE) Standards (Title 24, Part 6) and California Green Building Standards Code (CALGreen) (Title 24, Part 11). *[PPP AIR-1]*
 82. Construction activities are required to be conducted in compliance with 13 California Code of Regulations (CCR) Section 2499, which requires nonessential idling of construction equipment is restricted to five minutes or less. *[PPP AIR-2]*
 83. Construction activities are required to comply with applicable South Coast Air Quality Management District (SCAQMD) rules and regulations, including, but not limited, to the following:
 - Rule 402, Nuisance, which states a project shall not “discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property;” and
 - Rule 1113, Architectural Coatings, which limits the volatile organic compound content of architectural coatings. *[PPP AIR-3]*
 84. Construction activities are required to recycle/reuse at least 50 percent of the construction material including, but not limited to, soil, mulch, vegetation, concrete, lumber, metal, and cardboard, and to use green building materials such as those materials that are rapidly renewable or resource efficient, and recycled and manufactured in an environmentally friendly way, for at least ten percent of the project, as specified in the California Department of Resources Recycling and Recovery (CalRecycle) Sustainable Green Building Program. *[PPP AIR-4; PPP EN-4]*
 85. New buildings are required to achieve the current California Building Energy and Efficiency Standards (Title 24, Part 6) and the California Green Building Standards Code (CALGreen; Title 24, Part 11). The 2016 Building and Energy Efficiency Standards became effective starting January 1, 2017, and the 2019 Building and Energy Efficiency Standards will become effective January 1, 2020. The Building Energy and Efficiency Standards and CALGreen are updated tri-annually with a goal to achieve zero net energy for residential buildings by 2020 and non-residential buildings by 2030. *[PPP EN-1]*

86. Per the 2019 California Green Building Standards Code (CALGreen) standards, construction of the proposed project is required to include installation of electric vehicle (EV) charging stations and designated EV parking at non-residential and residential buildings. Preferential parking for low-emitting, fuel-efficient, and carpool/car share/van vehicles is required in all parking areas. *[PPP EN-5]*
87. Construction contractors are required to minimize non-essential idling of construction equipment during construction in accordance with California Code of Regulations (CCR) Section 2449, Title 13, Article 4.8, Chapter 9. *[PPP EN-6]*
88. As required by Municipal Code Section 5-1, the project is required to comply with the 2016 (or most recent) Edition of the California Building Code (CBC) to preclude significant adverse effects associated with seismic hazards. *[PPP GEO-1]*
89. Federal Aviation Regulation (FAR) Part 77 establishes standards for determining whether objects constructed near airports would be considered obstructions in navigable airspace, sets forth notice requirements of certain types of proposed construction or alterations, and provides for aeronautical studies to determine the potential impacts of a structure on the flight of aircraft through navigable airspace. FAR Part 77 requires notification to the Federal Aviation Administration (FAA) for any project that would be more than 200 feet in height above the ground level pursuant to FAR Part 77 Section 77.13. As the project is located within the FAR Part 77 Notification Area for John Wayne Airport, the project would be subject to FAR Part 77 requirements. *[PPP HAZ-5]*
90. The project is required to comply with California Energy Code and Green Building Code provisions related to water and energy conservation. *[PPP USS-6]*
91. The proposed project is required to recycle construction waste in accordance with the California Green Building Standards Code (CALGreen) requirements. *[PPP USS-10]*

RECORDATION OF FINAL MAP

92. Prior to approval of condominium plans through State Department of Real Estate (DRE), the applicant shall provide proof of a master homeowner association (HOA) to Development Services Department. The master HOA shall be responsible for maintenance of all common areas, common services including but not limited to refusal and recycling pick up services, common area lighting, private driveways, maintenance of on-site open space and bike facilities, perimeter landscaping, perimeter fencing and common area utilities.
93. Prior to approval of condominium plans through State Department of Real Estate (DRE), the applicant shall provide proof of submittal of additional park fees in effect at the time for condominium development or as may

be otherwise required by the Development Agreement. A credit should be applied for the park fees paid at the rental apartment rate.

94. Prior to Certificate of Occupancy for the first building, the applicant shall submit a signed and completed maintenance agreement to the satisfaction of Development Services and Public Services Directors requiring the applicant to be 100% responsible for maintenance of the 1.5-acre open space, Sunflower Improvements along project frontage including landscaping in the median planters, the parkway/sidewalk and the special pavers in the street at the transition of Sunflower/Cadillac and the bike trail improvements on private property connecting to Santa Ana River Trail.
- Eng. 95. Comply with requirements contained in the letter prepared by the City Engineer (Exhibit A4).
96. National Pollutant Discharge Elimination System (NPDES): General Permit for Storm Water Discharges Associated with the Construction and Land Disturbance Activities, NPDES No. CAS000002. Compliance requires filing a Notice of Intent (NOI), a Risk Assessment, a Site Map, a Storm Water Pollution Prevention Plan (SWPPP) with associated best management practices (BMPs), an annual fee, and a signed certification statement. *[PPP HYD-1]*
97. Orange County MS4 Permit (R8-2009-0030, as amended by Order No. R8-2010-0062, or most recent): The MS4 Permit requires new development and redevelopment projects to:
 - Control contaminants into storm drain systems;
 - Educate the public about stormwater impacts;
 - Detect and eliminate illicit discharges;
 - Control runoff from construction sites; and
 Implement best management practices (BMPs) and site-specific runoff controls and treatments for new development and redevelopment. *[PPP HYD-2]*
98. Project dewatering would comply with the Statewide General Waste Discharge Requirements for Discharges to Land with a Low Threat to Water Quality (Order No. 2003-0003-DWQ) or the De Minimis Waste Discharge Requirements for the Santa Ana Region (Order No. R8-2015-0004, NPDES No. CAG998001), as required. *[PPP HYD-5]*
99. The project's stormwater infrastructure shall be planned, designed, installed, and maintained in accordance with Municipal Code Section 8-35, Permits, which regulates permitted and illicit connections to the City's storm drain system in accordance with the National Pollutant Discharge Elimination System (NPDES) permit requirements. *[PPP USS-7]*
100. Prior to or concurrent with submittal of plans for grading, building plan check, and/or submittal of the final subdivision map for engineering plan check, the applicant shall prepare and submit documentation for compliance with the State Water Resources Control Board (SWRCB) Water Quality Order 99-08-DWQ; National Pollutant Discharge Elimination System (NPDES) Permit No. CAS000002 for Storm Water Discharges

Associated with Construction Activity (General Permit); the Santa Ana Regional Water Quality Control Board (Santa Ana RWQCB) Order No. R8-2009-0030, as amended by Order No. R82010-0062, or most recent (NPDES Permit No. CAS618030); and the City's Ordinance No. 97-20 for compliance with the NPDES permit. Such documentation shall include a Storm Water Pollution Prevention Plan (SWPPP) if over one acre and a Water Quality Management Plan (WQMP) identifying and detailing the implementation of applicable best management practices (BMPs). *[SCA WQMP-66]*

101. Proposed storm drain facilities shall be constructed pursuant to the City of Costa Mesa Master Drainage Plan. *[SCA ENG-18]*
102. The project shall fulfill drainage ordinance fee requirements prior to approval of final maps and plans. *[SCA ENG-19]*
103. Private on-site drainage facilities and parkway culverts or drains will not be maintained by the City and shall be maintained by the owner or developer of the property. Private lateral connections to City storm drains shall require a hold harmless agreement prior to issuance of grading or building permits. *[SCA ENG-21]*
- Trans. 104. The City of Costa Mesa Transportation Services Division will ensure that all mitigation measures identified in the Traffic Impact Analysis: One Metro West, City of Costa Mesa Orange County, California (TIA), prepared by LSA, dated November 2019 and/or One Metro West Environmental Impact Report have been implemented prior to issuance of the first occupancy permit. *[SCA T-1]*
105. Pursuant to Circulation Element Recommendation C-9.14, the applicant would provide detours through or around construction zones that are designed for safety and convenience, and with adequate signage for cyclists and pedestrians. *[PPP T-1]*
106. The City of Costa Mesa has a traffic impact fee program. This is a cumulative impact fee which would be determined in consultation with City of Costa Mesa Transportation Services Division staff to be paid in addition to direct project improvements required of the applicant. The City of Costa Mesa Transportation Services Division shall collect the project's traffic impact fee prior to issuance of the project's first residential building permit. The fee will be calculated at the time of issuance of the first residential building permit and based upon the prevailing schedule of charges in effect at that time – or as otherwise agreed to in the project's Development Agreement. *[PPP T-2]*
107. The City of Costa Mesa has a fair share program. As projects are approved, and a need for a capital improvement(s) are identified, the City's Capital Improvement Projects (CIP) list is updated accordingly on an annual basis. The master CIP list, overseen by the Public Services Department, identifies (by each specific capital improvement) the necessary improvement, the specific funding amount, and the status of the improvement. *[PPP T-3]*
108. The applicant shall contact the Public Services Department (Transportation Division) prior to retrofitting the traffic signals to obtain the vendor contact

and EVP specifications, and to coordinate the installation of EVP. The applicant shall also be responsible for paying all costs and fees associated with retrofitting the traffic signals with EVP including equipment purchase and installation. Refer to Mitigation Measure PS-1.

- Fire 109. The proposed project is required to comply with the latest edition of the California Fire Code. *[PPP FS-1]*
110. The project is required to pay development impact fees established based on the Costa Mesa Fire Protection System Fee Study and as required in the Development Agreement. *[PPP FS-3]*
111. The on-site hydrant(s) shall be attached to the underground mains of the fire sprinkler system or installed to the standards of the Mesa Water District and be dedicated along with repair easements to the Mesa Water District. *[SCA FIRE-25.]*
112. The applicant shall participate in the upgrading of fire protection facilities according to the formula developed by the Costa Mesa Fire & Rescue Department. The contribution shall be made prior to the issuance of building permits or as agreed in the Development Agreement. *[SCA FIRE-26]*
113. The applicant shall provide Class A fire hydrant(s) according to the Costa Mesa Fire & Rescue Department reviewed and approved Fire Master Plan for the project. *[SCA FIRE-7]*
114. Water improvement plans shall be approved by the Costa Mesa Fire & Rescue Department. *[SCA FIRE-9]*
115. Water mains shall be of adequate size to deliver 1,000 gallons per minute simultaneously from the closest hydrants to any and all points of the development with a minimum residual pressure of 20 pounds per square inch. *[SCA FIRE-10]*
116. Fire apparatus access roadways identified in the approved Fire Master Plan for the project shall be maintained with access to all fire hydrants from the time that the hydrants are placed into service. Special consideration shall be given to maintaining the integrity of such roadways during periods of inclement weather. *[SCA FIRE-13]*
117. The applicant shall provide fire extinguishers with a minimum rating of 2A to be located within 75 feet of travel distance from all areas. Extinguishers may be of a type rated 2A, 10BC as these extinguishers are suitable for all types of fires and are less expensive. *[SCA FIRE-14]*
118. The applicant shall provide approved smoke detectors to be installed in accordance with the latest edition of the California Fire Code. *[SCA FIRE-15]*
119. The applicant shall provide an approved automatic extinguishing system for all commercial cooking surfaces, hoods, and ducts. *[SCA FIRE-16]*
120. The applicant shall provide an automatic fire sprinkler system according to National Fire Protection Association requirements. *[SCA FIRE-17]*
121. Any required hydrants shall be installed and operable prior to the initiation of combustible construction. *[SCA FIRE-8]*

122. Water mains and hydrants shall be installed to the standards of Mesa Water District's (MWD) and dedicated along with repair easements to MWD. *[SCA FIRE-24]*
- Police 123. The project is required to pay development impact fees established based on a Citywide Fee Study and as required in the Development Agreement. *[PPP PD-1]*
124. Outside security lighting shall be provided under the direction and upon the recommendation of the City of Costa Mesa Development Services Department and/or the Police Department. *[SCA PD-49]*
125. The following list of security measures are required to be implemented at the project site:
- Cameras shall be installed in all common areas and hallways.
 - Cameras shall be installed monitoring 24 hours per day, seven days a week, at a centralized location by the applicant's property management team.
 - The property management team shall ensure that in the afternoon and through the night (such as from 2:00 p.m. to 4:00 a.m.), a third party courtesy patrol walks and patrols the property. *[SCA PD-58]*

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 applications are valid consistent with the terms and conditions of the Development Agreement.
2. In compliance with the City's mitigation monitoring program, the applicant shall submit a compliance report to the Planning Division along with plans for plan check or prior to commencement of the project's activity if no construction is involved, that lists each mitigation measure and states when and how the mitigation measures are to be met.
3. Street address shall be visible from the public street and shall be displayed on the complex identification sign. If there is no complex identification sign, the street address may be displayed on the fascia adjacent to the main entrance or on another prominent location. When the property has alley access, address numerals shall be displayed in a prominent location visible from the alley. Street address numerals shall be a minimum six (6) inches in height with not less than one-half-inch stroke and shall contrast sharply with the background. Identification of individual units shall be provided adjacent to the unit entrances. Letters or numerals shall be four (4) inches in height with not less than one-fourth-inch stroke and shall contrast sharply with the background.
4. 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.

5. All new on-site utility services shall be installed underground.
6. Installation of all new utility meters shall be performed in a manner so as to obscure the installation from view from any place on or off the property. The installation shall be in a manner acceptable to the public utility and shall be in the form of a vault, wall cabinet, or wall box under the direction of the Planning Division.
7. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.
8. Landscaping and irrigation shall be installed in accordance with the approved plans prior to final inspection or occupancy clearance.
- Bldg. 9. Comply with the requirements of the adopted, 2019 California Residential Code or the 2019 California Building Code , 2019 California Electrical code, 2019 California Mechanical code , 2019 California Plumbing code , 2019 California Green Building Standards Code and 2019 California Energy Code (or the applicable adopted, California Residential Code, California Building 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.
10. Prior to the Building Division issuing a demolition permit, contact South Coast Air Quality Management District (AQMD) located at:
21865 Copley Dr.
Diamond Bar, CA 91765-4178
Tel: 909- 396-2000
Or
Visit their web site:
<http://www.costamesaca.gov/modules/showdocument.aspx?documentid=23381>.
The Building Division will not issue a demolition permit until an identification number is provided by AQMD.
11. Prior to issuance of the building permit, the conditions of approval shall be on the approved Architectural plans.
12. 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.
13. Submit a precise grading plan, an erosion control plan and a hydrology study.
14. Submit a soils report for this project. Soil's Report recommendations shall be printed on both the architectural and the precise grading plans.
15. i-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 Residential Code CRC 403.1.7.3

- ii-Lot shall be graded to drain surface water away from foundation walls. The grade shall fall a minimum of 6 inches within the first 10 feet. CRC R401.3
- Fire
16. Comply with the requirements of the latest edition of the California Fire Code, including the 2019 Intervening Update and referenced standards as amended by the City of Costa Mesa.
 17. 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.
 18. Provide "blue dot" reflective markers for all on-site fire hydrants.

SPECIAL DISTRICT REQUIREMENTS

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

- | | |
|--------|---|
| Sani. | <ol style="list-style-type: none"> 1. It is recommended that the developer contact the Costa Mesa Sanitary District at (949) 645-8400 to obtain Sanitary District requirements. 2. Applicant shall submit a plan showing sewer improvement that meets the District Engineer's approval to the Building Division as part of the plans submitted for plan check. 3. 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. 4. 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. |
| AQMD | <ol style="list-style-type: none"> 5. Applicant shall contact the South Coast Air Quality Management District at (800) 288-7664 for potential additional conditions of development or for additional permits required by the district. |
| School | <ol style="list-style-type: none"> 6. Pay applicable Newport Mesa Unified School District fees to the Building Division prior is issuance of building permits. |
| Water | <ol style="list-style-type: none"> 7. Customer shall contact the Mesa Water District – Engineering Desk and submit an application and plans for project review. Customer must obtain a letter of approval and a letter of project completion from Mesa Water District. 8. Prior to the issuance of the first building permit, a hydraulic model analysis shall be required per Mesa Water District's plan check requirements. The hydraulic model analysis shall confirm the findings and project's design as concluded in the preliminary hydraulic model dated April 30, 2020 (completed by Michael Baker International). Refer to Final EIR (SCH No. 2019050014) Appendix F-1, Preliminary Hydraulic Analysis. |

EXHIBIT A4

ENGINEERING'S CONDITIONS OF APPROVAL

1. The Tract shall be developed in full compliance with the State Map Act and the City of Costa Mesa Municipal Code (C.C.M.M.C.), except as authorized by the Costa Mesa City Council and/or Planning Commission. The attention of the Subdivider and his engineer is directed to Section 13-208 through 13-261 inclusive, of the Municipal Code.
2. The Subdivider shall conduct soil investigations and provide the results to the City of Costa Mesa Engineering and Building Divisions pursuant to Ordinance 97-11.
3. Two copies of the Final Tract Map shall be submitted to the Engineering Division for checking. Map check fee shall be paid per C.C.M.M.C. Section 13-231.
4. A current copy of the title search shall be submitted to the Engineering Division with the first submittal of the Final Tract Map.
5. Dedicate a public pedestrian and bike easement to the City of Costa Mesa as shown on the Tentative Tract Map for the construction of a new Class I lighted bicycle trail facility, including associated landscape and hardscape improvements as per the approved site plan and construct said improvements. Maintenance of the easement and associated improvements shall be the sole responsibility of a Homeowners Association formed to conform to Section 13-41 (e) of the C.C.M.M.C.
6. Dedicate an ingress/egress easement to the City for emergency and public security vehicles purposes only and construct all the planned improvements. Maintenance of the easement and associated improvements shall be the sole responsibility of a Homeowners Association formed to conform to Section 13-41 (e) of the C.C.M.M.C.
7. Vehicular and pedestrian access rights to Sunflower Avenue shall be released and relinquished to the City of Costa Mesa except at approved access locations.
8. Submit required cash deposit or surety bond to guarantee construction of off-site street improvements per Section 15-32, C.C.M.M.C. and as approved by City Engineer. Cash deposit or surety bond amount to be determined by City Engineer.
9. 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 construct new full height curb and sidewalk per City Standards.
10. 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.

11. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then construct P.C.C. sidewalk per City of Costa Mesa Standards as shown on the Offsite Plan, including four (4) feet clear around obstructions in the sidewalk. The construction and/or repair of existing sidewalk and wheelchair ramps will extend to the nearest bus stop or public transportation facility to maintain an ADA-compliant path of travel.
12. Design and construct a new Class IV bicycle facility on Sunflower Avenue and associated landscaped medians, parkways and street improvements in connection with the Sunflower Avenue street improvements as approved and shown on the offsite improvement plans.
13. Design and construct a new signalized pedestrian crossing at Sunflower Avenue and Cadillac Avenue and associated ADA improvements. Transportation Division to review and approve design plans.
14. Landscape the new median per the City of Costa Mesa's Streetscape and Median Development Standards, Section 3.0 "Public Rights-of-Way and Parkways-General Criteria" and current City Ordinances.
15. Applicant/Developer is hereby advised that no removal of trees from the public right-of-way will be permitted without specific approval from the Parks, Arts, and Community Services Commission and compliance with mitigation measures as determined by the Commission to relocate the trees and/or to compensate the City for the loss of trees from the public right-of-way. Conditions of the Commission must be incorporated onto the plans prior to plan approval. The approval process may take up to three months, therefore, the applicant/developer is advised to identify all tree affected by the proposed project and make timely application to the Parks, Arts, and Community Services Commission to avoid possible delays.
16. Submit for approval to the City of Costa Mesa, Engineering Division, Street Improvement Plans that show Sewer and Water Improvements, prepared by a Civil Engineer.
17. Submit for approval to the City of Costa Mesa preliminary plans that shows the undergrounding of utility poles along Sunflower Avenue to the extent practical or feasible.
18. Dedicate a six-foot sidewalk easement to the City of Costa Mesa behind the property line along Sunflower Avenue.
19. Fulfill City of Costa Mesa Drainage Ordinance No. 06-19 requirements prior to approval of Final Tract Map.
20. In order to comply with the 2003 Drainage Area Management Plan (DAMP), the proposed Project shall prepare a Water Quality Management Plan conforming to the

Current National Pollution Discharge Elimination System (NPDES) and the Model WQMP, prepared by a Licensed Civil Engineer or Environmental Engineer, which shall be submitted to the Department of Public Works for review and approval.

- a) A WQMP (Priority or Non-Priority) shall be maintained and updated as needed to satisfy the requirements of the adopted NPDES program. The plan shall ensure that the existing water quality measures for all improved phases of the project are adhered to.
 - b) Location of BMPs shall not be within the public right-of-way.
- 21. The Subdivider's engineers shall furnish the Engineering Division a storm runoff study showing existing and proposed facilities and the method of draining this area and tributary areas without exceeding the capacity of any street or drainage facility on-site or off-site. This study to be furnished with the first submittal of the Final Tract Map. Cross lot drainage shall not occur. Caltrans' approval will be required for any existing or proposed storm drain connection to Caltrans' drainage facilities.
- 22. Ownership and maintenance of the private on-site drainage facilities and parkway culverts and other common areas shall be transferred by the owner to the Homeowner Association to be formed pursuant to C.C.M.M.C. Section 13-41 (e) and said association shall indemnify and hold harmless the City for any liability arising out of or in any way associated with the connection of the private drainage system with the City's drainage system and shall execute and deliver to the City the standard (indemnity) Hold Harmless Agreement required for such conditions prior to issuance of permits.
- 23. Sewer improvements shall meet the approval of the Costa Mesa Sanitary District; call (949) 631-1731 for information.
- 24. Water system improvements shall meet the approval of Mesa Water District; call (949) 631-1200 for information.
- 25. Dedicate easements as needed for public utilities.
- 26. Prior to recordation of a Final Tract Map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Subarticle 12, Section 7-9-337 of the Orange County Subdivision Code.
- 27. Prior to recordation of a Final Tract Map, the surveyor/engineer preparing the map shall submit to the County Surveyor a digital-graphics file of said map in a manner described in Subarticle 12, Section 7-9-337 of the Orange County Subdivision Code.

28. Survey monuments shall be preserved and referenced before construction and replaced after construction, pursuant to Section 8771 of the Business and Profession Code.
29. The elevations shown on all plans shall be on Orange County benchmark datum.
30. Prior to recordation of a Final Tract Map, submit required cash deposit or surety bond to guarantee monumentation. Deposit amount to be determined by the City Engineer.
31. Prior to occupancy on the Tract, the surveyor/engineer shall submit to the City Engineer a Digital Graphic File, reproducible mylar of the recorded Tract Map, and approved off-site plan and nine copies of the recorded Tract Map.

EXHIBIT B**MASTER PLAN DATED APRIL 2021**

Provided Under Separate Cover with May 4, 2021 City Council Packet

EXHIBIT C**TENTATIVE TRACT MAP NO. 19015**

Provided Under Separate Cover with May 4, 2021 City Council Packet

RESOLUTION NO. 2021-54

A RESOLUTION OF THE CITY OF COSTA MESA CITY COUNCIL ADOPTING FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, ADOPT A STATEMENT OF OVERRIDING CONSIDERATIONS, CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT (SCH No. 2019050014), AND ADOPT A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE ONE METRO WEST PROJECT LOCATED AT 1683 SUNFLOWER AVENUE

WHEREAS, pursuant to Public Resources Code, section 21067 and State California Environmental Quality Act ("CEQA") Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.) sections 15051 and 15367, the City is the lead agency for the proposed Project; and

WHEREAS, in accordance with State CEQA Guidelines, section 15063, the City prepared an Initial Study to determine whether an Environmental Impact Report (EIR) was required for the Project; and

WHEREAS, pursuant to CEQA (Pub. Res. Code, § 21000 et seq.: "CEQA") and the State CEQA Guidelines, the City has determined that an Environmental Impact Report should be prepared pursuant to CEQA to analyze all potential adverse environmental impacts of the proposed Project; and

WHEREAS, the City sent a Notice of Preparation ("NOP") of a Draft EIR to the Office of Planning and Research, responsible and trustee agencies, and other interested parties and published the NOP in the Daily Pilot, a newspaper of general circulation, on or about May 23, 2019; and,

WHEREAS, the NOP was circulated for 30 days pursuant to State CEQA Guidelines, sections 15082(a) and 15375 to invite comments from responsible and trustee agencies and other interested parties regarding the scope of the environmental impact report; and

WHEREAS, the City held a public scoping meeting on June 5, 2019 to receive public comments on the proposed Project and its potential impacts on the physical environment; and

WHEREAS, the City received written comments in response to the NOP, which assisted the City in narrowing the issues and alternatives for analysis in the Draft EIR; and

WHEREAS, on or about February 7, 2020, the City initiated a 45-day public review period on the Draft EIR by filing a Notice of Availability with the State Office of Planning and Research, publishing the notice in the Daily Pilot, a newspaper of general circulation, and releasing the Draft EIR (SCH No. 2019050014) for public review and comment; and

WHEREAS, pursuant to State CEQA Guidelines, section 15086, the City consulted with and requested comments from all responsible and trustee agencies, other regulatory agencies, and other interested parties during the 45-day comment period, which was anticipated to end on March 23, 2020; due to Covid-19 crisis and limited access to hard copies of the document, the City extended the review period through March 30, 2020; and

WHEREAS, during this public review period, copies of the Draft EIR (referenced hereto as Exhibit A) were provided to approximately 60 public agencies and organizations, and were available for review at City Hall, the City website, the Mesa Verde Library, and the Costa Mesa Library (Donald Dungan Library); and

WHEREAS, the City received written comments during the public review period for the Draft EIR; and

WHEREAS, the City has prepared a Final EIR, consisting of comments received during the extended 45-day public review and comment period on the Draft EIR, written responses to those comments, and revisions and errata to the Draft EIR. For the purposes of this Resolution, the "EIR" shall refer to the Draft EIR, including all of the technical studies and appendices to the Draft EIR, together with the other sections of the Final EIR, including all of the technical studies and appendices to the Final EIR; and

WHEREAS, the Draft EIR analyzed construction of the project to occur in one phase. The revised construction phasing schedule shows construction is planned to occur in three phases. A technical memo was drafted to evaluate the construction phasing change in terms of impacts to air quality, greenhouse gases, noise, and transportation associated with the revised phasing schedule. The proposed change in the phasing resulted in no significant environmental effects not previously considered in the Draft EIR and do not substantially alter the conclusions or findings of the Draft EIR related to the project's potential environmental effects or proposed mitigation measures. The change in construction phasing does not constitute "significant new information" pursuant to CEQA Guidelines Section 15088.5; as a result, a recirculation of the EIR is not required;

WHEREAS, the Final EIR was made available to the public 10 days prior to the City Council public hearing date on the City's website as well as an email notification to previous commenters of the Draft EIR;

WHEREAS, environmental impacts identified in the Final EIR that the City finds are less than significant and do not require mitigation are described in Exhibit C, Findings of Fact and Statement of Overriding Considerations pursuant to CEQA, attached hereto and incorporated herein by this reference; and

WHEREAS, environmental impacts identified in the Final EIR as potentially significant, but which the City finds can be mitigated to a less than significant level through the imposition of all feasible mitigation measures identified in the Final EIR, are described in Exhibit C, Findings of Fact and Statement of Overriding Considerations pursuant to CEQA, attached hereto and incorporated herein by this reference; and

WHEREAS, environmental impacts identified in the Final EIR as potentially significant, but which the City finds cannot be fully mitigated to a level less than significant despite the imposition of all feasible mitigation measures identified in the Final EIR, are described in Exhibit C, Findings of Fact and Statement of Overriding Considerations pursuant to CEQA, attached hereto and incorporated herein by this reference; and

WHEREAS, the existence of any cumulative environmental impacts resulting from the Project identified in the Final EIR are described in Exhibit C, Findings of Fact and Statement of Overriding Considerations pursuant to CEQA, attached hereto and incorporated herein by this reference; and

WHEREAS, the significant and irreversible environmental changes that would result from the Project, but which would be mitigated, and which are identified in the Final EIR, are described in Exhibit C, Findings of Fact and Statement of Overriding Considerations pursuant to CEQA, attached hereto and incorporated herein by this reference; and

WHEREAS, the existence of any growth-inducing impacts resulting from the Project identified in the Final EIR are described in Exhibit C, Findings of Fact and Statement of Overriding Considerations pursuant CEQA, attached hereto and incorporated herein by this reference; and

WHEREAS, alternatives to the Project that might eliminate or reduce significant environmental impacts are described in Exhibit C, Findings of Fact and Statement of

Overriding Considerations pursuant to CEQA, attached hereto and incorporated herein by this reference; and

WHEREAS, an analysis of the Project's benefits and a Statement of Overriding Considerations is described in Exhibit C, Findings of Fact and Statement of Overriding Considerations pursuant to CEQA, attached hereto and incorporated herein by this reference; and

WHEREAS, the Mitigation Monitoring and Reporting Program sets forth the mitigation measures to which the City shall bind itself in connection with this Project and is attached hereto as Exhibit B; and

WHEREAS, as contained herein, the City has endeavored in good faith to set forth the basis for its decision on the proposed Project; and

WHEREAS, all the requirements of CEQA and the State CEQA Guidelines have been satisfied by the City in the EIR, which is sufficiently detailed so that all of the potentially significant environmental effects of the proposed Project have been adequately evaluated; and

WHEREAS, the EIR prepared in connection with the proposed Project sufficiently analyzes both the feasible Mitigation Measures necessary to avoid or substantially lessen the proposed Project's potential environmental impacts and a range of feasible alternatives capable of eliminating or reducing these effects in accordance with CEQA and the State CEQA Guidelines; and

WHEREAS, all of the findings and conclusions made by the City Council pursuant to this Resolution are based upon the oral and written evidence presented to it as a whole and not based solely on the information provided in this Resolution; and

WHEREAS, the City's Planning Commission held two duly noticed public hearings on April 13, and May 11, 2020, during which the Planning Commission considered the Draft EIR, the Project and associated actions, and during these public hearings all persons wishing to testify in connection with the Draft EIR and the Project were heard, and the Planning Commission fully studied the Draft EIR and the Project; and

WHEREAS, on May 11, 2020, the Planning Commission recommended that the City Council certify the EIR and approve the Project; and

WHEREAS, on June 15, 2021, the City Council held a public hearing to consider the project; and

WHEREAS, the City has not received any comments or additional information that produced substantial new information requiring recirculation or additional environmental review under Public Resources Code sections 21166 and 21092.1 and State CEQA Guidelines, section 15088.5; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

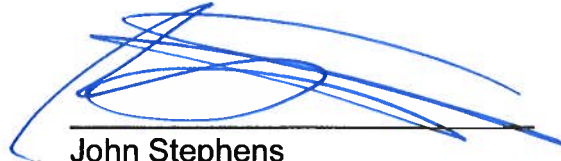
NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COSTA MESA ADOPTS AS FOLLOWS:

SECTION 1: FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS. In accordance with State CEQA Guidelines, sections 15091 and 15093, the City Council hereby adopts the CEQA Findings of Fact and the Statement of Overriding Considerations pursuant to CEQA, attached hereto as Exhibit C and incorporated herein by this reference as if fully set forth herein.

SECTION 2: MITIGATION MONITORING AND REPORTING PROGRAM. Pursuant to Public Resources Code, section 21081.6, the City Council hereby adopts the Mitigation Monitoring and Reporting Program attached hereto as Exhibit B and incorporated herein by this reference. The City finds that the Mitigation Monitoring and Reporting Program is designed to ensure that, during the implementation of the Project, the City and any other responsible parties implement the components of the Project and comply with the mitigation measures identified in the Mitigation Monitoring and Reporting Program. To the extent there is any conflict between the Mitigation Monitoring and Reporting Program, and the Final EIR, the terms and provisions of the Mitigation Monitoring and Reporting Program shall control.

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 15th day of June 2021.



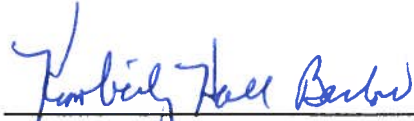
John Stephens
Mayor of the City of Costa Mesa

ATTEST:



Brenda Green, City Clerk

APPROVED AS TO FORM:



Kimberly Hall Barlow
City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
CITY OF COSTA MESA)

I, Brenda Green, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing is the original of Resolution No. 2021-54 and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 15th day of June, 2021, by the following roll call vote:

AYES: COUNCILMEMBERS: CHAVEZ, GAMEROS, REYNOLDS, MARR, AND STEPHENS.

NOES: COUNCILMEMBERS: HARPER

ABSENT: COUNCILMEMBERS: NONE

ABSTAIN: COUNCILMEMBERS: HARLAN

IN WITNESS WHEREOF, I have hereby set my hand and affixed the Seal of the City of Costa Mesa this 16th day of June, 2021.



Brenda Green, City Clerk



CITY OF COSTA MESA

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 24-210

Meeting Date: 5/13/2024

TITLE:

PLANNING APPLICATION 21-02 FOR A CONDITIONAL USE PERMIT TO ALLOW A TRANSITIONAL HOUSING AND SUPPORT SERVICES USE WITH UP TO 16 INDIVIDUALS AT LIGHTHOUSE CHURCH (1885 ANAHEIM AVENUE)

DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT/
PLANNING DIVISION

PRESENTED BY: CHRIS YEAGER, ASSOCIATE PLANNER

CONTACT INFORMATION: CHRIS YEAGER 714.754.4883
Christopher.yeager@costamesaca.gov

RECOMMENDATION:

Staff recommends that the Planning Commission adopt a Resolution to:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 (Existing Facilities); and
2. Approve Planning Application 21-02, based on findings of fact and subject to conditions of approval.



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: May 13, 2024

ITEM NUMBER:PH-3

SUBJECT: PLANNING APPLICATION 21-02 FOR A CONDITIONAL USE PERMIT TO ALLOW A TRANSITIONAL HOUSING AND SUPPORT SERVICES USE WITH UP TO 16 INDIVIDUALS AT LIGHTHOUSE CHURCH (1885 ANAHEIM AVENUE)

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

PRESENTATION BY: CHRIS YEAGER, ASSOCIATE PLANNER

**FOR FURTHER INFORMATION CONTACT: CHRIS YEAGER
714.754.4883
Christopher.yeager@costamesaca.gov**

RECOMMENDATION

Staff recommends that the Planning Commission adopt a Resolution to:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 (Existing Facilities); and
2. Approve Planning Application 21-02, based on findings of fact and subject to conditions of approval.

APPLICANT OR AUTHORIZED AGENT

Phil Eyskens is the authorized applicant for the property owner, The Church of the Nazarene (i.e., Lighthouse Church).

PLANNING APPLICATION SUMMARY

Location:	1885 Anaheim Avenue APN: 424-211-12	Application No:	PA-21-02
Request:	Conditional Use Permit to operate a transitional housing and supportive services use for a maximum of 16 men. The residents would reside in the existing dorms located on the second-floor of the Church, and would take part in a faith-based program that lasts for 9-12 months. The goal of the program is to provide independence for its residents after the program and that the participants graduate the program with birth certificates, identification card, health insurance, a primary care physician or mental health provider, bank account and employment when possible.		

SUBJECT PROPERTY:

SURROUNDING PROPERTY:

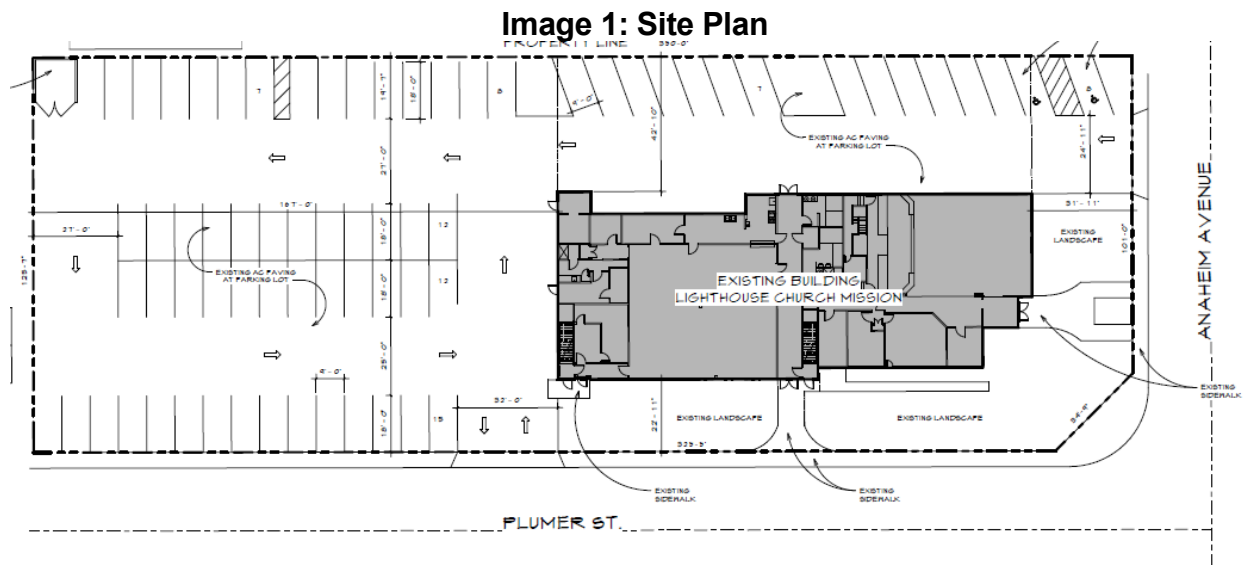
Zone:	I&R (Institutional and Recreational)	North:	C1 (Various businesses including retail, veterinary, and eating establishments)
General Plan:	HDR (High Density Residential)	South:	R2-HD (Across Plumer St- Single and multi-family residential)
Lot Dimensions:	Approx. 125 ft X 150 ft	East:	R3 (Apartment Complex)
Lot Area:	40,946 SF	West:	R2-HD (Single family residential)
Existing Development:	Existing 10,220-square-foot two-story church on a lot with a surface parking lot, landscaping, and fencing.		

DEVELOPMENT STANDARDS COMPARISON

Development Standard		I&R Stds.	Proposed/Provided
Lot Size			
Lot Size		6,000 FT	40,946 SF
Lot Width		60 FT	125 FT
Density/Intensity			
FAR		0.30	.25
Building Height			
		4 stories south of the 405 Freeway	2 stories
Development Lot Building Setbacks			
Front		20 FT	31 FT 11 IN
Side (left / right)		10 FT/5 FT	22 FT 11 IN / 42 FT 10 IN
Rear		5 FT	167 FT
Parking			
Parking Spaces (1 space for every 35 square feet of seating area if there are no fixed seat)		35	63
Final Action	Planning Commission		
CEQA Review	Exempt per CEQA Guidelines Section 15301 (Existing Development)		

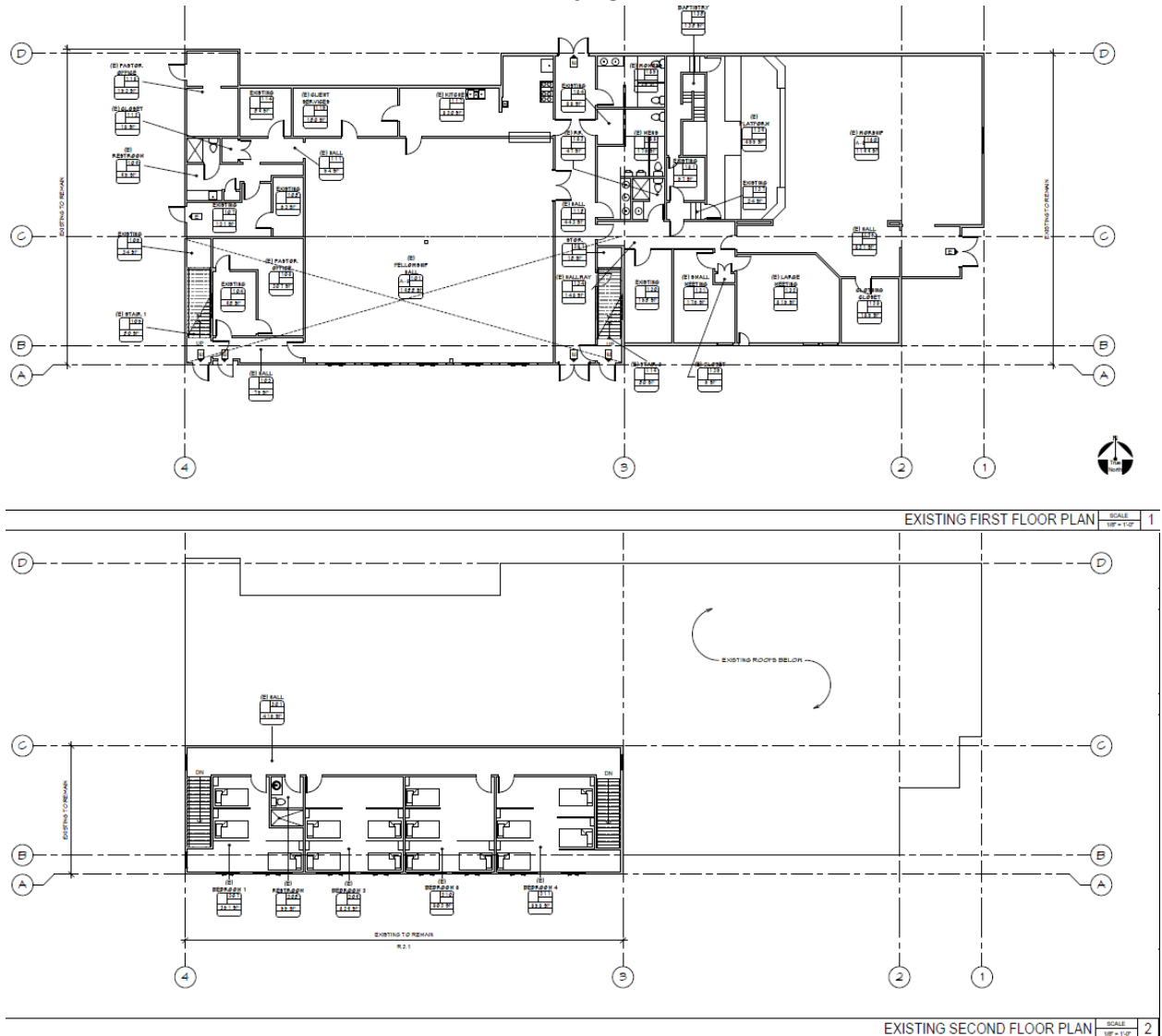
BACKGROUND

The subject property (1885 Anaheim Avenue) is located on the northwest corner of Anaheim Avenue and Plumer Street and has a General Plan land use designation of HDR (High Density Residential) and is zoned I&R (Institutional & Recreational). The project site is approximately 40,000 square feet in size (0.96 acres) and is improved with an existing 10,220-square-foot, two-story church facility, and 63 surface parking spaces. The parking lot is accessible via one driveway from Anaheim Avenue and one driveway on Plumer Street. Excepting one accessible space located from Anaheim Avenue, the site's parking lot is enclosed by a five-foot tall solid fence and driveway gates located at each driveway.



The first floor of the existing Church includes a Worship room, open fellowship hall, kitchen, various meeting rooms and offices, a donation clothing storage room, two full bathrooms and two public bathrooms. The second-floor is limited to the dormitories which includes four bedrooms and one full bathroom (see the below Image 2). No new construction is proposed.

Image 2: Floor Plans



Properties to the north are zoned Local Business (C1) and include a variety of commercial uses located along both sides of West 19th Street including retail, food and beverage establishments, veterinary office, and automobile service uses. Properties to the east, west, and south are zoned Multi-Family Residential-High Density and Multi-Family Residential (R2-HD and R3, respectively). These properties are developed with a variety of rental and ownership housing uses including an apartment complex, single-family dwellings, and other multi-family dwellings. The property is also located within close proximity to certain local institutional uses, including the Costa Mesa Historical Society, Norma Hertzog Community Center, Lions Park, Donald Dungan Public Library and the City's Senior Center.

The project site is located within one-half mile of transit including the OCTA 35 Bus (Fullerton-Costa Mesa), 43 Bus (Fullerton-Costa Mesa), 55 Bus (Santa Ana – Newport Beach), and 71 Bus (Yorba Linda – Newport Beach).

From April 2019 through April 2021, the Lighthouse Church assisted the City by providing a fifty-person emergency shelter. The emergency shelter was designed to be temporary while the City of Costa Mesa completed the development of a permanent shelter at 3175 Airway Avenue. The fifty-bed shelter hosted at the subject property consisted of temporary modular buildings located in the parking lot of Lighthouse Church. After the City's permanent shelter was opened in the Spring of 2021, the temporary shelter was removed from the Lighthouse's parking lot.

Although unpermitted, the Lighthouse Church has been providing permanent supportive housing and shelter-related services at the project site since 2004. This unauthorized use was discovered during a normal inspection of the facility by the Fire Department and resulted in enforcement by the City. However, in May 2018, due to the urgent need to continue this type of community service, the Development Services Department and Lighthouse Church entered into an agreement to temporarily suspend all code enforcement action so the church could prepare and submit the requisite Conditional Use Permit (CUP) application. The agreement allowed for the continuance of the supportive housing services at the church on the condition that the Church would submit a conditional use permit for the supportive housing services for Planning Commission review by June 14, 2021. In March of 2021, the Church submitted a conditional use permit and staff has been working with the Church management to finalize the application since that time.

In addition to the transitional housing services proposed, the Church includes other services that benefit the community. Since 2022, the Church has served as a deployment location for "Chrysalis Roads", a transitional jobs program for individuals facing significant barriers in obtaining employment. This program helps clients earn a paycheck, build confidence, and develop skills that will enable them to secure and retain long-term employment. The program is a partnership with Chrysalis and Caltrans to employ people on active supervision in freeway maintenance jobs. Each morning at 6:30 a. m., the Chrysalis vans pick up program and other participants at the Church site, take them to jobsites throughout Southern California and then return them at the end of the day.

The Church also hosts weekly nurse visits from Biola University on Fridays from 9:00 a.m. to 4:00 p.m. within the sanctuary of the Church. The nurses provide medical services including minor medical check-ups, blood pressure checks, and wound care for anyone who may need it. Lastly, the Church also has a 135-square-foot clothing closet area where donated clothing items are provided free of charge to anyone who is need of additional clothing. The clothing closet operates on Fridays.

CONDITIONAL USE PERMIT

Planning Application 21-02 requests conditional use permit approval to operate a transitional housing and supportive services use for a maximum of 16 men. This specific type of use is not listed in the City's Land Use Matrix. Pursuant to Costa Mesa Municipal Code (CMMC) Section 13-30(d), a use not listed in the City's Land Use Matrix can be reviewed by the Development Services Director to determine its similarity to another listed use. If no similar use exists, the proposed use requires the approval of a conditional use permit (CUP) by the Planning Commission. To obtain a CUP, an applicant must demonstrate that the proposed use is compatible with the City's applicable zoning and General Plan provisions/policies, and will not be detrimental to public health, safety, and welfare.

The subject site is located within the Institutional and Recreational (I&R) Zoning District. According to the Municipal Code, this district is intended to "allow land uses which provide recreation, open space, health and public service uses. Development in this designation may occur on either public or private property". Pursuant to the CMMC, the approval of a CUP requires that the Planning Commission make findings related to neighborhood compatibility, health and safety, and land use compatibility. Proposed uses subject to CUPs will generally have site-specific conditions of approval to ensure the required findings can be met. A detailed project analysis regarding CUP findings is provided below in this report.

ANALYSIS

Program Operations

The Lighthouse Church refers to this program as the "Lighthouse Gatekeeper's Program" and according to the Church is intended to be a male supportive housing program that provides "men to have a place to start again". A maximum of 16 male residents would be permitted to participate in the Church's transitional housing program, which is a faith-based program that lasts 9 to 12 months. The residents reside in existing dorms within the 1,716-square-foot second floor of the Church. The primary goal of the program is to provide housing and to assist men with obtaining independence. Residents of the program will graduate with birth certificates, an identification card, health insurance, a primary care physician or mental health provider, a bank account and employment when possible.

The Lighthouse Gatekeeper's Program is a referral-based transitional housing program only and does not allow resident walk-up opportunities. Prior to entering the program, each interested participant must fill out an intake application and is interviewed by four Program Managers. Before entering the program, each participant is required to sign a document indicating that they will follow Program rules, which include:

- Each participant will be subject to random drug tests and a drug test before they enter the program. If any alcohol or drug use is confirmed, the participant will be removed from the program.

- Smoking is not permitted on or off-site.
- Violence, threats of violence, foul/abusive language may result in immediate dismissal from the program.
- Sleeping areas are subject to random inspections and food products are not permitted in bedrooms.
- The curfew for all participants is 10 p.m. (Sunday-Thursday), 11 p.m. (Friday-Saturday) unless a participant's employment necessitates longer hours.
- Participants are required to stay on the Church property for the first 30 days of the program unless accompanied by a Church staff or program manager.
- All electronics will be held in storage for the first three days of the program.
- Once a job is acquired, the participant is asked to contribute \$100 per week for maintenance and upkeep of the Church and associated facilities.
- All participants must attend faith programs.

During the first 30-days of the program, residents are required to dedicate a portion of their day working at the Church's mobile food pantry, which delivers up to 4,000 pounds of food each week to needy families and individuals in Costa Mesa. During this time, the outreach director also works with each participant to restore personal paperwork and works with the resident director to establish faith and discipline in their lives. In addition, the office, clothing room, and church ground are all maintained by the resident participants.

During the next 90 days of the Program, residents are encouraged to restore relationships with their family and to seek employment. In addition, residents may choose to return to school, complete off-site drug and alcohol classes, and improve/resolve other legal or personal issues. All transportation is provided for residents including trips to medical appointments. The church has two vans for transportation for groups or individuals. In addition, the church provides one-month bus passes for program residents that are seeking employment.

Over the next four to five months of the Program, residents are provided more responsibility around the Church to develop an ownership mentality that prepares them for life after completing the program. According to the applicant, the program has a success rate of 80% of the residents being housed and employed, with relationships with family also being restored.

The residents are required to attend various events and meetings during the week. Typical events and meetings include community pantry deliveries, chores, devotion, bible study, church services, and shared meals. Special events occur on most holidays including July 4th, Thanksgiving, Christmas, and Easter.

The Lighthouse has at least two staff persons that oversee the property daily. One staff person lives on-site and is responsible for office hours, daily resident check-in/check-out, and informs management if there are any issues or concerns. The other, a resident director pastor, lives within a few minutes walking distance of the church and is available 24 hours a day, if needed.

The residents receive freshly prepared food that is delivered six days a week. Because each resident has separate chores and responsibilities throughout the day, the residents can eat breakfast, lunch and dinner as their schedule permits. In addition, a prep area in the Church kitchen is available for the residents to prepare individual meals.

The applicant has provided additional details about their operation that is discussed in their Operational Management Plan contained in Attachment 2. The operational Management Plan includes program details regarding: (1) Program Overview, (2) City Partnerships, (3) Program Marketing, (4) Client Intake, (5) Program Rules and Guidelines, (6) Community Outreach, (7) Management, (8) Security, and (9) Program Funding.

Housing Element Compliance

The Housing Element is a State mandated element included in the City of Costa Mesa's General Plan. The purpose of the Housing Element is to identify a high-level strategy and blueprint for addressing the City's existing and projected housing needs over the eight-year planning cycle. The Housing Element contains a detailed work program of the City's housing goals, policies, quantified objectives, and actions or programs for the preservation, improvement, and development of housing.

As proposed and conditioned, the project is in compliance with the City's Housing Element. For example, Housing Element Goal #2 establishes that the City facilitate the creation and availability of housing for residents at all income levels and for those with special housing needs. The project is proposing to provide additional housing opportunities for men at risk of, or experiencing homelessness, and also provides special needs supportive services to those individuals. Furthermore, Housing Element Program 2J calls for additional transitional and supportive housing by proactively engaging relevant organizations to meet the needs of persons experiencing homelessness, and extremely low-income residents. The project would provide transitional housing opportunities and help individuals obtain permanent housing.

Lastly, Housing Element Program 3K calls for the City to Explore Potential Future Housing Opportunities on Church Sites. The City did not identify any church properties as housing opportunity sites within the 2021-2029 Housing Element; however believes these partnerships with the local faith-based organizations that serve Costa Mesa are an important component of the overall process of creating more affordable housing in the community. The Lighthouse Church has proven to be a valuable asset to the City in providing assistance for the temporary emergency shelter and for providing various services to extremely-low income and homeless residents. The project will include up to 16 additional beds for individuals of special needs looking to find housing and support.

Parking

The CMMC establishes that Churches require one parking space for every 35 square feet of seating area if there are no fixed seats. The main assembly area is 1,199 square feet and therefore requires 35 parking spaces. The Church has an existing on-site parking lot that contains 63 parking spaces and therefore complies with parking requirements. Participants in the transitional living program generally do not own a vehicle and therefore only minimal parking demand is anticipated from the proposed supportive housing program. The exception to this would be a participant that has been accepted into the program who already owns a vehicle. In this case, they would be allowed to keep the car on-site provided that the car is registered and in working condition. If all residents in the program had vehicles, the parking demand (including the church) would be 51 parking spaces where 63 spaces are available. Condition of approval (COA) No. 6 requires that all resident vehicles are to be parked on church property when not in use, that vehicles remain in good repair, and that the vehicles be currently registered with the Department of Motor Vehicles.

Program Funding

Funding for the program comes entirely from local sponsors, grants, and donations. The Outreach Director applies for grants, coordinates with donors, and engages new donors.

GENERAL PLAN CONFORMANCE:

The property has a General Plan designation of High Density Residential. Pursuant to this General Plan designation, residential uses are allowed. As a result, the proposed transitional housing use and supportive services conforms to the City's General Plan. The following evaluates the proposed project's consistency with the applicable and relevant goals, objectives, and policies of the General Plan:

Policy LU-1.1 *Provide for the development of a mix and balance of housing opportunities, commercial goods and services, and employment opportunities in consideration of the needs of the business and residential segments of the community.*

Consistency: The need for transitional and supportive housing has been exacerbated by the current housing crisis and high housing costs. The use will provide housing opportunities for a residential segment of the community which has experienced difficult times and allows them to obtain legal ID documentation, employment, and to assimilate back into the general population.

Housing Goal #2 Facilitate the creation and availability of housing for residents at all income levels and for those with special housing needs.

Consistency: The proposed transitional housing use will provide housing for the specialized needs of City residents experiencing or at-risk of homelessness. The transitional housing will provide housing in 9-12 month cycles, and provides access

to resources which allow residents to improve themselves and ultimately maintain independent living.

Housing Program 3K: Explore Potential Future Housing Opportunities on Church Sites.

Consistency: The proposed transitional housing use is located within the existing Lighthouse Church. The project is a suitable location for the transitional housing use at the existing Church in that the church has previously provided services to people experiencing homelessness including hosting the temporary emergency shelter, providing supportive/transitional housing, providing food to those in need with their mobile food pantry, provide health services and clothing for those in need. The existing Church will expand housing opportunities for individuals experiencing homelessness.

FINDINGS:

Pursuant to CMMC Section 13-29 (g)(2), CUP Findings, in order to approve the project, 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 proposed development or use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.*

The proposed project will be compatible and harmonious with uses that exist within the general neighborhood and would not be materially detrimental to other properties in the area. All residents will be required to comply with program rules and if a resident is removed from the program, they will be provided transportation to other facilities that will assist them. No changes are proposed to the church building and as conditioned, signage for the use is not permitted to be posted. Since the project is conditioned to maintain the site and since the project is not expanding the facility, the project is compatibility with developments in the same general area.

- *Granting the conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.*

As conditioned, the use will be required to comply with all applicable California Building and Fire Code requirements to ensure the project is not materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.

- Granting the conditional use permit will not allow a use, density or intensity, which is not in accordance with the general plan designation and any applicable specific plan for the property.

The project site is zoned I&R (Institutional and Recreational) and has a General Plan Designation of High Density Residential. The Institutional and Recreational (I&R) Zoning District is intended to allow land uses which provide health and public services. The proposed use, which includes supportive and transitional housing would provide health and public service in the community to an at-risk population. Therefore, granting the use permit will not allow a use, density, or intensity which is not in accordance with the General Plan.

ENVIRONMENTAL DETERMINATION:

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, for the permitting and/or minor alteration of Existing Facilities, involving negligible or no expansion of the existing or prior use. This project site contains an existing building that has been used continuously for church activities, including supportive and transitional housing. The application does not propose an increase in floor area or otherwise expand the prior use. The project is consistent with the applicable General Plan land use designation and policies as well as with the applicable zoning designation and regulations. Furthermore, none of the exceptions that bar the application of a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies. Specifically, the project would not result in a cumulative environmental impact; would not have a significant effect on the environment due to unusual circumstances; would not result in damage to scenic resources; is not located on a hazardous site or location; and would not impact any historic resources.

ALTERNATIVES:

Planning Commission alternatives include the following:

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 hearing should be continued to a future meeting to allow a redesign or additional analysis. In the event of significant modifications to the proposal, 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, the Planning Commission must deny the application, provide facts in support of denial, and direct staff to incorporate the findings into a Resolution for denial. If the project is denied, the applicant could not submit substantially the same type of application for six months. However, the project is subject to the Housing Accountability Act (Government Code Section 65589.5), and if the Planning Commission denies or reduces the proposed density of

the proposed housing project, and the development is determined to be consistent with applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, the Planning Commission must make the following written findings:

- The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density; and
- There is no feasible method to satisfactorily mitigate or avoid the adverse impact, other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density. Feasible means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

LEGAL REVIEW:

The draft Resolution has been approved as to form by the City Attorney's Office.

PUBLIC NOTICE:

Pursuant to CMMC Section 13-29(d) 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 and occupants within a 500-foot radius of the project site. The required notice radius is measured from the external boundaries of the property.
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 this report, seven written public comments have been received. Any public comments received prior to the May 13, 2024, Planning Commission meeting will be provided separately.

CONCLUSION:

The proposed transitional housing use will be an ancillary use to the established Lighthouse Church and will not require alterations to the facility. The site hosted the temporary bridge shelter and has historically provided supportive/transitional housing services benefiting the homeless population. The location of the use is in an area which includes commercial, residential, and institutional uses and staff believes it continues to be an appropriate location because it provides an additional housing opportunity in close proximity to commercial goods and services, and employment. The use is

specifically proposed in the Institutional and Recreational (I&R) Zoning District which is intended to allow land uses which provide health and public services. The proposed use, which includes supportive and transitional housing, would, as intended by the CMMC, provide health and public service in the community.

While homelessness has impacted Westside Costa Mesa over the years, the program, which has been operating since 2004, has operated largely without complaint from the surrounding neighborhood. To further reduce any potential impacts on the neighborhood, the Lighthouse Church has removed certain previously operating programs which caused neighbor concerns including their on-site soup kitchen. Staff does not anticipate any negative impacts to the neighborhood from the activities included in this application. Condition of Approvals (COA) No. 9 and No. 12 are recommended to ensure that the use and site remains harmonious with the neighborhood such that the site remains free of litter, and that all personal belongings are stored inside the building. Additionally, COA No. 15 requires that no signage or other indication of the use be installed on property; and COA No. 16 prohibits outdoor camping or sleeping in vehicles on the property. COA No. 18 requires that if any program participant is removed or voluntarily leaves the program, that the church provide transportation free-of-charge from the project site to a rehabilitation program, family residence, or other housing program that has capacity to accept the individual. Lastly, COA No. 19 requires that no walk-up residents be accepted into the program and all residents must go through the referral and application process prior to entering the program.

RESOLUTION NO. PC-2024-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING PLANNING APPLICATION 21-02 FOR A CONDITIONAL USE PERMIT TO ALLOW A TRANSITIONAL HOUSING AND SUPPORT SERVICES USE FOR UP TO 16 MALE INDIVIDUALS AT AN EXISTING CHURCH (1885 ANAHEIM AVENUE)

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA FINDS AND DECLARES AS FOLLOWS:

WHEREAS, Planning Application 21-02 was filed by Phil Eyskens, authorized agent for the property owner, the Church of the Nazarene, requesting approval of the following: Planning Application 21-02 is a request to operate a transitional shelter for a maximum of 16 men at the existing Lighthouse Church. The residents would participate in the Church's transitional program which is a faith-based program that last for approximately one-year. The residents would reside in the existing dorms within the second-floor of the Church.

WHEREAS, a duly noticed public hearing held by the Planning Commission on May 13, 2024 with all persons having the opportunity to speak for and against the proposal;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the project is exempt from the provisions of the California Environmental Quality Act (CEQA) per Section 15301 (Class 1), for Existing Facilities.

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

NOW, THEREFORE, 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 21-02 with respect to the property described above.

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 21-02 and upon applicant's compliance with each and all of the conditions in Exhibit B, and compliance of all applicable federal, state, and local laws. Any approval granted by this resolution shall

be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

BE IT FURTHER RESOLVED that if any section, division, sentence, clause, phrase or portion of this resolution, or the document 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 13th day of May, 2024.

Adam Ereth, Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
COUNTY OF ORANGE)ss
CITY OF COSTA MESA)

I, Scott Drapkin, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution No. PC-2024- __ was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on May 13, 2024 by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Scott Drapkin, Secretary
Costa Mesa Planning Commission

Resolution No. PC-2024-__

EXHIBIT A

FINDINGS

- A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(g)(2), CUP findings, because:

Finding: The proposed use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.

Facts in Support of Findings: The proposed project will be compatible and harmonious with uses that exist within the general neighborhood and would not be materially detrimental to other properties in the area. All residents will be required to comply with program rules and if a resident is removed from the program, they will be provided transportation to other facilities that will assist them. No changes are proposed to the church building and as conditioned, signage for the use is not permitted to be posted. Since the project is conditioned to maintain the site and since the project is not expanding the facility, the project is compatibility with developments in the same general area.

Finding: Granting the conditional use permit will not be materially detrimental to the health, safety, and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.

Facts in Support of Finding: As conditioned, the use will be required to comply with all applicable California Building and Fire Code requirements to ensure the project is not materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.

Finding: Granting the conditional use permit will not allow a use, density, or intensity which is not in accordance with the General Plan designation and any applicable specific plan for the property.

Facts in Support of Finding: The project site is zoned I&R (Institutional and Recreational) and has a General Plan Designation of High Density Residential. The Institutional and Recreational (I&R) Zoning District is intended to allow land uses which provide health and public services. The proposed use, which includes supportive and transitional housing would provide health and public service in the community to an at-risk population. Therefore, granting the use permit will not allow a use, density, or intensity which is not in accordance with the General Plan.

- B. The project is exempt from the provisions of the California Environmental Quality Act under CEQA Guidelines Section 15301 (Class 1) for Existing Facilities. The Class 1 exemption applies to the minor alteration of existing public or private structures involving negligible or no expansion of use.

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

EXHIBIT B

CONDITIONS OF APPROVAL

- Plng.
1. The use shall be limited to the type of operation described in this staff report: transitional housing for a maximum of 16 men. Any change in the operational characteristics including number of participants, living arrangements, or program operations shall be subject to Planning Division review and may require an amendment to the conditional use permit, subject to either Zoning Administrator or Planning Commission approval, depending on the nature of the proposed change. The applicant is reminded that Code allows the Planning Commission to modify or revoke any planning application based on findings related to public nuisance and/or noncompliance with conditions of approval [Title 13, Section 13-29(o)].
 2. The applicant shall defend, with attorneys of City's choosing, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers and employees from any claim, legal action, or proceeding (collectively referred to as "proceeding") brought against the City, its elected and appointed officials, agents, officers or employees arising out of City's approval of the project, including but not limited to any proceeding under the California Environmental 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.
 3. The applicant shall contact the Planning Division to arrange a Planning, Fire Department, and Building Department Inspection of the site within two months of approval. These inspections are to confirm that the conditions of approval, safety, and code requirements have been satisfied.
 4. The operation shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The applicant and/or business owner shall institute whatever security and operational measures that are necessary to comply with this requirement.
 5. The conditional use permit herein approved shall be valid until revoked, but shall expire upon discontinuance of the activity authorized hereby for a period of 180 days or more. The conditional use permit may be referred to the Planning Commission for modification or revocation at any time if the conditions of approval have not been complied with, if the use is being operated in violation of applicable laws or ordinances, or if, in the opinion of the Director of Economic and Development Services or his designee, any of the findings upon which the approval was based are no longer applicable.

6. All resident vehicles brought to the site shall be in good operating condition and be currently registered. All vehicles shall be parked on-site when not in use. Non-operable and/or unregistered vehicles are not permitted to be stored on site.
7. A copy of the conditions of approval for the conditional use permit must be kept on premises and presented to any authorized City official upon request. New business/property owners shall be notified of conditions of approval upon transfer of business or ownership of land.
8. Once the use is legally established, the planning/zoning application herein approved shall be valid until revoked. The Director of Economic & Development Services or designee may refer the planning/zoning application to the Planning Commission for modification or revocation at any time if, in his opinion, any of the following circumstances exist: 1) the use is being operated in violation of the conditions of approval; 2) the use is being operated in violation of applicable laws or ordinances or 3) one or more of the findings upon which the approval was based are no longer applicable.
9. Any graffiti painted or marked upon the premises shall be removed or painted over within 48 hours of being applied.
10. The site shall be maintained and be free of litter.
11. The 10 PM (11PM on Fridays and Saturdays) curfew shall be observed by all participants unless the participants are employed after hours. The operator shall require a written verification from the employers for participants that work past the curfew and the verification shall be included in reports to the City. Once returning to the site after hours, the residents shall keep quiet and observe the curfew as soon as reasonably possible.
12. All personal belongings shall be stored inside the facility and no outdoor storage shall be permitted.
13. A maximum of 16 participants and one supervisor may live in the facility at any one time.
14. All residents must be drug and alcohol free and random drug testing shall occur throughout the year.
15. The exterior of the church shall not change to reflect the transitional housing. No signage or other indication of the service may be installed.
16. No outdoor camping or sleeping in vehicles shall be permitted on the church property.
17. Participants in the program must follow all adopted program rules and are subject to enforcement by the operator and/or removal from the program.
18. Should any program participants be removed or chose to leave the program, transportation shall be provided to a rehabilitation program, a family residence, or other housing program. Program participants shall not be left to find their own transportation.
19. No walk-up residents will be accepted into the program. All residents must go through the referral and application process prior to entering the program.

- 20. Prior to establishing the use, the facility shall be inspected by the Director of Development Services, or their designee, to ensure that the facility complies with all applicable building and safety requirements.
- Trans. 21. Applicant/business operator shall make every reasonable effort to limit queuing and traffic congestion on City streets.
- 22. If the City determines follow up actions are necessary, the applicant shall formulate and implement a plan to address any traffic issues within thirty days notice from City. This can include conducting a comprehensive traffic study and implementing its recommendations to address any unforeseeable circulation, parking, queuing, and other impacts.
- OMP 23. The supportive and transitional housing use shall at all times operate in compliance with applicable Municipal Codes, State Codes and the Operational Management Plan. The Operational Management Plan shall be amended if determined by the City that Plan changes are necessary to comply with the required Conditional Use Permit findings.

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.

- PIng. 1. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections, final occupancy and utility releases will not be granted until all such licenses have been obtained.
- 2. All noise-generating construction activities shall be limited to 7 a.m. to 7 p.m. Monday through Friday and 9 a.m. to 6 p.m. Saturday. Noise-generating construction activities shall be prohibited on Sunday and the following Federal holidays: New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
- 3. Approval of the planning application is valid for two years from the effective date of this approval and will expire at the end of that period unless applicant establishes the use by one of the following actions: 1) a building permit has been issued and construction has commenced, and a valid building permit has been maintained by making satisfactory progress as determined by the Building Official; 2) a certificate of occupancy has been issued; or 3) the use has been established and a business license has been issued. A time extension can be requested no less than 30 days or more than 60 days before the expiration date of the permit and submitted with the appropriate fee for review to the Planning Division. The Director of Economic and Development Services may extend the time for an approved permit or approval to be exercised up to 180 days subject to specific findings listed in Title 13, Section 13-29 (k) (6). Only one request for an extension of 180 days may be approved by

the Director. Any subsequent extension requests shall be considered by the original approval authority.

4. Street address shall be visible from the public street and shall be displayed on the freestanding sign. If there is no freestanding sign, the street address may be displayed 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 twelve (12) inches in height with not less than three-fourth-inch stroke and shall contrast sharply with the background. Identification of individual units shall be provided adjacent to the unit entrances. Letters or numerals shall be four (4) inches in height with not less than one-fourth-inch stroke and shall contrast sharply with the background.
5. Development shall comply with all requirements of Articles 3 and 9, Chapter V, Title 13 of the Costa Mesa Municipal Code relating to commercial development standards.
- Fire. 6. The 16 bed facility shall be maintained as an R-3 Congregate Residence (non-transient) occupancy.
7. The facility shall be limited to 10 beds if the occupants are considered transient at any time.
8. The facility shall comply with the 2019 CFC as adopted and amended by the City of Costa Mesa.
- Bldg. 9. Comply with the requirements of the following adopted codes Code, 2019 California Building Code, 2019 California Electrical code, 2019 California Mechanical code , 2019 California Plumbing code , 2019 California Green Building Standards Code and 2019 California Energy Code (or the applicable adopted, California Building 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. Requirements for accessibility to sites ,facilities, buildings and elements by individuals with disability shall comply with chapter 11B of the 2019 California Building Code.
10. Prior to the Building Div. (AQMD) issuing a demolition permit contact South Coast Air Quality Management District located at: 21865 Copley Dr., Diamond Bar, CA 91765-4178. Tel: 909- 396-2000

Or

Visit their web site:

<http://www.costamesaca.gov/modules/showdocument.aspx?documentid=23381>

The Building Division will not issue a demolition permit until an Identification no.is provided By AQMD



- **RESCUE....** We offer an opportunity to radically change one's life. A place to start again.
- **RESTORE....** Restoration of one's life through faith, stability, discipline, and fellowship.
- **RE-EDUCATE....** Learn and renew one's life goals through Gods word, guidance from management, classes, and opportunity for employment.
- **RELEASE....** Graduation to a stable, faith driven life is our complete goal.

THE LIGHTHOUSE GATEKEEPER'S PROGRAM

1885 Anaheim Avenue,
Costa Mesa, CA 92627
949-548-7161

thelighthousecurch@hotmail.com

OPERATIONAL MANAGEMENT PLAN

1. Gatekeeper Program Overview
2. City Partnerships
3. Gatekeeper Program Marketing
4. Client Intake
5. Program Rules and Guidelines
6. Community Outreach
7. Management
8. Security
9. Program Funding
10. Exhibits

THE LIGHTHOUSE GATEKEEPER'S PROGRAM

THE Lighthouse Gatekeeper's Program for men has its inception in response to the immediate and growing need for men to have a place to start again. The transitional program extends its hand out to men who have lost everything and desire a fundamental and faith-based program that last 9-12 months. The goal is independence after this period, with all essential paperwork and identification restored, as well as insurance and any physical or mental obstacles addressed with ongoing care. All men graduate with birth certificates, CA ID, or CDL, insurance, bank account and employment.

The first 30 days are spent on property serving and restoring a basic routine to one's life. Serving others is extremely important in healing. All men are expected to donate a portion of their day to helping others. Our Mobile Pantry receives 4,000lbs of food per week to serve our community in need. We have two vans that pick up and deliver fresh groceries to the Costa Mesa community in need. The men do all the pick ups and deliveries to disabled, elderly, veterans, and families in motels.

The Outreach Director works closely with the new residents to restore paperwork, get healthcare appointments, deal with legal issues, and set a plan for success in the months to come. During the next 90 days, residents are encouraged to restore relationships with family, and seek employment. Any personal legal issues that were left incomplete because of homelessness are addressed.

Over the next 4-5 months, residents are asked to take more responsibility and accept a leadership position if applicable. Our success rate is almost double the national average with 80% of our graduates employed and housed, married, and moving to the next step in their lives with a strong base in faith and family.

The 9–12-month period is used to attain independence with steady employment, bank account, and purchasing a vehicle when applicable. The bridge to a new life is being attained with family and friends in support.

CITY PARTNERSHIPS

- For over 20 years, The Lighthouse Outreach has been intentional about serving and caring for our Costa Mesa citizens at risk. The service of care and kindness in the form of food, clothing, minor medical assistance, mail, bus passes and referrals to detox and treatment have and continue to be a staple.
- Approximately seven years ago, the city formed an outreach team, the first of its kind, to address the need of our marginalized citizens. A city worker was assigned to the Lighthouse as we were already an established entity in the city. The view of a temporary shelter on The Lighthouse property was introduced and approved which was a tremendous success and now is located at its permanent location. Without this very comfortable and well-known service entity at The Lighthouse, it is unlikely our team of churches, businesses, and city outreach workers would have had the success we see today. The city continues to maintain a satellite office at The Lighthouse to this day. The Lighthouse Outreach continues to partner daily with the city and the Outreach Director is in contact and works weekly with the city outreach team.
- Chrysalis, a wonderful employment opportunity company, was searching for a host location in Costa Mesa. The proposal was discussed with The Lighthouse as a site for this wonderful company. We now have Chrysalis in Costa Mesa because of the partnership with the city and The Lighthouse.
- The Lighthouse Outreach Director has been serving and assisting those afflicted with homelessness for over 20 years. This length of time gives The Outreach a continuity in our community that other cities just do not possess.
- Because our team is focused on collaboration with the city, The Lighthouse Outreach has made our Free Mobile Pantry a point of service to those recently housed by our city workers. Our Gatekeepers organize, pick up, and deliver to those individuals that need full pantries and refrigerators upon moving into a new apartment.
- Annual Vision clinics are hosted by The Lighthouse Outreach for all our citizens to visit and get free exams and glasses. We also work closely with the Costa Mesa Senior Center to insure all in need are informed and included.

PROGRAM MARKETING

- Inspired by their own experience at The Lighthouse, many of our referrals come from the very graduates who were once on the street and in need in Costa Mesa. Our Gatekeeper Program is done by referrals only and we are so proud to have a success rate twice that of the national average.
- Because we are so widely known, but also quietly change the lives we have in our program, The Lighthouse remains a referral only program. There are no walk-up opportunities in order to maintain a quiet environment for our neighborhood.

CLIENT INTAKE

After an individual shows interest, he is interviewed by all four Managers. The rules and guidelines are discussed, and an intake form is completed. A sample is attached.

Each new resident is expected to:

- Provide intake drug test
- Invest 30 days at the Lighthouse prior to independently leaving The Lighthouse to seek work or applying for school. This assists in breaking old habits, completing daily chores, and completing daily curriculum.
- During the 30-day period the Outreach Director collaborates closely with each man to acquire all important personal paperwork, setting weekly goals, along with dealing with any legal issues that have been ignored.



The Lighthouse Gatekeeper's Program Rules

The Lighthouse Gatekeeper's Program is a faith-based program that incorporates spiritual principles and values as its guiding force toward personal growth. The environment in which we create the possibility for this transformation must be kept safe. Program safety is of the utmost priority, meaning that all rules, regulations, and procedures must be enforced and respected. The following rules and regulations are in place for the purpose of creating, maintaining, and providing a safe and spiritually nurturing environment. This will help facilitate an opportunity to experience a fulfilling and lifelong relationship with Jesus Christ.

Rules as follows:

1. **All** program members are subject to a drug test upon acceptance into the program. Random testing will be conducted at the discretion of staff. **Refusal is grounds for dismissal.**
2. **Alcohol/drug use is prohibited.** Testing positive for alcohol or drugs may result in your being asked to **leave the program.** However, you may attend church services. Outreach privileges may be reinstated if you show a willingness, through Jesus, to work on your addictions.
3. **The Lighthouse Church is a nonsmoking facility.** You are **forbidden** to smoke anywhere on the property. If you test positive for smoking, or are seen smoking off-property, your 90-day probation period may be reset. **Further smoking incidents may result in your being asked to leave the program.**
4. **Violence and/or threats of violence** towards another individual may result in your **dismissal from the program.**
5. **Foul/abusive language** may result in **dismissal from the program.**
6. Sleeping areas are subject to random inspections by management. Please keep your area clean and orderly. **No food allowed in bedrooms.**
7. Curfew for program members will be at **10pm, (Sun. thru Thurs.),** and **11pm, (Fri. and Sat.).** **Lights out-10:00pm** [Side door key may be issued to **working** program members]

8. All program members must attend classes, Bible studies, devotions, and church services unless work or illness prevents attendance. Be **on time** and have your **Bible and study sheets** with you. **Completion of assignments is required.**
9. All program members must be in the sanctuary at **8:30^{am}, Sunday**, to greet church members and visitors.
10. All Program members are encouraged to share the word with the people we serve, understanding that addiction and mental illness may interfere at times. Be positive while dealing with people, but do not let them disrespect the church or the program. ***If there are issues you are not sure about, direct them to senior staff.***
11. **You are required to stay on the property for your first 30 Days.** Unless you are with a staff member or a senior program member, you must have special permission from management
12. **All personal electronics will be held in storage for your first 3 days.**
13. **Upon completion** of your ninety days, you will be asked to look for a job (**on a case-by-case basis**). We will assist you in your transition back into the work force. Once you begin to receive a paycheck, we ask that you contribute **\$100.00** a week for maintenance and upkeep of the facility. (**Your tithe to the Lord is separate from your contribution**)
- ❖ *I agree with the above policies and procedures of the Lighthouse Outreach Program. I understand that violation of the above-mentioned policies may be grounds for counseling from the director or pastor and may lead my dismissal from the program.*
- ❖ *I agree to pay my weekly contribution to the program when I begin to receive compensation from outside employment.*

Name: _____

Signature: _____ Date: _____

APPROVAL

Staff: _____

Signature: _____ Date: _____

GUIDELINES

- All new residents are to be in-property for 30 days after entering the Gatekeeper Program. Random drug/alcohol testing is administered and kept in the individual's file.
- All chores need to be completed and all classes/services attended.
- 10pm curfew with no exceptions during this time.

Should there be an issue with sobriety or behavioral issues at any time, the consequences are as follows:

- First offense
 - Three days out
- Second offense
 - Thirty days out
- Third offense
 - We are not the program that is appropriate for this individual. Referrals are offered at this time.

EXITS/DISMISSALS

- We make every effort to offer detox and treatment should there be a drug or alcohol breach.
 - Sober living lists are provided also.
- Behavioral issues that require dismissal are handled similarly, with referrals to other programs, in addition to rooms for rent or other options.
- We also offer to fund a residents' transportation home should he choose to return to family.
- We work closely with the CMBS and follow protocol that they set should there be any question in sobriety or dismissal.

COMMUNITY OUTREACH

Serving the community is a substantial part of what The Lighthouse Outreach does. Providing those in need, homeless, and families in need with a multitude of services keeps our Gatekeeper residents busy serving the very population they were once part of.

SERVICES

- Office services/ Mailing address
- Clothing room for all
- Hygiene kits and blankets
- Showers
- Mobile Food Pantry
 - 4,000lbs of groceries delivered each week by Gatekeepers.

COMMUNITY EVENTS

- Open House
- Thanksgiving turkeys and boxes delivered
- Children's Christmas Party
 - 300 presents given away each year
- July 4th celebration
- Labor Day BBQ
- Weekly Medical Assistance
 - Biola University nursing students provide minor medical and health screenings for all who need it.
 - The nurses also wash everyone's hands and feet and offer neck rubs to our marginalized community.

GRAFFITI CLEAN UP/THE TAG TEAM

Our Gatekeepers provide a service to our community in concert with the Costa Mesa Police Dept. When there are gang related paint signs or graffiti on local businesses, Our Tag Team will come and clean, scrub and paint for local businesses or residences that fall victim to this nuisance. (Pictures are included)

LIGHTHOUSE/GATEKEEPER MANAGEMENT

- Phil Eyskens, Senior Pastor
714-267-1175
theeyskens@aol.com
- Ronnie Steen, Assoc. Pastor
Men's Program Mgr.
949-423-4657
pastorronniesteen@gmail.com
- Linda Miles, Outreach Director
949-677-2773
Lindahmiles@mac.com
- Herman Dinaburg, Assoc. Pastor
Office Administrator
714-267-6764
singerboy123321@yahoo.com

ON SITE MANAGERS

- Herman Dinaburg, 714-267-6764 (daytime)
- Luke Andrews, 951-741-2779 (nighttime)
- Ray Crouse 714-717-3661 (nighttime)

LIGHTHOUSE SECURITY

- Security cameras are at every entrance/exit
- Installed interior cameras in public areas
- All exits are clearly marked
- All inspections are up to date with CMFD
- Emergency lights are in place and motion detector lights in all hallways
- The perimeter is fenced and gated
 - During Public events, the gate on Plummer St. is open during event and closed at conclusion.
 - Manager checks perimeter after events and closes gate.
 - The parking lot has security lights that remain on through the night.
- On-site manager and assistant are in charge through the night.

FUNDING

The Outreach Director is responsible for writing grants, speaking engagements for donations, and communicating with donors who show interest in our cause. Regular donors have been very loyal as well as national grants for assisting in life change.

Disneyland, Hoag family foundation, NCL, and local corporations are a few that support the Gatekeeper Program. Additionally, we have some multiyear grants for continuing education and remodels as needed.

EXHIBITS

THE LIGHTHOUSE GATEKEEPERS



GATEKEEPER DAILY DEVOTION/OPEN TO THE PUBLIC



MOBILE FOOD PANTRY



CITY GRAFFITI/TAGGING CLEAN-UP





County of Orange

Certificate of Recognition

is hereby presented to

Lindah Miles

In recognition of your nomination as

News

On behalf of the County of Orange, it is my privilege to recognize Lindah Miles for her exceptional contribution to the strong, diverse, collection of female stories that contribute to the greater county of Orange. We honor women in leadership who contribute to advancing the rights of women, providing a voice of influence, and achievers who advice our wonderful county to be a welcoming place for all. Celebrating Women Who Tell Stories is the theme for the 36th annual Women's History Month, thank you for sharing yours.

Given this 18th day in March, two thousand and twenty-three


Katrina Foley

*Orange County Supervisor
Fifth District*

Certificate of Recognition

to

Lindah Miles

In honor of your dedication and your unselfish service
helping the less fortunate in the City of Costa Mesa.

Thank you!

Lori Ann Farrell Harrison

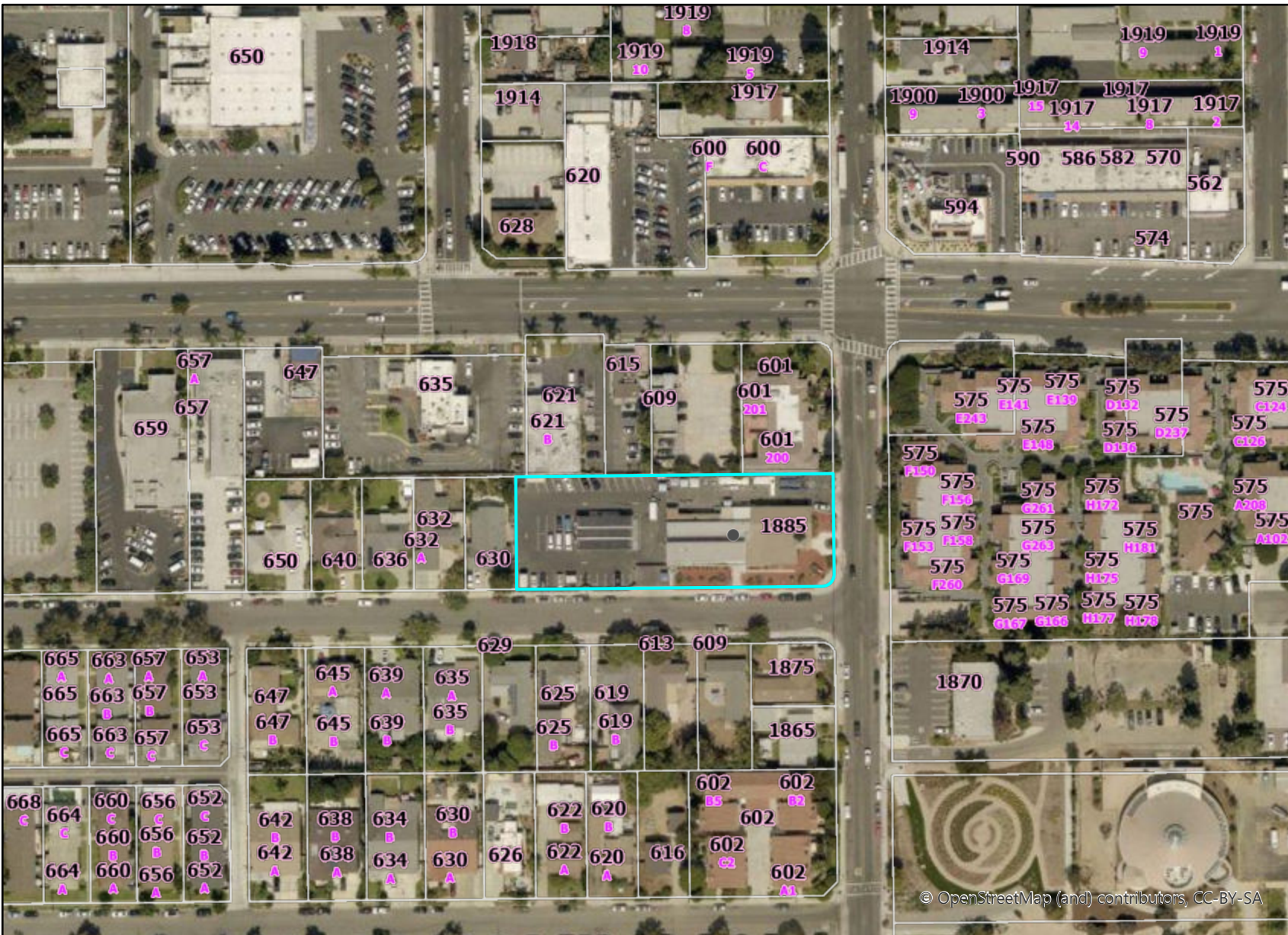
Lori Ann Farrell Harrison, City Manager

November 21, 2019



Legend

-  City Limit
-  Addresses
-  Silver
























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© City of Costa Mesa

Legend

-  City Limit
-  Addresses
-  Silver
- Zoning**
-  AP - Administrative Professional
-  IR-MLT - Institutional Recreational Multi-Use
-  R1 - Single-Family Residential
-  R2-MD - Multiple-Family Residential, Medium Density
-  R2-HD - Multiple-Family Residential, High Density
-  R3 - Multiple Family Residential
-  MG - General Industrial
-  MP - Industrial Park
-  PDI - Planned Development Industrial
-  C1 - Local Business
-  C2 - General Business
-  C1-S - Shopping Center
-  TC - Town Center
-  PDR-NCM - Planned Development Residential - North Costa Mesa
-  I&R - Institutional Recreational
-  I&R-S - Institutional Recreational - School
-  P - Parking
-  CL - Commercial Limited

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The entrance of the Church with the second story dorms in the background.



The entrance of the Church.



Behind the Church facing the parking lot.



The parking lot with Plumer Street at the left.

LIGHTHOUSE CHURCH OF THE NAZARENE

EXISTING CHURCH AND TRANSITIONAL HOUSING

1885 ANAHEIM AVE
COSTA MESA, CA 92627

CONDITIONAL USE PERMIT SUBMITTAL

03/12/2021

SHEET INDEX

C5 COVER SHEET

A1 EXISTING SITE PLAN

A2 EXISTING FLOOR PLANS

A3 EXISTING ROOF PLAN

A4 EXISTING EXTERIOR ELEVATIONS

TOTAL: 5

APPLICANT INFORMATION

OWNER:
THE CHURCH OF THE NAZARENE
1885 ANAHEIM AVENUE
COSTA MESA, CA 92627
CONTACT: Phil Eykens
(949) 548-7161
theeykens@aol.com

ARCHITECT
VISIONEERING STUDIOS ARCHITECTURE
106 W. 4TH ST, SUITE 600
SANTA ANA, CA 92701
CONTACT: CHRISTOPHER FRANCIS (ARCHITECT)
(951) 415-4284
cfrancis@visioneeringstudios.com

REVISIONS/SUBMITTALS

NO.	DATE	COMMENT

LIGHTHOUSE CHURCH OF THE
NAZARENE
1885 ANAHEIM AVE, COSTA MESA, CA 92627

COVER SHEET

DESIGN TEAM

Designed By	VSA
Drawn By	TEAM
Checked By	C. FRANCIS
Approved By	T. TORRES
Project No.	20661
Date	03/12/2021
Project Status CONDITIONAL USE PERMIT	
EXISTING BLDG	
Sheet No. CS	

ATTACHMENT 6



VISIONEERING STUDIOS
Architecture

www.visioneeringstudios.com

106 W. 4th Street, Suite 600
Santa Ana, CA 92701

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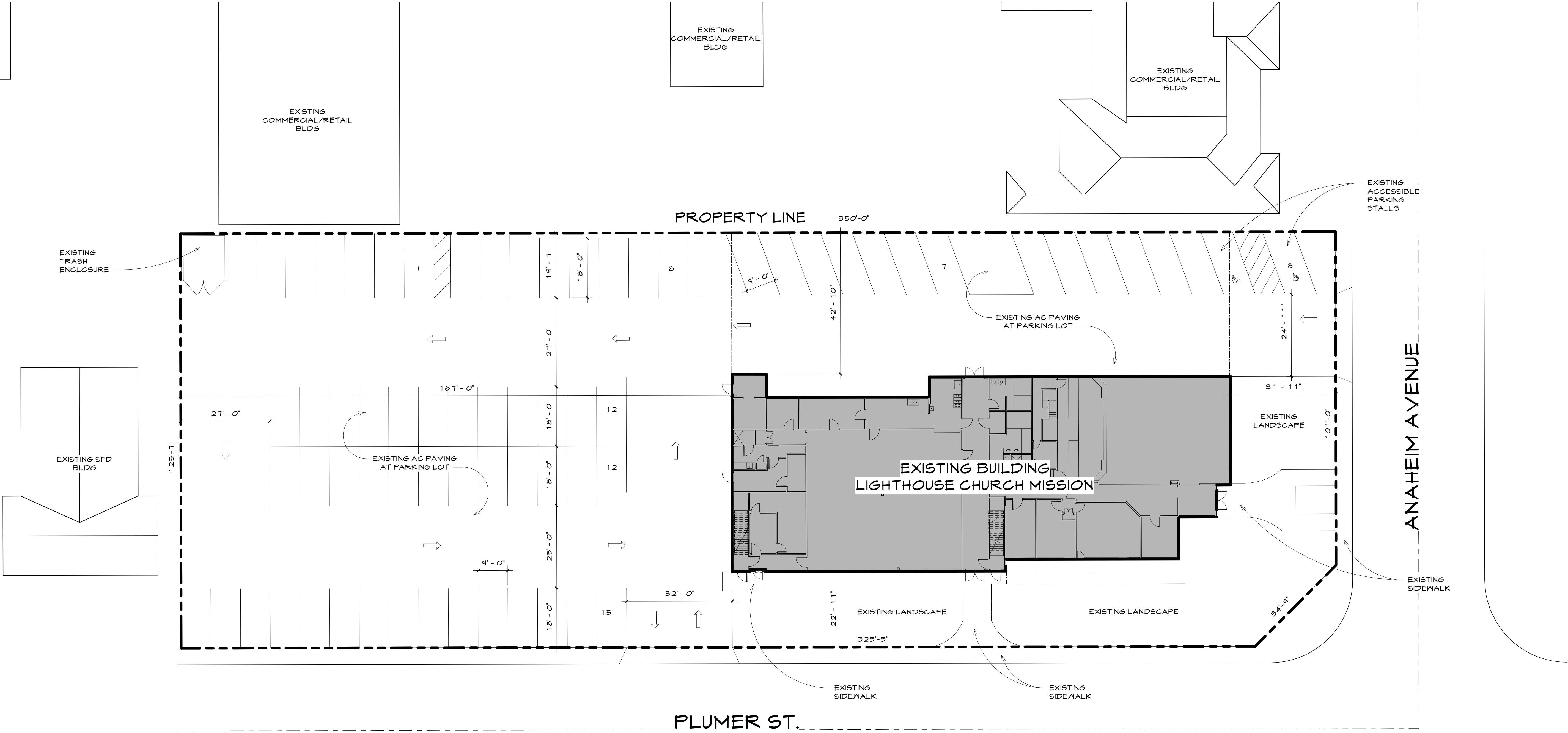
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Seal

Consultant

-1-

275



LEGEND

EXISTING BUILDINGS

PROPERTY LINE

GENERAL SITE INFORMATION

PROJECT ADDRESS: 1885 ANAHEIM AVENUE
COSTA MESA, CA 92627

ZONING: I, R/R3

CURRENT USAGE: CHURCH AND TRANSITIONAL HOUSING

SITE AREA: 43,652 SF

BUILDING FOOTPRINT: 8,122 SF

PERCENT OF SITE COVERAGE: 18.6 %

PARKING

EXISTING PARKING COUNT	
ACCESSIBLE	2 STALLS
STANDARD	67 STALLS
TOTAL	69 STALLS

VICINITY MAP

Seal

Consultant

REVISIONS/SUBMITTALS

NO.	DATE	COMMENT

LIGHTHOUSE CHURCH OF THE NAZARENE

1885 ANAHEIM AVE, COSTA MESA, CA 92627

SITE PLAN - EXISTING

DESIGN TEAM

Designed By	VSA
Drawn By	TEAM
Checked By	C. FRANCIS
Approved By	T. TORRES
Project No.	20661
Date	03/12/2021
Project Status CONDITIONAL USE PERMIT	

Sheet No.

A1

VISIONEERING STUDIOS

Architecture

www.visioneeringstudios.com

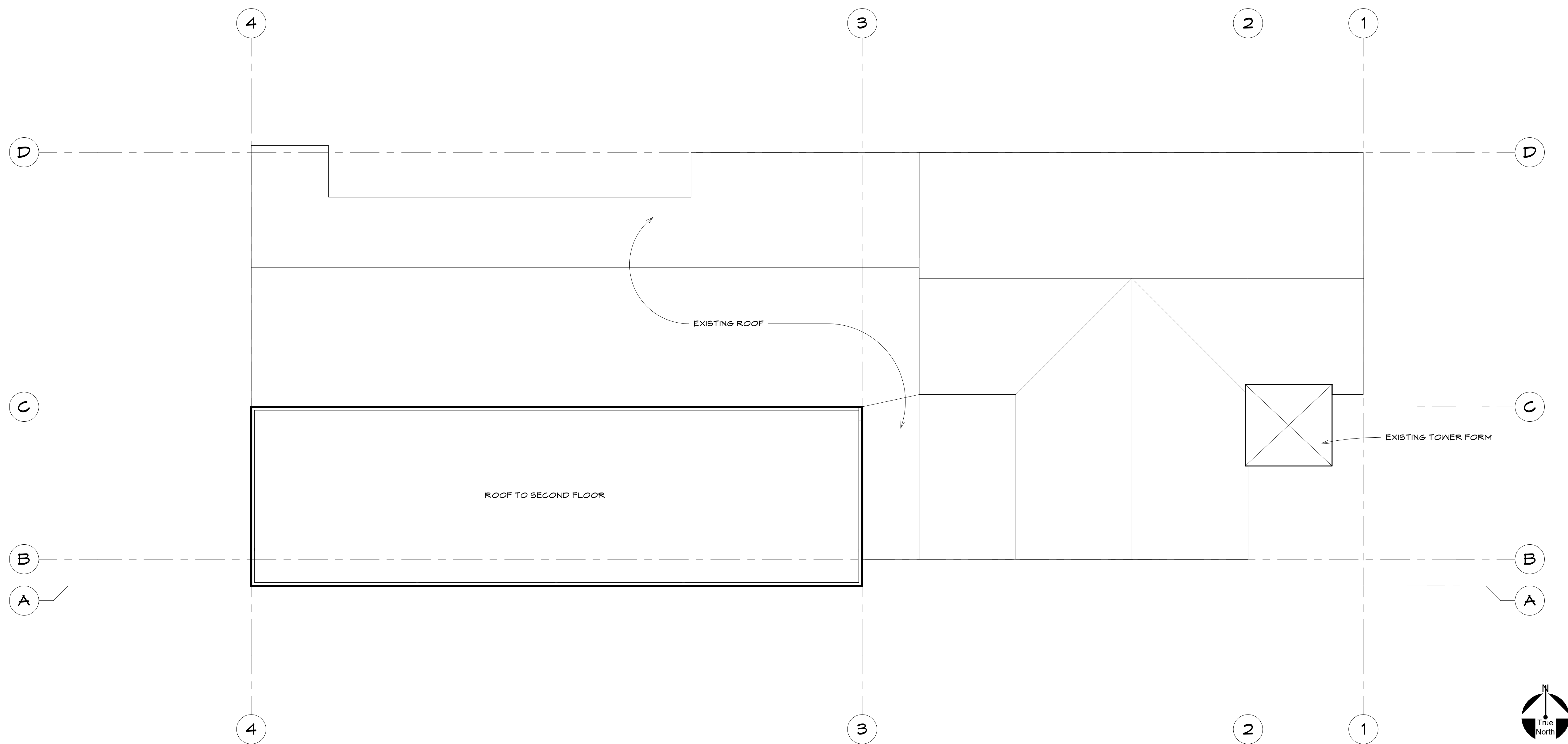
108 W. 4th Street, Suite 800

Santa Ana, CA 92701

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276



EXISTING ROOF PLAN	SCALE	1
	1/8" = 1'-0"	

-4-



LEGEND

[illegible]

**LIGHTHOUSE CHURCH OF THE
NAZARENE**
1885 ANAHEIM AVE, COSTA MESA, CA 92627

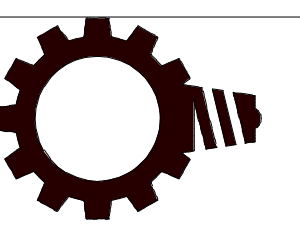
EXISTING ROOF PLAN

DESIGN TEAM	
Designed By	VSA
Drawn By	TEAM
Checked By	C. FRANCIS
Approved By	T. TORRES
Project No.	20661
Date	03/12/2021
<p align="center">Project Status</p> <p align="center">CONDITIONAL USE</p> <p align="center">PERMIT</p>	
EXISTING BLDG	
<p align="center">Sheet No.</p> <p align="center">A3</p>	



GOOGLE EARTH STREET VIEWS

KEY PLAN



VISIONEERING STUDIOS
Architecture

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Seal

Consultant

3/11/2021 11:45:14 AM

REVISIONS/SUBMITTALS

[illegible]

**LIGHTHOUSE CHURCH OF THE
NAZARENE**
1885 ANAHEIM AVE. COSTA MESA, CA 92627

EXISTING EXTERIOR ELEVATIONS

DESIGN TEAM

Designed By	VSA
Drawn By	TEAM
Checked By	C. FRANCIS
Approved By	T. TORRES
Project No.	20661
Date	03/12/2024

Date	03/12/2021
-------------	------------

Project Status
CONDITIONAL USE
PERMIT

EXISTING BLDG

Sheet No.
A4

PARTIDA, ANNA

From: Rudy Dayyat <daystar0744@gmail.com>
Sent: Monday, May 6, 2024 3:13 PM
To: PC Public Comments
Subject: App. # PA-21-02

Several years ago, the city of Costa Mesa and Lighthouse Church of the Nazarene, entered into an agreement, whereby the city would invest \$500,000 in renovating Lighthouse Church and build a homeless shelter near John Wayne airport, in exchange, Lighthouse Church would cease its practice of housing and feeding countless numbers of homeless individuals. Lighthouse also agreed to be a transitional housing and supportive service Church to the homeless until the John Wayne homeless shelter was established. In addition, a private security firm was hired to secure a one mile area around Lighthouse Church.

For 25 months, things hardly improved. When John Wayne homeless shelter did finally open up, Westside Costa Mesa started to improve immensely. No longer did the homeless roam around Westside Costa Mesa, defecating and urinating where ever they pleased. No longer did the homeless trespass on private property to conduct criminal activity. No longer were vehicles being vandalized and broken into. Westside Costa Mesa started becoming a safe place to live and work.

Lighthouse Church was a total failure at being a transitional housing and supportive services agency in the past and will probably be a total failure again. If PA-21-02 is approved, there will be 16 men, of unknown character, roaming around Westside Costa Mesa, conducting business as before.

Please, do not approve PA-21-02. Many of my neighbors at the Vendome Condo. Complex located at 1845 Anaheim Ave. (80 units total), all voters and property tax owners, All oppose passage of PA-21-02.

Please, don't turn Westside Costa Mesa into a slum again.

Thank U for your time.

Sincerely: Rudolph Dayyay. Resident, voter and property owner.

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PARTIDA, ANNA

From: Bonnie Berg <mae.bonnie@gmail.com>
Sent: Tuesday, May 7, 2024 12:18 PM
To: PC Public Comments
Subject: PDES-24-0001 PTPM-24-0001

Hello, I received a notice in the mail for the planning of this project. I am a homeowner on W. Wilson street. We are all for the upgrade and improvements of our neighborhood, however we are concerned about the parking situation. This unit will bring a minimum of 6-8 cars to the street. Will there sufficient designated parking for each unit? There is an apartment complex on our street already with an overflow of cars parking on the street. There is also a multi unit complex exactly like this one proposed currently in progress that will bring a minimum of 6-8 cars...

This is a major concern of ours, as well as other neighbors I've talked to on our street.
Thank you for reading this and considering it.

Best,

--

Bonnie Berg

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PARTIDA, ANNA

From: WILLIAM DINAN <dinanwilliam@gmail.com>
Sent: Tuesday, May 7, 2024 7:39 PM
To: PC Public Comments
Subject: Gatekeepers Program-the Lighthouse, Costa Mesa, CA

The gatekeepers program has been in effect for several years now. This program has a positive effect on the people that are a part of the program. Please consider a permanent commissioning for this program.

Respectfully submitted,

Bill Dinan-Costa Mesa resident.

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PARTIDA, ANNA

From: patty bellaterrawoman.com <patty@bellaterrawoman.com>
Sent: Tuesday, May 7, 2024 9:32 PM
To: PC Public Comments
Subject: Gatekeeper program at the Lighthouse

Hi there, I just wanted to express my appreciation for the Lighthouse Gatekeeper program. It have been very helpful as a catalyst for people wishing to better their lives, becoming more responsible and better citizens of Costa Mesa.

Patty A
Bella Terra Woman
Costa Mesa Resident

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PARTIDA, ANNA

From: Mike <mike1988schuler1@gmail.com>
Sent: Tuesday, May 7, 2024 10:25 PM
To: PC Public Comments
Subject: Lighthouse Church Gatekeeper Program

After being homeless since 2011 in the city of Costa Mesa and struggling with drug addiction and not knowing where I'm gonna sleep from night to night throughout the years sometimes better than others but very difficult most of the time with short periods of sobriety now coming up on 7 months clean and sober with my involvement of N.A and Church attendance here at the lighthouse and going out with Linda Miles and the guys to help feed the homeless and pass out food to those in need I was asked by pastor's of the church and Linda if I would like to come into the gatekeeper program without hesitation I accepted and was the best decision ever change doesn't happen overnight and has afforded me to draw nearer in my relationship with GOD and has everyday. For 5 years I was hooked and addicted to heroin methamphetamine & fentanyl and OD'd I don't know how many times blessed to be alive which is why I'm writing in length 🙏 because of my gratitude to have this opportunity I have a purpose today to live and hopefully I can be a example that change can happen. I lost my mother in 2023 which is another huge motivator on my journey the lighthouse is a great place and serves well in so many ways and functions not only in my life but the community we live in and helps to make it a better place that's for certain. Truly a blessing
Michael Schuler

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PARTIDA, ANNA

From: Mike <mike1988schuler1@gmail.com>
Sent: Tuesday, May 7, 2024 10:38 PM
To: PC Public Comments
Subject: Fwd: Lighthouse Church Gatekeeper Program

After being homeless since 2011 in the city of Costa Mesa and struggling with drug addiction and not knowing where I'm gonna sleep from night to night throughout the years sometimes better than others but very difficult most of the time with short periods of sobriety now coming up on 7 months clean and sober with my involvement of N.A and Church attendance here at the lighthouse and going out with Linda Miles and the guys to help feed the homeless and pass out food to those in need I was asked by pastor's of the church and Linda if I would like to come into the gatekeeper program without hesitation I accepted and was the best decision ever change doesn't happen overnight and has afforded me to draw nearer in my relationship with GOD and has everyday. For 5 years I was hooked and addicted to heroin methamphetamine & fentanyl and OD'd I don't know how many times blessed to be alive which is why I'm writing in length 🙏 because of my gratitude to have this opportunity I have a purpose today to live and hopefully I can be a example that change can happen. I lost my mother in 2023 which is another huge motivator on my journey the lighthouse is a great place and serves well in so many ways and functions not only in my life but the community we live in and helps to make it a better place that's for certain. Truly a blessing
Michael Schuler



_IMG_5415~2.jpg



_20240124_154732.jpg

Before and after my life then my life now

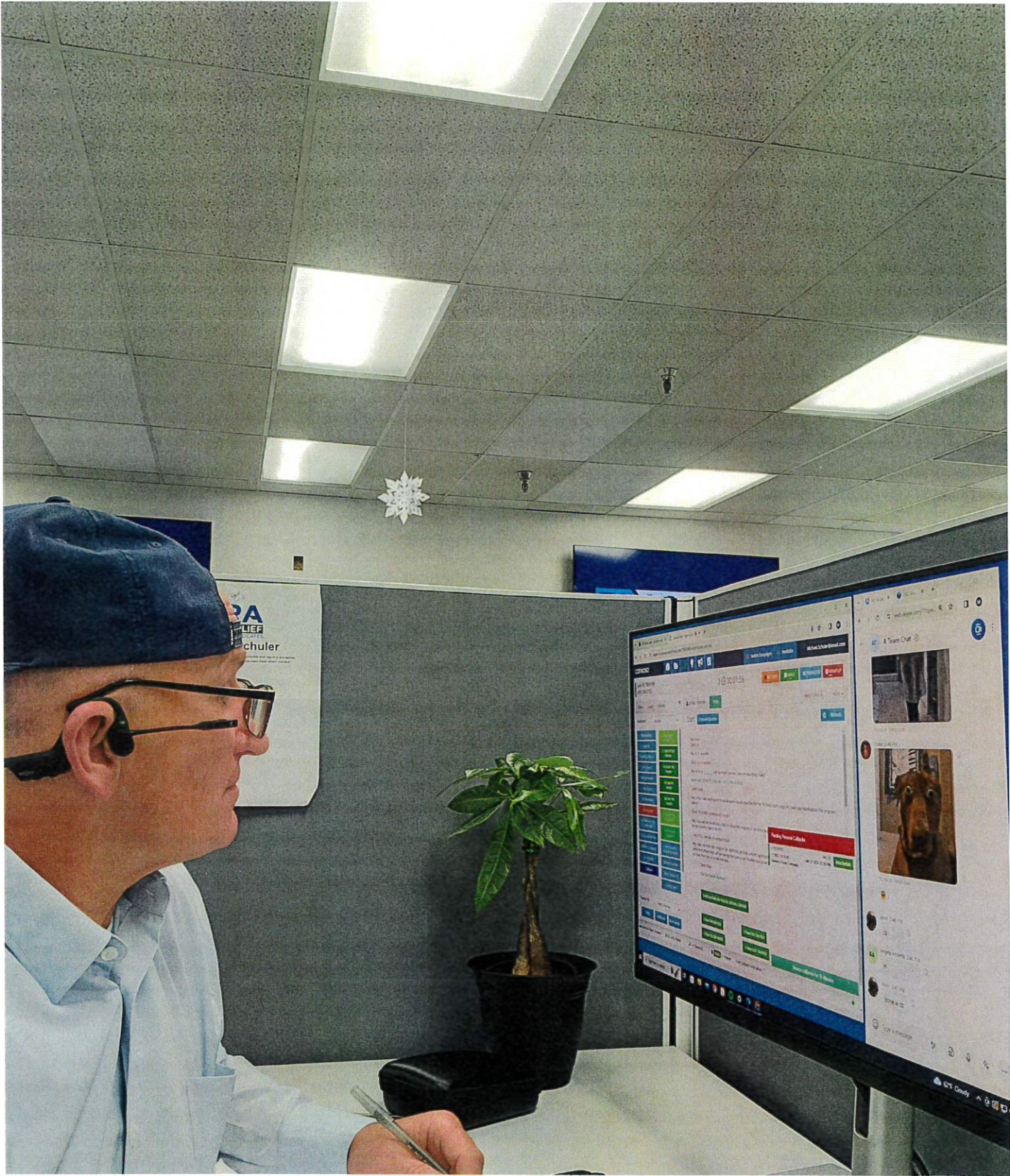
----- Forwarded message -----

From: Mike <mike1988schuler1@gmail.com>
Date: Tue, May 7, 2024, 10:24 PM
Subject: Lighthouse Church Gatekeeper Program
To: <PCPublicComments@costamesaca.gov>

After being homeless since 2011 in the city of Costa Mesa and struggling with drug addiction and not knowing where I'm gonna sleep from night to night throughout the years sometimes better than others but very difficult most of the time with short periods of sobriety now coming up on 7 months clean and sober with my involvement of N.A and Church attendance here at the lighthouse and going out with Linda Miles and the guys to help feed the homeless and pass out food to those in need I was asked by pastor's of the church and Linda if I would like to come into the gatekeeper program without hesitation I accepted and was the best decision ever change doesn't happen overnight and has afforded me to draw nearer in my relationship with GOD and has everyday. For 5 years I was hooked and addicted to heroin methamphetamine & fentanyl and OD'd I don't know how many times blessed to be alive which is why I'm writing in length 🙏 because of my gratitude to have this opportunity I have a purpose today to live and hopefully I can be a example that change can happen. I lost my mother in 2023 which is another huge motivator on my journey the lighthouse is a great place and serves well in so many ways and functions not only in my life but the community we live in and helps to make it a better place that's for certain. Truly a blessing
Michael Schuler

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PARTIDA, ANNA

From: Ian Stevenson <ian@wearetrellis.com>
Sent: Wednesday, May 8, 2024 4:04 PM
To: PC Public Comments
Subject: RE: App # PA-21-02

To Whom It May Concern,

Regarding the Lighthouse Church of the Nazarene's App # PA-21-02, as a 37 year resident and someone that has been intricately involved in working with people on the streets of Costa Mesa. I would like to speak in favor of their application to increase the number of beds to 16. Over the years The Lighthouse has been instrumental in helping hundreds of people experiencing homelessness to take next steps. The program they run, although not for everyone on the street, has proven effective and provides a much needed alternative for people struggling to overcome some traumatic life experiences.

Lighthouse has served the community well for decades now and granting them permission to increase the number of beds will allow them to do so in an even greater way moving forward.

Thank you,

Ian Stevenson
Executive Director
Cell: 949-422-5331

Trellis
711 W 17th St. Ste E5, Costa Mesa CA | 92627
www.wearetrellis.com
Follow us: [Facebook](#) | [Instagram](#)



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PARTIDA, ANNA

From: Norman Moore <norman@normanmoore.org>
Sent: Wednesday, May 8, 2024 4:18 PM
To: PC Public Comments
Subject: PA-21-02. Lighthouse Church

I have been helping the Lighthouse Church of the Nazarene in Costa Mesa since 2005. These dedicated people have provided consistent help for the poor and homeless in the area. Costa Mesa is better off because this church is a part of it. I strongly encourage the approval of this CUP application.

Dr. Norman Moore

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PARTIDA, ANNA

From: drbrussell@aol.com
Sent: Thursday, May 9, 2024 8:50 AM
To: PC Public Comments
Subject: Lighthouse CUP, App # PA-21-02

We have been members of the Lighthouse Church of THE Nazarene for over 5 years and have been very impressed as we see former street dwelling men change through the Outreach program to hard working successful individuals living on their own with adequate food, clothing and shelter. They accomplish this through the well structured Outreach Program where they have to follow strict rules. We have watched them become very successful in their own self worth having big smiles on their face when we approach them. We always greet them with either a hand shake or a big hug and tell them we are so proud of you and they say "thank you". We fully support the CUP as it will provide for the program to effectually improve the life of more individuals, which is good for the individuals involved as well as the City and residents of Costa Mesa.

Dr. Robert L. & Paulette Russell
900 Cedar Pl
Costa Mesa, CA

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PARTIDA, ANNA

From: Russel Carter <cotoruss@gmail.com>
Sent: Thursday, May 9, 2024 12:06 PM
To: PC Public Comments
Subject: Lighthouse CUP

Planning Commission
City of Costa Mesa,

About 15 years ago I became involved and committed to helping the Homeless in Costa Mesa. My original venture was to have a weekly breakfast at The Sandpiper Motel. But very soon after realizing what homelessness was really all about I became deeply committed to helping however I could.

I soon discovered that almost all support for The Homeless somehow involved and included The Lighthouse Church. Their dedication to helping in as many ways as possible was evident to all. One of the main missions of TLC was to provide housing for some of the homeless in their facility.. They do it right and their model should be copied by all the agencies attempting to solve this crisis.

What do they do? My perception is that they provide a simple residence but require the residents who live there to basically EARN their stay by being responsible for whatever tasks are given them and to abide by all the rules established. They are all made aware that their stay at TLC is not permanent but rather a temporary stop as they prepare themselves for a useful and productive life on their own. Over the years I have met almost every resident in some capacity and will attest that IT WORKS!

Another role TLC has filled is to host many organizations and agencies to provide whatever services are needed by the residents.

I never left TLC without feeling the presence of God.

Please help them expand their homeless outreach.

blessings,

Russel Carter

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CITY OF COSTA MESA

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 24-211

Meeting Date: 5/13/2024

TITLE:

REVIEW OF THE ONE YEAR (FY 2024-2025) AND FIVE YEAR (FY 2024-2025 TO FY 2028-2029) CAPITAL IMPROVEMENT PROGRAM FOR CONSISTENCY WITH THE COSTA MESA 2015-2035 GENERAL PLAN

DEPARTMENT: PUBLIC WORKS DEPARTMENT/ENGINEERING

PRESENTED BY: SEUNG YANG P.E., CITY ENGINEER

CONTACT INFORMATION: SEUNG YANG 714.754.5335 seung.yang@costamesaca.gov

RECOMMENDATION:

Staff recommends the Planning Commission adopt a Resolution to:

1. Find that the City's Capital Improvement Program is a fiscal planning and budgeting activity, which allows the City to plan for future specific capital improvement projects and does not commit the City to implement any specific project or project design, and, therefore, is not a "project" per California Environmental Quality Act (CEQA) Guidelines Section 15378; and
2. Approve a resolution finding that the One Year (FY 2024-2025) and Five Year (FY 2028-2029) Capital Improvement Program is consistent with the Costa Mesa 2015-2035 General Plan.



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: MAY 13, 2024

ITEM NUMBER: NB-1

SUBJECT: REVIEW OF THE ONE YEAR (FY 2024-2025) AND FIVE YEAR (FY 2024-2025 TO FY 2028-2029) CAPITAL IMPROVEMENT PROGRAM FOR CONSISTENCY WITH THE COSTA MESA 2015-2035 GENERAL PLAN

FROM: PUBLIC WORKS DEPARTMENT/ENGINEERING

PRESENTATION BY: SEUNG YANG P.E., CITY ENGINEER

**FOR FURTHER
INFORMATION
CONTACT: SEUNG YANG
714.754.5335
seung.yang@costamesaca.gov**

RECOMMENDATION:

Staff recommends the Planning Commission adopt a Resolution to:

1. Find that the City's Capital Improvement Program is a fiscal planning and budgeting activity, which allows the City to plan for future specific capital improvement projects and does not commit the City to implement any specific project or project design, and, therefore, is not a "project" per California Environmental Quality Act (CEQA) Guidelines Section 15378; and
2. Approve a resolution finding that the One Year (FY 2024-2025) and Five Year (FY 2028-2029) Capital Improvement Program is consistent with the Costa Mesa 2015-2035 General Plan.

APPLICANT OR AUTHORIZED AGENT:

The City of Costa Mesa Public Works Department

BACKGROUND:

State Law Requirements

Government Code Section 65103(c) requires that the Planning Commission review the proposed Capital Improvement Program (CIP) portion of the City's annual budget and report on its conformity with the City's adopted General Plan.

Government Code Section 65401 requires analysis of major capital improvement (“public works”) projects recommended for planning, initiation, or construction during the ensuing fiscal year. All of the new projects added to the one-year (FY 2024-25) CIP fall into this category.

Government Code Section 65401 also requires an annual programmatic level review of all major public works projects, whereas Government Code Section 65402 contemplates a project-specific consideration of General Plan conformity of a proposed project's location, purpose and extent. The General Plan conformity analysis provided herein addresses both Government Code sections.

DESCRIPTION:

Government Code Section 65103(c) requires Planning Commission review of the proposed Capital Improvement Program (CIP) portion of the City’s annual budget for conformity with the adopted General Plan. The proposed CIP includes a number of projects to implement various policies, objectives, and programs in the 2015-2035 General Plan. The CIP includes projects related to facilities, parks, parkways and medians, streets, and transportation projects.

ANALYSIS:

The City’s CIP is an important fiscal planning tool for public infrastructure projects. The City’s CIP includes a vision for short and long-range development, maintenance, improvement and building of new infrastructure assets to benefit residents, businesses, property owners and visitors. Although the City’s CIP is updated annually, it also separately includes projects planned over the five-year timeframe and provides an overview of works in progress. The proposed CIP includes a number of projects that implement various policies, objectives, and programs identified in the 2015-2035 General Plan. The list of proposed projects generally fall into five categories: (1) Facilities, (2) Parks, (3) Parkway and Medians, (4) Streets, and (5) Transportation projects. The CIP projects planned for next fiscal year are listed in the attachment to this report – “FY 2024-2025 One-Year Summary of Capital Improvement Projects” (Attachment 2). CIP projects planned for the next five years (FY 2024-25 to FY 2028-29) are also listed in the attachment to this report – “Five-Year Capital Improvement Program” (Attachment 3).

The following paragraphs correlate the proposed project types with applicable General Plan goals, objectives, and policies:

- 1. Facilities:** Projects in this category include any public building or facility maintenance, improvements or reconstruction. Specific projects in this category include improvements to City Hall, the Corporation Yard, Senior Center, Bridge Shelter, Costa Mesa Country Club, police facilities and fire stations. Planned improvements to police and fire and other civic administration facilities implement

Safety Element Policies S-2.10 and S-2.12 to continue to maintain adequate police and fire facilities sufficient to protect the community. In addition, many of the proposed CIP projects include necessary maintenance of “community facilities” pursuant to General Plan Land Use Element Objective LU-5A, which states “ensure availability of adequate community facilities and provision of the highest level of public services possible, taking into consideration budgetary constraints and effects on the surrounding area.”

2. **Parks:** Projects in this category include maintenance, improvements, or new construction at various City park facilities. Projects within this category implement Open Space and Recreation Element Goal OSR-1 relating to providing the community with high-quality open spaces and recreational opportunities through the development of recreation resources; park facilities related projects also implement Open Space Recreation Element Policy OSR-1.11 relating to performing regular maintenance of facilities to ensure proper working order of all recreation facilities and equipment; and improvements that protect natural habitat per Conservation Element Goal CON-1.
3. **Parkways and Medians:** Projects in this category include parkway and median landscape maintenance, curb and gutter installation, median repair or construction, and sidewalk repair or construction. Projects within this category implement Community Design Element Goal CD-1 to strengthen the image of the City as experienced from sidewalks and roadways as well as Objective CD-1A to contribute to City beautification by improving and enhancing the visual environment of Costa Mesa’s vehicular and pedestrian corridors.
4. **Streets:** Projects in this category include alley and street maintenance or repairs (e.g. slurry seal, pavement rehabilitation, etc.) and storm drain or water quality related construction and improvements. The projects within this category implement Safety Element Goal S-1 and more specifically Policy S-1.11, which calls for the improvement and maintenance of local storm drain main lines and infrastructure to reduce flood hazards. Other projects within this category implement Circulation Element Goals C-2 and C-6 to effectively manage and improve the roadway and highway system that includes policies to construct street improvements.
5. **Transportation:** Projects in this category include any transportation-related improvements or maintenance including active transportation projects, traffic signal maintenance and improvements, bicycle facility and pedestrian improvements, intersection improvements, and general traffic related improvements. Projects within this category implement Circulation Element Goals and objectives such as Goals C-1, C-2, and C-6 which encourage a comprehensive transportation system that accommodates all users while maintaining the efficiency of the system, as well as ongoing funding and

evaluation of the City's transportation network. These projects are also consistent with Growth Management Element Goals GM-1A and GM-2A, which encourage the City to provide and maintain a circulation system with acceptable levels of service and ensure coordination of land use and transportation planning policies. Goals C-7 through C-12 relate to enhancing and funding active transportation projects include policies related to improving and maintaining bicycle and pedestrian facilities consistent with the Active Transportation Plan (ATP).

GENERAL PLAN CONFORMANCE:

The Costa Mesa 2015-2035 General Plan establishes the long-range planning and policy direction that guides change and preserves the qualities that define the community. This vision focuses on protecting and enhancing Costa Mesa's diverse residential neighborhoods, accommodating an array of businesses that serve both local needs and attract regional and international spending, and providing cultural, educational, social, and recreational amenities that contribute to the quality of life in the community. Over the long term, General Plan implementation will ensure that development decisions and improvements to public and private infrastructure are consistent with the goals, objectives, and policies contained in this Plan.

The following evaluation does not represent a comprehensive listing of each and every applicable goal and policy but rather references those that are most directly applicable.

- The proposed improvements or reconstruction to buildings and facilities conform to Safety Element Policies S-2.10 and S-2.12 and Open Space, Recreation Element Policy OSR-2.4 and General Plan Land Use Element Objective LU-5A. Proposed improvements to police and fire and other civic administration facilities are consistent with Safety Element Policies S-2.10 and S-2.12, Recreation Element Policy OSR-2.4 and Land Use Element Objective LU-5A as the improvements would allow the City to continue to maintain adequate police, fire, recreation and community facilities to serve the residents, businesses and visitors of Costa Mesa. For example, the City's combined one-year (FY 2024-25) and the five-year (FY 2024-25 to FY 2028-29) CIPs include fourteen (14) projects related to Fire and Police Department facility maintenance and upgrades.
- The proposed improvements, maintenance and development of park facilities conform to Open Space and Recreation Element Policies OSR-1 and OSR-1.11 and Conservation Element Goal CON-1. The proposed improvements to park facilities are consistent with Open Space and Recreation Element Policy OSR-1 because the projects would develop and provide the community with high-quality open spaces and recreational opportunities. The maintenance and improvements to park facilities would also ensure proper working order of all recreation facilities and equipment – consistent with Open Space and Recreation Element Policy OSR-1.11. Improvements proposed in Fairview Park Master Plan Implementation and Fairview

Park Mesa Restoration & Cultural Resource Preservation are specifically consistent with Conservation Element Goal CON-1 to “provide residents with a high-quality environment through the conservation of resources, including land, water, wildlife, and vegetation; and the protection of areas of unique natural beauty.”

- The proposed maintenance and construction projects related to the parkways and medians conform to Community Design Element Policies CD-1 and CD-1A. The proposed parkway and median projects would enhance the image of the City as experienced from sidewalks and roadways, as well as contribute to City beautification by improving the visual environment of Costa Mesa’s vehicular and pedestrian corridors, both of which are consistent with General Plan Policies CD-1 and CD-1A from the Community Design Element. Examples of specific projects included in this category include, but are not limited to, streetscape and landscape improvements on various major corridors in the City such as the Parkway & Medians Improvement Program and the Citywide Street Improvements.
- The proposed street and storm drain improvements, repair and maintenance conform to Safety Element Policy S-1 and S-1.11 and Circulation Element Goal C-2. The programs for street and storm drain projects would minimize injury risk, loss of life, property damage and environmental degradation consistent with Safety Element Policy S-1. The storm drain improvements would also strengthen and maintain the infrastructure in a manner that decreases flood hazards as stated in Safety Element Policy S-1.11. In addition, the street repair projects would allow the City to develop while maintaining an effective and efficient vehicular circulation network, as stated in Circulation Element Goal C-2. Examples of Storm drain projects in the City’s CIP includes, but are not limited to, projects for the Placentia Avenue Stormwater Quality Trash Full-Capture System (1-Year CIP) and the Westside Storm Drain Improvements (5-Year CIP). Street improvement projects in the CIP include, but are not limited to: Harbor Boulevard, 17th Street, and Gisler Avenue Rehabilitation and the Citywide Alley Improvements.
- The transportation-related projects conform to Circulation Element Goal C-1, C-2, C-6, and C-7 through C-12. The transportation-related projects would implement the “complete streets” policies on the City’s roadways including to plan, develop and implement a comprehensive transportation system that serves all users and modes of travel such as bicycling, walking and driving. As such the proposed transportation-related projects would be consistent with Circulation Element Goals C-1, C-2, and C-7. In addition, pursuant to Circulation Element Goals C-6 and C-12, the City continues to monitor and evaluate opportunities to secure funding to enhance the circulation system and implement the Bicycle and Pedestrian Master Plan. Examples of transportation related projects included in the City’s CIP include, but are not limited to, Adams Avenue Bicycle Facility Project from Fairview Road to Harbor Boulevard (1-Year CIP)

and the Costa Mesa Intelligent Transportation Systems (ITS) Improvements (5-Year CIP).

ENVIRONMENTAL DETERMINATION:

The CIP is a fiscal planning and budgeting activity, which allows the City to plan for future specific capital improvement projects. It does not commit the City to implementing any specific project or project design. Therefore, the determination of General Plan conformity for the CIP is not a “project” and is not subject to the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15378. Notwithstanding, specific CIP projects are evaluated for CEQA compliance prior to project approval and implementation. Most are categorically exempt under CEQA Guidelines Sections 15304 (Minor Land Alterations) and 15301 (Existing Facilities) however, certain major projects may require preparation of a project-specific environmental analysis, which is undertaken at the project design phase.

ALTERNATIVES:

The Planning Commission may comment on the projects identified in the one-year (FY 2024-25) and the five-year (FY 2024-25 to FY 2028-29) CIPs as to their conformance with the General Plan.

LEGAL REVIEW:

The draft Resolution and this report have been approved as to form by the City Attorney’s Office.

CONCLUSION:

The proposed projects in the one-year (FY 2024-25) and the five-year (FY 2024-25 to FY 2028-29) CIPs are compliant with the City of Costa Mesa’s 2015-2035 General Plan. As indicated above, each of these projects further the goals, objectives, and policies of the General Plan. As such, staff recommends that the Planning Commission find the proposed one-year (FY 2024-25) and the five-year (FY 2024-25 to FY 2028-29) CIPs summarized above and listed in detail in Attachments 2 and 3, are in conformance with the 2015-2035 General Plan pursuant to Government Code Sections 65401 and 65402.

RESOLUTION NO. PC-2024-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA FINDING THAT THE PROPOSED ONE-YEAR (FY 2024-25) AND FIVE-YEAR (FY 2024-25 TO FY 2028-29) CAPITAL IMPROVEMENT PROGRAMS ARE IN CONFORMANCE WITH THE CITY OF COSTA MESA 2015-2035 GENERAL PLAN

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA FINDS AND DECLARES AS FOLLOWS:

WHEREAS, the City of Costa Mesa's 2015-2035 General Plan was adopted on June 21, 2016 and amended on June 5, 2018 and incorporates the City's Active Transportation Plan;

WHEREAS, Government Code Section 65401 requires analysis of major capital improvement ("public works") projects recommended for planning, initiation, or construction during the ensuing fiscal year;

WHEREAS, Government Code Section 65402 requires project specific consideration of general plan conformity of a proposed project's location, purpose and extent;

WHEREAS, Government Code Section 65103(c) provides, in part, that the Planning Commission must review the proposed Capital Improvement Programs (CIPs) and report upon its conformance with the City's General Plan;

WHEREAS, the proposed one-year (FY 2024-25) and five-year (FY 2024-25 to FY 2028-29) CIPs have been submitted to the Planning Commission for a finding of conformity with the City of Costa Mesa's 2015-2035 General Plan;

WHEREAS, making a General Plan conformance finding for adoption of a CIP is an activity related to fiscal planning and budgeting and is not a "project" per CEQA Guidelines Section 15378;

WHEREAS, the specific projects listed in the CIPs are typically categorically exempt under CEQA Guidelines Sections 15304 (Minor Land Alterations) and 15301 (Existing Facilities). Major projects may require preparation of a project-specific environmental analysis that will be undertaken at the project design phase; and

WHEREAS, the proposed one-year (FY 2024-25) and the five-year (FY 2024-25 to FY 2028-29) CIPs are consistent with the relevant goals, policies, and objectives of the General Plan, especially as they relate to the Elements of the General Plan, including but not limited to the: Circulation Element, Growth Management Element, Safety Element, and Open Space Element, Land Use Element and Recreation Element.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES that making a General Plan conformance finding for adoption of a CIP is an activity related to fiscal planning and budgeting and is not a “project” per the California Environmental Quality Act (CEQA) Guidelines Section 15378.

BE IT FURTHER RESOLVED that the proposed one-year (FY 2024-25) and the five-year (FY 2024-25 to FY 2028-29) Capital Improvement Programs are in conformance with the City of Costa Mesa’s 2015-2035 General Plan.

BE IT FURTHER RESOLVED that if any section, division, sentence, clause, phrase or portion of this resolution, or the document 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 13th day of May, 2024.

Adam Ereth, Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
COUNTY OF ORANGE)ss
CITY OF COSTA MESA)

I, Scott Drapkin, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution No. PC-2024- __ was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on May 13, 2024 by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Scott Drapkin, Secretary
Costa Mesa Planning Commission

Resolution No. PC-2024-__

CAPITAL IMPROVEMENT PROGRAM

Capital Improvement Projects by Funding Source
Proposed Fiscal Year 2024-25

		Gas Tax (HUTA) Fund	CDBG Fund	Park Dev. Fees Fund	Drainage Fund	Traffic Impact Fee Fund	Cannabis Traffic Impact Fees Fund	Gas Tax (RMRA) Fund	Capital Improve. Fund	Measure M2 Regional Fund	Measure M2 Fairshare Fund	Jack Hammett Fund	Lions Park CIP Bond Fund	Grant Fund	Future Bond/ Financing	CMHA James/ 18th St. Property		
No.	Category/Project Title	201	207	208	209	214	240	251	401	415	416	417	418	230/231/232			223	Total
FACILITIES																		
1	Building Modification Projects								\$ 302,000									\$ 302,000
2	City Hall - 5th Floor Air Handler Replacement								\$ 140,000									\$ 140,000
3	City Hall - Breezeway Roof								\$ 245,000									\$ 245,000
4	City Hall - Heater(s) Replacement								\$ 350,000									\$ 350,000
5	City Hall, Communication and Senior Center Generators Replacement														\$ 2,000,000			\$ 2,000,000
6	Civic Center - Painting, Carpet Replacement & Misc. Improvements								\$ 150,000									\$ 150,000
7	Costa Mesa Housing James /18th Street Property Improvements																\$ 140,000	\$ 140,000
8	Facilities Needs and Assessment Study								\$ 300,000									\$ 300,000
9	Fire Station 2 Reconstruction														\$ 10,000,000			\$ 10,000,000
10	Fire Station 4 Living Quarters Reconstruction														\$ 8,000,000			\$ 8,000,000
11	Fire Stations - Minor Projects at Various Fire Stations								\$ 150,000									\$ 150,000
12	Norma Hertzog Community Center - AV System Repair & Upgrades								\$ 55,000									\$ 55,000
13	Norma Hertzog Community Center - Roof Replacement												\$ 334,136					\$ 334,136
14	Police Department - Emergency Communications Facility Improvements								\$ 900,000									\$ 900,000
15	Police Department - Locker Rooms Remodel								\$ 400,000									\$ 400,000
16	Police Department - Sewage Liner Replace. for Comm. & West. Sub Stn.								\$ 260,000									\$ 260,000
17	Police Department - Weather Proofing								\$ 350,000									\$ 350,000
18	Police Department - Westside Sub Station Renovation								\$ 300,000									\$ 300,000
19	Senior Center - Facility Improvements								\$ 250,000									\$ 250,000
20	Senior Center - HVAC Replacement								\$ 725,000									\$ 725,000
21	Senior Center - Roof and Roof Cap Replacement		\$ 350,000															\$ 350,000
TOTAL FACILITIES		\$ -	\$ 350,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,877,000	\$ -	\$ -	\$ -	\$ -	\$ 334,136	\$ -	\$ 20,000,000	\$ 140,000	\$ 25,701,136
PARKS																		
22	Fairview Park - Master Plan Implementation			\$ 75,000														\$ 75,000
23	Jack Hammett Sport Complex - Relevel and Restore Fields 1 and 2											\$ 400,000						\$ 400,000
24	Luke Davis Field Improvements								\$ 45,000									\$ 45,000
25	Park Sidewalk / Accessibility Program								\$ 50,000									\$ 50,000
26	TeWinkle Athletic Fields - Batting Cage Structure & Other Improvements								\$ 325,000									\$ 325,000
27	Various Parks - Playground Repairs and Replacement								\$ 50,000									\$ 50,000
28	Wimbledon Park - Exercise Equipment Replacement								\$ 110,000									\$ 110,000
TOTAL PARKS		\$ -	\$ -	\$ 75,000	\$ -	\$ -	\$ -	\$ -	\$ 580,000	\$ -	\$ -	\$ 400,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,055,000
PARKWAY & MEDIANS																		
29	Parkway & Medians Improvement Program	\$ 75,000							\$ 50,000		\$ 50,000							\$ 175,000
30	South Coast Drive Wall Repairs								\$ 300,000									\$ 300,000
31	Tree Planting and Small Tree Care Program								\$ 150,000									\$ 150,000
32	Westside Restoration Project								\$ 290,000									\$ 290,000
TOTAL PARKWAY & MEDIANS		\$ 75,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 790,000	\$ -	\$ 50,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 915,000
STREETS																		
33	Citywide Alley Improvements	\$ 200,000									\$ 500,000							\$ 700,000
34	Citywide Street Improvements	\$ 1,000,000							\$ 800,000		\$ 3,000,000							\$ 4,800,000
35	Harbor Blvd., 17th St., and Gisler Ave. Rehabilitation Project (RMRA)							\$ 3,500,000										\$ 3,500,000
36	Placentia Ave. Stormwater Quality Trash Full-Capture System				\$ 125,000					\$ 115,000								\$ 240,000
TOTAL STREETS		\$ 1,200,000	\$ -	\$ -	\$ 125,000	\$ -	\$ -	\$ 3,500,000	\$ 800,000	\$ 115,000	\$ 3,500,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 9,240,000
TRANSPORTATION																		
37	Adams Avenue Bicycle Facility Project from Fairview to Harbor					\$ 240,000								\$ 1,760,000				\$ 2,000,000
38	Adams Avenue Undergrounding Project								\$ 1,250,000									\$ 1,250,000

CAPITAL IMPROVEMENT PROGRAM

Capital Improvement Projects by Funding Source
Proposed Fiscal Year 2024-25

No. Category/Project Title		Gas Tax (HUTA) Fund 201	CDBG Fund 207	Park Dev. Fees Fund 208	Drainage Fund 209	Traffic Impact Fee Fund 214	Cannabis Traffic Impact Fees Fund 240	Gas Tax (RMRA) Fund 251	Capital Improve. Fund 401	Measure M2 Regional Fund 415	Measure M2 Fairshare Fund 416	Jack Hammett Fund 417	Lions Park CIP Bond Fund 418	Grant Fund 230/231/232	Future Bond/ Financing	CMHA James/ 18th St. Property 223	Total
TRANSPORTATION (continued)																	
39	Bicycle and Pedestrian Infrastructure Projects					\$ 100,000	\$ 150,000										\$ 250,000
40	Citywide Neighborhood Traffic Improvements								\$ 100,000								\$ 100,000
41	Citywide Traffic Signal Improvements								\$ 100,000								\$ 100,000
42	Clean Mobility Options Program - On-Demand Transit Services													\$ 500,000			\$ 500,000
43	Fairview Road Improvement Project from Fair to Adams								\$ 24,000		\$ 100,000			\$ 176,000			\$ 300,000
44	Fairview Road Improvement Project from Fair to Newport	\$ 430,000				\$ 625,000					\$ 930,000						\$ 1,985,000
45	New Sidewalk / Missing Link Program	\$ 100,000															\$ 100,000
46	Priority Sidewalk Project	\$ 65,000															\$ 65,000
47	Signal Modernization for Systemic Multi-Modal Safety Improvements								\$ 434,010					\$ 3,906,090			\$ 4,340,100
TOTAL TRANSPORTATION		\$ 595,000	\$ -	\$ -	\$ -	\$ 965,000	\$ 150,000	\$ -	\$ 1,908,010	\$ -	\$ 1,030,000	\$ -	\$ -	\$ 6,342,090	\$ -	\$ -	\$ 10,990,100
Total One-Year Capital Improvement Projects		\$ 1,870,000	\$ 350,000	\$ 75,000	\$ 125,000	\$ 965,000	\$ 150,000	\$ 3,500,000	\$ 8,955,010	\$ 115,000	\$ 4,580,000	\$ 400,000	\$ 334,136	\$ 6,342,090	\$ 20,000,000	\$ 140,000	\$ 47,901,236

CAPITAL IMPROVEMENT PROGRAM

Five-Year Capital Improvement Program
From Proposed Fiscal Year 2024-25 Through Fiscal Year 2028-2029

Category/Project Title	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Future	Total
ENERGY & SUSTAINABILITY							
1 City Hall - HVAC Retrofit Project	\$ -	\$ 600,000	\$ 600,000	\$ 600,000	\$ -	\$ -	\$ 1,800,000
2 City Hall - Solar Rooftop / Canopy Project	\$ -	\$ 200,000	\$ 200,000	\$ -	\$ -	\$ -	\$ 400,000
3 Citywide - Costa Mesa Green Business Program	\$ -	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 200,000	\$ 400,000
4 Citywide - Drought Resistant Landscape and Vegetation Replacement	\$ -	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 600,000	\$ 1,400,000
5 Citywide - Energy Efficiency Projects	\$ -	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 300,000	\$ 700,000
6 Fire Stations - Electric Vehicle Solar Charging Stations	\$ -	\$ 150,000	\$ 235,000	\$ -	\$ -	\$ -	\$ 385,000
7 Various Facilities - Electric Vehicle Charging Stations	\$ -	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 750,000
TOTAL ENERGY & SUSTAINABILITY	\$ -	\$ 1,450,000	\$ 1,535,000	\$ 1,100,000	\$ 500,000	\$ 1,250,000	\$ 5,835,000
FACILITIES							
8 Balearic Center - ADA Upgrades (Exterior Restrooms)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 150,000	\$ 150,000
9 Balearic Center - Fire Protection Sprinklers	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 160,000	\$ 160,000
10 Balearic Center - Install New HVAC Unit	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 350,000	\$ 350,000
11 Bridge Shelter - HVAC Automation	\$ -	\$ 165,000	\$ -	\$ -	\$ -	\$ -	\$ 165,000
12 Building Modification Projects	\$ 302,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 1,302,000
13 City Hall - 1st Floor Restroom and ADA Improvements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 750,000	\$ 750,000
14 City Hall - 5th Floor Air Handler Replacement	\$ 140,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 140,000
15 City Hall - 5th Floor Office Remodel	\$ -	\$ 400,000	\$ -	\$ -	\$ -	\$ -	\$ 400,000
16 City Hall - All Doors Lock Replacement and Re-Key	\$ -	\$ -	\$ -	\$ -	\$ 100,000	\$ -	\$ 100,000
17 City Hall - Breezeway Roof	\$ 245,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 245,000
18 City Hall - Curtain and Window Improvements (1 floor per year)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 550,000	\$ 550,000
19 City Hall - Heater(s) Replacement	\$ 350,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 350,000
20 City Hall - Remodel Outdoor Patio Landing	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 225,000	\$ 225,000
21 City Hall - Training Room	\$ -	\$ 150,000	\$ -	\$ -	\$ -	\$ -	\$ 150,000
22 City Hall, Communication and Senior Center Generators Replacement	\$ 2,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,000,000
23 Civic Center - Painting, Carpet Replacement & Misc. Improvements	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 900,000
24 Corp Yard - Construction of Breakroom and Additional Office Spaces	\$ -	\$ 250,000	\$ -	\$ -	\$ -	\$ -	\$ 250,000
25 Corp Yard - Fleet Extend Bay #2 on North Side of Building for Fire Apparatus	\$ -	\$ -	\$ -	\$ 50,000	\$ -	\$ 400,000	\$ 450,000
26 Corp Yard - Fleet Shop Doors	\$ -	\$ -	\$ 300,000	\$ -	\$ -	\$ -	\$ 300,000
27 Corp Yard - Fleet Shop Hoists	\$ -	\$ -	\$ 375,000	\$ -	\$ -	\$ -	\$ 375,000
28 Corp Yard - Fleet Shop Work Station	\$ -	\$ -	\$ 40,000	\$ -	\$ -	\$ -	\$ 40,000
29 Corp Yard - Old Facility Perimeter Concrete Improvements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 150,000	\$ 150,000
30 Costa Mesa Country Club Grounds Improvements	\$ -	\$ 300,000	\$ 300,000	\$ -	\$ -	\$ -	\$ 600,000
31 Costa Mesa Country Club Modernization	\$ -	\$ 300,000	\$ -	\$ -	\$ -	\$ -	\$ 300,000
32 Costa Mesa Housing James /18th Street Property Improvements	\$ 140,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 140,000
33 Downtown Aquatic Center Pool Gutter Grates	\$ -	\$ 100,000	\$ -	\$ -	\$ -	\$ -	\$ 100,000
34 Downtown Recreation Center Lighting Upgrade	\$ -	\$ 180,000	\$ -	\$ -	\$ -	\$ -	\$ 180,000
35 Facilities Needs and Assessment Study	\$ 300,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 300,000
36 Fire Station 2 Reconstruction	\$ 10,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,000,000
37 Fire Station 3 Apparatus Door Replacement	\$ -	\$ 75,000	\$ -	\$ -	\$ -	\$ -	\$ 75,000
38 Fire Station 4 Living Quarters Reconstruction	\$ 8,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 8,000,000
39 Fire Station 6 Repair Perimeter Walls	\$ -	\$ 100,000	\$ -	\$ -	\$ -	\$ -	\$ 100,000
40 Fire Stations - Minor Projects at Various Fire Stations	\$ 150,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ -	\$ 550,000

CAPITAL IMPROVEMENT PROGRAM

Five-Year Capital Improvement Program From Proposed Fiscal Year 2024-25 Through Fiscal Year 2028-2029

Category/Project Title	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Future	Total
FACILITIES (continued)							
41 Mesa Verde Library - ADA Compliance Improvements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 550,000	\$ 550,000
42 Mesa Verde Library - Roof Replacement	\$ -	\$ 250,000	\$ -	\$ -	\$ -	\$ -	\$ 250,000
43 Norma Hertzog Community Center - AV System Repair & Upgrades	\$ 55,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 55,000
44 Norma Hertzog Community Center - Roof Replacement	\$ 334,136	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 334,136
45 Police Department - Emergency Communications Facility Improvements	\$ 900,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 900,000
46 Police Department - Emergency Operations Center Equipment Update	\$ -	\$ 300,000	\$ -	\$ -	\$ -	\$ -	\$ 300,000
47 Police Department - Locker Rooms Remodel	\$ 400,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 400,000
48 Police Department - Main Floor Breakroom Remodel	\$ -	\$ 100,000	\$ -	\$ -	\$ -	\$ -	\$ 100,000
49 Police Department - Property & Evidence Warehouse Remodel	\$ -	\$ 150,000	\$ 600,000	\$ -	\$ -	\$ -	\$ 750,000
50 Police Department - Sewage Liner Replace. for Comm. & West. Sub Str.	\$ 260,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 260,000
51 Police Department - Weather Proofing	\$ 350,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 350,000
52 Police Department - Westside Sub Station Renovation	\$ 300,000	\$ 4,000,000	\$ -	\$ -	\$ -	\$ -	\$ 4,300,000
53 Senior Center - Facility Improvements	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ -	\$ -	\$ 1,000,000
54 Senior Center - HVAC Replacement	\$ 725,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 725,000
55 Senior Center - Painting and Power Wash	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 100,000	\$ 100,000
56 Senior Center - Roof and Roof Cap Replacement	\$ 350,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 350,000
57 Various Facilities - HVAC Replacement Program	\$ -	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 1,000,000	\$ 1,600,000
TOTAL FACILITIES	\$ 25,701,136	\$ 7,670,000	\$ 2,465,000	\$ 900,000	\$ 700,000	\$ 4,735,000	\$ 42,171,136
PARKS							
58 Balearic Community Center - Tot Lot Playground Improvements	\$ -	\$ 200,000	\$ -	\$ -	\$ -	\$ -	\$ 200,000
59 Balearic Community Center - Asphalt Surfacing	\$ -	\$ 250,000	\$ -	\$ -	\$ -	\$ -	\$ 250,000
60 Bark Park Renovation	\$ -	\$ -	\$ -	\$ 470,000	\$ -	\$ -	\$ 470,000
61 Butterfly Gardens	\$ -	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ -	\$ 200,000
62 Davis School Field & Lighting - Design & Construction	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,500,000	\$ 4,500,000
63 Del Mesa Park - Replace Existing Playground Equipment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 150,000	\$ 150,000
64 Del Mesa Park - Replace Walkway Lights	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 45,000	\$ 45,000
65 Fairview Park - Asphalt Trail Rehabilitation	\$ -	\$ 200,000	\$ -	\$ -	\$ -	\$ -	\$ 200,000
66 Fairview Park - Educational Hubs and Signage	\$ -	\$ 88,000	\$ -	\$ -	\$ -	\$ -	\$ 88,000
67 Fairview Park - Fencing, Signage, and Trail Restoration	\$ -	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000	\$ 375,000
68 Fairview Park - Master Plan Implementation	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000	\$ -	\$ 375,000
69 Fairview Park - Mesa Restoration & Cultural Resource Preservation CA-ORA-58	\$ -	\$ -	\$ 3,000,000	\$ -	\$ -	\$ 5,000,000	\$ 8,000,000
70 Gisler Park - Light Poles Replacement	\$ -	\$ 95,000	\$ -	\$ -	\$ -	\$ -	\$ 95,000
71 Harper Park - Playground Replacement	\$ -	\$ 200,000	\$ -	\$ -	\$ -	\$ -	\$ 200,000
72 Heller Park - Replace Existing Restroom	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 600,000	\$ 600,000
73 Jack Hammett Sport Complex - Relevel and Restore Fields 1 and 2	\$ 400,000	\$ 400,000	\$ -	\$ -	\$ -	\$ -	\$ 800,000
74 Kaiser Lighting and Turf	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 8,600,000	\$ 8,600,000
75 Lions Park - Open Space Improvements	\$ -	\$ 50,000	\$ 300,000	\$ 300,000	\$ -	\$ -	\$ 650,000
76 Luke Davis Field Improvements	\$ 45,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 45,000
77 Marina View Park - Playground Replacement	\$ -	\$ 200,000	\$ -	\$ -	\$ -	\$ -	\$ 200,000
78 Moon Park - Replace Existing Playground Equipment (2 areas)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 175,000	\$ 175,000
79 Park Security Lighting Replacement Program	\$ -	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 500,000	\$ 900,000
80 Park Sidewalk / Accessibility Program	\$ 50,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 50,000

CAPITAL IMPROVEMENT PROGRAM

Five-Year Capital Improvement Program From Proposed Fiscal Year 2024-25 Through Fiscal Year 2028-2029

Category/Project Title	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Future	Total
PARKS (continued)							
81 Parsons - Lighting and Turf	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,500,000	\$ 5,500,000
82 Shalimar Park Improvements	\$ -	\$ -	\$ 350,000	\$ 3,500,000	\$ -	\$ -	\$ 3,850,000
83 Shiffer Park - Replace Existing Playground Equipment (2 Areas)	\$ -	\$ -	\$ 175,000	\$ -	\$ -	\$ -	\$ 175,000
84 Shiffer Park - Restroom Improvements	\$ -	\$ -	\$ 75,000	\$ -	\$ -	\$ -	\$ 75,000
85 Smallwood Park - Improvements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,500,000	\$ 1,500,000
86 TeWinkle Athletic Fields - Batting Cage Structure & Other Improvements	\$ 325,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 325,000
87 TeWinkle Park - Amphitheater	\$ -	\$ -	\$ 200,000	\$ -	\$ -	\$ -	\$ 200,000
88 TeWinkle Park - Drainage Swale - North Boundary	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 400,000	\$ 400,000
89 TeWinkle Park - Landscape Buffer North Boundary	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 300,000	\$ 300,000
90 TeWinkle Park - Landscape Median Improvements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 275,000	\$ 275,000
91 TeWinkle Park - Security Lighting Project	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 275,000	\$ 275,000
92 Various Parks - Parking Lot Rehabilitation	\$ -	\$ 50,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 450,000
93 Various Parks - Playground Repairs and Replacement	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 300,000
94 Various Parks - Rainbird Irrigation Controller Replacement	\$ -	\$ 100,000	\$ -	\$ -	\$ -	\$ -	\$ 100,000
95 Victoria Corridor Park Development	\$ -	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 1,500,000
96 Vista Park - Picnic Shelter	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 165,000	\$ 165,000
97 Wakeham Park - Playground and Planter Improvements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 190,000	\$ 190,000
98 Westside Park Development	\$ -	\$ 3,000,000	\$ 3,350,000	\$ 2,350,000	\$ 2,000,000	\$ 2,000,000	\$ 12,700,000
99 Westside Skate Park	\$ -	\$ -	\$ -	\$ 100,000	\$ 500,000	\$ -	\$ 600,000
100 Wilson Park - Replace Existing Restroom w/Pre-Fabricated	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 200,000	\$ 200,000
101 Wimbledon Park - Exercise Equipment Replacement	\$ 110,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 110,000
TOTAL PARKS	\$ 1,055,000	\$ 5,483,000	\$ 8,200,000	\$ 7,470,000	\$ 3,250,000	\$ 30,900,000	\$ 56,358,000
PARKWAY & MEDIANS							
102 Arlington Dr. at Newport Blvd. - Streetscape Improvements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 180,000	\$ 180,000
103 Arlington Drive - Bark Park Parking Lot Landscape Improvements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 150,000	\$ 150,000
104 Citywide Neighborhood Entry Improvements	\$ -	\$ 300,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 1,100,000
105 Fairview Road - Median Landscape Rehabilitation	\$ -	\$ 10,000	\$ 100,000	\$ -	\$ -	\$ -	\$ 110,000
106 Gisler Avenue - Bike Trail Landscape	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 165,000	\$ 165,000
107 Gisler Avenue - Landscape Improvements	\$ -	\$ -	\$ 350,000	\$ -	\$ -	\$ -	\$ 350,000
108 Newport Boulevard Landscape Improvements - 19th St. to Bristol St.	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,100,000	\$ 1,100,000
109 Newport Boulevard Landscape Improvements - S/O 17th Street	\$ -	\$ 25,000	\$ 250,000	\$ -	\$ -	\$ -	\$ 275,000
110 Parkway & Medians Improvement Program	\$ 175,000	\$ 175,000	\$ 175,000	\$ 175,000	\$ 175,000	\$ 175,000	\$ 1,050,000
111 South Coast Drive Wall Repairs	\$ 300,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 300,000
112 Tree Planting and Small Tree Care Program	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 900,000
113 Westside Restoration Project	\$ 290,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 1,540,000
TOTAL PARKWAY & MEDIANS	\$ 915,000	\$ 910,000	\$ 1,475,000	\$ 775,000	\$ 775,000	\$ 2,370,000	\$ 7,220,000
STREETS							
114 Brentwood Avenue - Storm Drain System	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 793,040	\$ 793,040
115 Cherry Lake Storm Drain System - Phase I, II & III	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,721,600	\$ 2,721,600
116 Cherry Lake Storm Drain System - Phase IV & V	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,009,360	\$ 2,009,360

CAPITAL IMPROVEMENT PROGRAM

Five-Year Capital Improvement Program From Proposed Fiscal Year 2024-25 Through Fiscal Year 2028-2029

Category/Project Title	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Future	Total
STREETS (continued)							
117 Citywide Alley Improvements	\$ 700,000	\$ 500,000	\$ -	\$ -	\$ -	\$ -	\$ 1,200,000
118 Citywide Storm Drain Improvements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 15,000,000	\$ 15,000,000
119 Citywide Street Improvements	\$ 4,800,000	\$ 6,500,000	\$ 7,000,000	\$ 7,000,000	\$ 7,500,000	\$ 8,000,000	\$ 40,800,000
120 Harbor Blvd., 17th St., and Gisler Ave. Rehabilitation Project (RMRA)	\$ 3,500,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,500,000
121 Placentia Ave. Stormwater Quality Trash Full-Capture System	\$ 240,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 240,000
122 Water Quality Improvement Project	\$ -	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 500,000
123 Westside Storm Drain Improvements	\$ -	\$ 1,500,000	\$ 1,600,000	\$ 1,600,000	\$ 1,700,000	\$ 1,700,000	\$ 8,100,000
TOTAL STREETS	\$ 9,240,000	\$ 8,600,000	\$ 8,700,000	\$ 8,700,000	\$ 9,300,000	\$ 30,324,000	\$ 74,864,000
TRANSPORTATION							
124 Adams Avenue Active Transportation (ATP) Improvements (Royal Palm to Santa Ana River)	\$ -	\$ -	\$ 5,900,000	\$ -	\$ -	\$ -	\$ 5,900,000
125 Adams Avenue Bicycle Facility Project from Fairview to Harbor	\$ 2,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,000,000
126 Adams Avenue Undergrounding Project	\$ 1,250,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,250,000
127 Airport Channel / Delhi Channel Multi-Use Trail	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,540,000	\$ 2,540,000
128 Baker - Coolidge Ave Traffic Signal Modifications	\$ -	\$ 90,000	\$ -	\$ -	\$ -	\$ -	\$ 90,000
129 Bicycle and Pedestrian Infrastructure Projects	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 1,500,000
130 Bristol St. / Baker St. - Intersection Improvement (Add EBT, WBT)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 962,500	\$ 962,500
131 Bristol St. / I-405 NB - Ramps (Add WBR)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 90,000	\$ 90,000
132 Bristol St. / Paularino Ave. (Add 2nd WBL)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 300,210	\$ 300,210
133 Bristol St. / Sunflower Ave. - Intersection Improvement (Add 3rd NBL)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,130,000	\$ 1,130,000
134 Bristol Street (Bear St. to Santa Ana Av.) - Bicycle Facility	\$ -	\$ -	\$ 75,000	\$ 450,000	\$ -	\$ -	\$ 525,000
135 Citywide Bicycle Rack Improvements	\$ -	\$ 50,000	\$ 50,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 175,000
136 Citywide Class II, III and IV Bicycle Projects	\$ -	\$ 100,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 100,000	\$ 800,000
137 Citywide Neighborhood Traffic Improvements	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 600,000
138 Citywide Traffic Signal Improvements	\$ 100,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 100,000
139 Clean Mobility Options Program - On-Demand Transit Services	\$ 500,000	\$ 500,000	\$ 500,000	\$ -	\$ -	\$ -	\$ 1,500,000
140 Costa Mesa ITS Improvements (Communications, Central Sys. CCTV)	\$ -	\$ -	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 1,000,000
141 E. 17th St. / Irvine Ave. - Intersection Improvement (Add SBR, EBR)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 800,000	\$ 800,000
142 Eastside Traffic Calming (Cabrillo St., 18th St., 22nd St.)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,200,000	\$ 2,200,000
143 Fairview Channel Trail - Placentia Ave (n/o park) to Placentia Ave (s/o park)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,080,000	\$ 1,080,000
144 Fairview Road Improvement Project from Fair to Adams	\$ 300,000	\$ 1,999,000	\$ -	\$ -	\$ -	\$ -	\$ 2,299,000
145 Fairview Road Improvement Project from Fair to Newport	\$ 1,985,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,985,000
146 Fairview Road. / Wilson St. - Improvements (Add EBT, WBT)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,525,000	\$ 1,525,000
147 Gisler Ave Class IV Cycle Tracks from Gibraltar Ave to Harbor Blvd	\$ -	\$ -	\$ 200,000	\$ -	\$ -	\$ -	\$ 200,000
148 Gisler Ave Multi-use Trail from Gisler Ave Class II facility to Fairview Rd	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 400,000	\$ 400,000
149 Greenville-Banning Channel Phase 1 (Sunflower Ave to South Coast Drive)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 870,000	\$ 870,000
150 Greenville-Banning Channel Phase 2 (Santa Ana River Trail to South Coast Dr.)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,280,000	\$ 3,280,000
151 Harbor Blvd. / Adams Ave. - Intersection Improvements (Add NBL, NBR)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6,000,000	\$ 6,000,000
152 Harbor Blvd. / Gisler Ave. - Intersection Improvements (Add SBR)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,895,000	\$ 4,895,000
153 Harbor Blvd. / MacArthur - Bus Turnout	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 396,000	\$ 396,000

CAPITAL IMPROVEMENT PROGRAM

Five-Year Capital Improvement Program From Proposed Fiscal Year 2024-25 Through Fiscal Year 2028-2029

Category/Project Title	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Future	Total
TRANSPORTATION (continued)							
154 Harbor Blvd. / South Coast Dr. - Intersection Improvement (Add EBR)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,167,200	\$ 2,167,200
155 Harbor Blvd. / Sunflower Ave. - Intersection Improvement (Add EBR, WBR)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 920,000	\$ 920,000
156 Hyland Ave. / I-405 NB Ramp & South Coast Drive (Add 2nd WBT)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 863,000	\$ 863,000
157 Mesa Del Mar Multi-Modal Access and Circulation Improvements	\$ -	\$ 500,000	\$ 250,000	\$ -	\$ -	\$ -	\$ 750,000
158 Mesa Drive and Santa Ana Ave Bicycle Facility Improvement	\$ -	\$ -	\$ 1,200,000	\$ -	\$ -	\$ -	\$ 1,200,000
159 Mesa Verde Drive East/ Peterson Place Class II Bicycle Facility	\$ -	\$ 225,000	\$ -	\$ -	\$ -	\$ -	\$ 225,000
160 New Sidewalk / Missing Link Program	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 600,000
161 Newport Blvd. / 17th St. (Add NBR)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 500,000	\$ 500,000
162 Newport Blvd. Northbound at Del Mar (Add WBTR)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 132,000	\$ 132,000
163 Newport Blvd. Northbound/22nd St. (Add WBTR, convert NBT to NBTR)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 15,000	\$ 15,000
164 Newport Blvd. Southbound at Fair Dr. (Add 2nd SBR)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 800,000	\$ 800,000
165 Orange Coast College West Bicycle Trail	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 760,000	\$ 760,000
166 Paularino Channel - Multipurpose Trail	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,500,000	\$ 4,500,000
167 Placentia Av. / 19th St. (Add SBR)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 386,000	\$ 386,000
168 Placentia Av. / 20th St. HAWK Signal	\$ -	\$ -	\$ 175,000	\$ -	\$ -	\$ -	\$ 175,000
169 Placentia Ave Multi-Use Path from Joann Trail to Estancia High School	\$ -	\$ -	\$ 200,000	\$ -	\$ -	\$ -	\$ 200,000
170 Priority Sidewalk Project	\$ 65,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 565,000
171 Santa Ana / Delhi Channel Multi-Use Trail from Santa Ana Ave to east City boundary	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 540,000	\$ 540,000
172 Signal Modernization for Systemic Multi-Modal Safety Improvements	\$ 4,340,100	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,340,100
173 Signal System Upgrade - Paularino, Fair, Wilson, Anton	\$ -	\$ -	\$ 300,000	\$ 300,000	\$ 300,000	\$ -	\$ 900,000
174 SR-55 Frwy. N/B / Baker St. - Intersection Improvement (Add NBL, EBL)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,370,000	\$ 1,370,000
175 SR-55 Frwy. N/B / Paularino Ave. - Intersection Improvement (Add WBR)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 642,750	\$ 642,750
176 SR-55 Frwy. S/B / Baker St. - Intersection Improvement (Add SBR)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 625,350	\$ 625,350
177 SR-55 Frwy. S/B / Paularino Ave. - Intersection Improvement (Add SBR)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 413,730	\$ 413,730
178 Superior Av. / 17th St. (Convert WBT to WBTL, NBR)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 700,000	\$ 700,000
179 Susan Street Multi-Use Path from I-405 to South Coast Drive	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 420,000	\$ 420,000
180 Vanguard Way / Santa Isabel Ave. (Fair Dr. to Irvine Av.) - Bicycle Facility	\$ -	\$ -	\$ 60,000	\$ -	\$ -	\$ -	\$ 60,000
181 West 17th St. Widening - (Newport Boulevard to Placentia Avenue)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,200,000	\$ 1,200,000
182 Wilson Street (Fairview Rd. to Santa Ana Av.) - Bicycle Facility	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 200,000	\$ 200,000
183 Wilson Street Widening - from College Ave. to Fairview Rd.	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 20,000,000	\$ 20,000,000
TOTAL TRANSPORTATION	\$ 10,990,100	\$ 4,014,000	\$ 9,910,000	\$ 1,775,000	\$ 1,325,000	\$ 64,548,740	\$ 92,562,840
Total Five-Year Capital Improvement Projects	\$ 47,901,236	\$ 28,127,000	\$ 32,285,000	\$ 20,720,000	\$ 15,850,000	\$ 134,127,740	\$ 279,010,976