



DATE: May 17, 2006

TO: Honorable Mayor and Members of the City Council

FROM: Community Development Department/Planning Division

SUBJECT: **CONSIDERATION OF AN APPEAL TO TENTATIVE MAP (T-1-05), DEVELOPMENT PLAN (D-1-05), CONDITIONAL USE PERMIT (C-48-05) AND VARIANCE (V-13-05) FOR THE CONSTRUCTION OF A 17-UNIT CONDOMINIUM COMPLEX AND THREE SINGLE-FAMILY RESIDENCES LOCATED AT THE NORTHWEST CORNER OF CROUCH STREET AND CANYON DRIVE – VENTANA – APPLICANT: MICHAEL CREWS COMMERCIAL DEVELOPMENT; APPELLANT: MICHAEL CREWS COMMERCIAL DEVELOPMENT**

SYNOPSIS

The item under consideration is a resolution granting the appeal of the Planning Commission's decision denying development of a 17-unit multifamily condominium and three single-family residences on a 1.71-acre site on the northwest corner of the intersection of Crouch Street and Canyon Drive within the Loma Alta Neighborhood. The appeal has been filed by the project applicant, Michael Crews Commercial Development. Staff is recommending that the City Council grant the appeal and reverse the Planning Commission's decision, approve the project and adopt the resolution as attached.

BACKGROUND

The Planning Commission public hearing and deliberations on the proposed subdivision were held on March 13, 2006. The Commission denied the project on a 5-to-1 vote. Anthony J. Frost has appealed the project to the City Council for further review on behalf of Michael Crews Commercial Development. Attached to the report is the appeal letter filed by Michael Crews Commercial Development, which outlines the specific issues/concerns.

Project Description: The project application consists of a Tentative Map, Development Plan, Conditional Use Permit and Variance. Each discretionary request is described as follows:

Tentative Map and Development Plan: The project proposes a 17-unit multifamily condominium complex and three single-family residences on a 1.71-acre site.

The 17-unit townhome portion of the project is arranged in four buildings consisting of two duplexes, one four-plex and one nine-plex. Seven unit types are proposed, ranging in size from 1,563 square feet to 1,843 square feet. All of the units are two story with basement and include 2-3 bedrooms, 2.5 bathrooms and a 2-car basement garage. The applicant proposes use of brown concrete tile roofs and stucco-finish wall exteriors.

The two-story single-family residential units are situated along Crouch Street and range in size from 2,493 to 2,773 square feet. The three lots range in size from 6,002 square feet to 8,220 square feet with an average lot size of approximately 7,100 square feet. The proposed architectural design features brown concrete tile roofs and stucco-finish wall exteriors complementary with those of the multiplex townhome structures.

Vehicle access for the townhomes will be provided by a single driveway on Canyon Drive. The single-family units will be served by three separate driveways on Crouch Street. Five guest parking spaces are provided on-site, four of which are located on the southeastern portion of the subject property. A single guest parking space (parking space No. 5) is located adjacent to Unit No. 17.

Listed below is the project breakdown for the townhome product type (see floor plans and elevations for specific details):

Plan Type	Sq.Ft.	Bedrms.	Baths	Garage	Units
Plan A	1,737	2	2.5	2-car	2
Plan Ai	1,563	2	2.5	2-car	4
Plan Aii	1,843	2	2.5	2-car	2
Plan B	1,839	3	2.5	2-car	2
Plan C	1,734	2	2.5	2-car	1
Plan D	1,740	2	2.5	2-car	5
Plan E	1,764	2	2.5	2-car	1

Listed below is the project breakdown for the single-family unit product type (see floor plans and elevations for specific details):

Plan Type	Sq.Ft.	Bedrms.	Baths	Garage	Units	%
Plan 1	2,493	4	3.5	2-car	1	33
Plan 2	2,773	4	3.5	3-car	2	67

The project landscape planting theme will be consistent with those found in the neighborhood. Specifically, the project calls for the utilization of trees such as Carrot Wood and Palm trees; Lily of the Nile, New Zealand Flax and Indian Hawthorne shrubs;

and Star Jasmine ground cover. Perimeter fencing – 6-foot-high block wall or wood fence, depending on fence/wall location - will also be provided as part of the project.

The project requires a minimum of 5,100 square feet of common useable open space. The project provides a total of 5,311 square feet of common and private (patios and balconies) useable open space. The recreational area consists of a concrete courtyard area located between the units.

Outlined below are the required development criteria of the underlying RM-B Zoning and those proposed for the project:

	MINIMUM REQUIRED	PROPOSED
LOT SIZE	7,500 sq.ft.	1.22 Acres
SETBACKS		
Front	20 feet	20 feet
Side	5/10 average feet	10 average feet
Rear	15 feet	15 feet
PARKING	34 parking spaces 4 Guest Parking	34 covered parking spaces (within a garage) 5 Guest Parking
BUILDING HEIGHT	36 feet (max) 3 Stories (max)	36 feet 2 Stories

Outlined below are the required development criteria of the underlying RS Zoning and those proposed for the project:

	MINIMUM REQUIRED	PROPOSED
LOT SIZE	6,000 sq.ft.	6, 002 sq.ft. (minimum)
SETBACKS		
Front	20 feet	20 feet
Side	7.5 feet	7.5 feet
Rear	15 feet	15 feet
PARKING	8 parking spaces	8 parking spaces
BUILDING HEIGHT	36 feet (max)	29 feet

	3 Stories (max)	2 Stories
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Conditional Use Permit: The applicant has requested a Conditional Use Permit to exceed the base density for both RM-B and RS zone. The base density for the RM-B portion is 10 dwelling units per acre (the project proposes 14.6 du/acre) and for the RS portion is 3.6 dwelling units per acre (the project proposes 5.8 du. per acre).

Variance: A Variance is requested to exceed the maximum retaining wall height of six feet. The project proposes several walls throughout the site which exceed the maximum wall height.

The project is subject to the following Ordinances and City policies:

1. Zoning Ordinance
2. General Plan Land Use Element
3. California Environmental Quality Act (CEQA)
4. The Subdivision Ordinance

Environmental Issues: The proposed project is categorically exempt from the California Environmental Quality Act (CEQA).

ANALYSIS

Listed below are the issues raised by the Planning Commission, along with staff responses. Staff has reviewed the issues and believes that all of the concerns have been addressed by the project design and conditions of approval. The project is a high-quality design and is consistent with the Land Use Element of the General Plan, Zoning Ordinance and all other applicable documents regulating development.

1. Issue

The project site is not physically suitable for the proposed density of development based upon the following:

- a) *The project's grading design is not sensitive to the site's topography. The project proposes retaining walls in excess of the maximum height permitted by the Zoning Ordinance*

The project is subject to compliance with the provisions of the Hillside Development Regulations. The proposed amount of cut - 12,800 cubic feet - equates to 8,590 cubic yards per graded acre and exceeds the maximum 7,500 cubic yards of permitted cut or fill. This exceedence is due to the proposed access from Canyon Drive where steep slopes occur on the site. The project was originally designed with access from Crouch Street,

however, several residents in the area expressed their opposition early in the process to a Crouch Street access. The applicant subsequently redesigned the project with major access from Canyon Drive. Although the grading exceeds 7,500 cubic yards, staff believes the applicant has reduced the amount of grading as much as possible while still trying to preserve the hillside and develop the relatively steep infill site.

The proposed retaining walls associated with the site design exceed the permitted 6-foot maximum height. The applicant has requested approval for retaining walls that range in size from 0 – 20 feet high. The retaining walls are necessary in order to create pads and allow reasonable development of the site. The retaining walls will be planted and irrigated to minimize adverse aesthetic impacts to the surrounding area. The retaining walls could be reduced or eliminated if project access was from Crouch Street.

- b) *The proposed guest parking is inadequate and not easily accessible to project residents and their guests*

The proposed project is required to provide four guest parking spaces on-site. The site has been designed to accommodate five guest parking spaces in addition to the required on-site resident parking. Although the Planning Commission expressed concerns that applicable City regulations do not adequately address guest parking needs and proximity of guest parking to each residential unit, the project does comply with adopted parking regulation currently in effect. City staff will review and bring forward for consideration and approval any necessary parking design standards changes in the near future. Said changes will be applicable to new projects and any project in-processing at the time of adoption of the new parking design standards.

- c) *The project's design does not provide proper vehicular access to the site*

The driveway access for the townhome portion of the development via Canyon Drive has been designed at a 15 percent grade and complies with the 15 percent maximum driveway grade standard. The site's topography limits the applicant's ability to modify the driveway design to reduce the proposed grade and achieve reasonable development of the subject property. This issue would be eliminated if project access was from Crouch Street. Several residents were opposed to site access from Crouch Street.

FISCAL IMPACT

Not applicable.

COMMISSION OR COMMITTEE REPORT

The Planning Commission reviewed the project on March 13, 2006. After hearing considerable public testimony from area residents as well as the applicant/appellant, the Commission denied the project on a 5-1 vote. Commissioners indicated that the project site is not physically suitable for the proposed density of development. The majority of the Commissioners stated that Crouch Street would be more suitable for access to the site eliminating the need for large retaining walls along Canyon Drive. They also felt the project as designed was not compatible in terms of density with surrounding properties, did not provide adequate guest parking, and did not include a grading design suitable for the hillside site.

CITY ATTORNEY'S ANALYSIS

The City Attorney's Office has reviewed the proposed resolution and approved it as to form.

In accordance with section 4605 of the Zoning Ordinance, the City Council shall consider the same application, plans, and related project materials that were the subject of the original decision denying the project by the Planning Commission.

The City Council shall review the record of the decision and hear testimony of the appellant, the applicant, and any other interested parties.

After the hearing, the City Council shall affirm, modify or reverse the original decision. If a decision is modified or reversed, the City Council shall state the specific reasons for the modification or reversal.

RECOMMENDATION

Staff has reviewed the issues raised by the appellants and believes that all of the concerns have been thoroughly addressed through the findings and conditions of approval. It is staff's recommendation that the City Council reverse the Planning Commission's decision and grant the appeal based on the findings contained in the attached City Council resolution.

PREPARED BY


Jerry Hittleman
Acting City Planner

JH/AWV/vnm

SUBMITTED BY


Steven R. Jepsen
City Manager

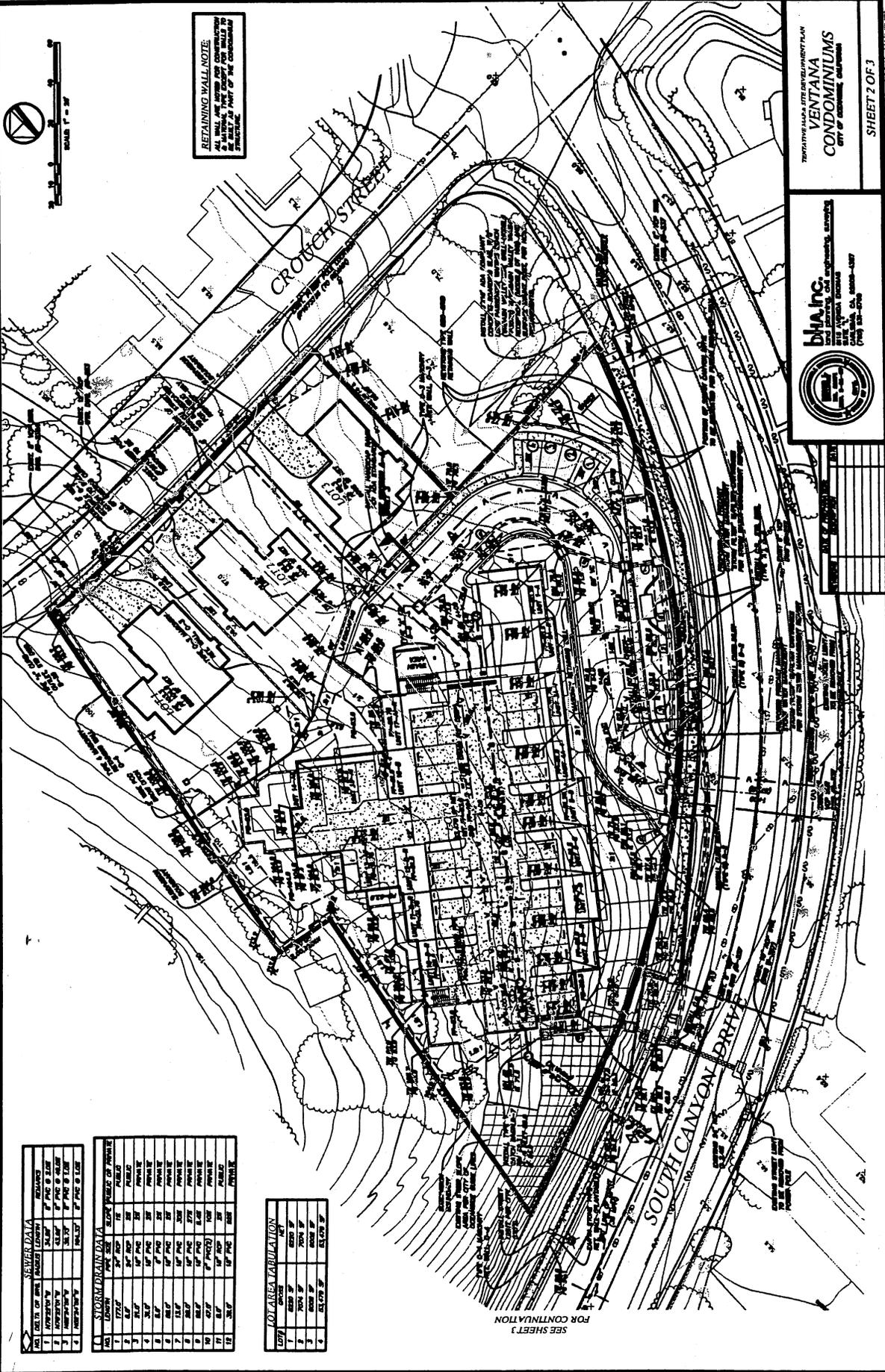
REVIEWED BY:

Michelle Skaggs Lawrence, Assistant to the City Manager
Mike Blessing, Deputy City Manager



ATTACHMENTS:

1. Area Map, Site Plan, Elevations, Architectural Guidelines
2. City Council Resolution Approving the appeal
3. Planning Commission Resolution No. 2006-P10
4. Planning Commission Staff Report Dated March 13, 2006
5. Appeal Letter



RETAINING WALL NOTE:
 ALL RETAINING WALLS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF LOS ANGELES SPECIFICATIONS FOR RETAINING WALLS.



TEMPERATURE SENSITIVE DEVELOPMENT PLAN
VENTANA CONDOMINIUMS
 CITY OF LOS ANGELES, CALIFORNIA
 SHEET 2 OF 3

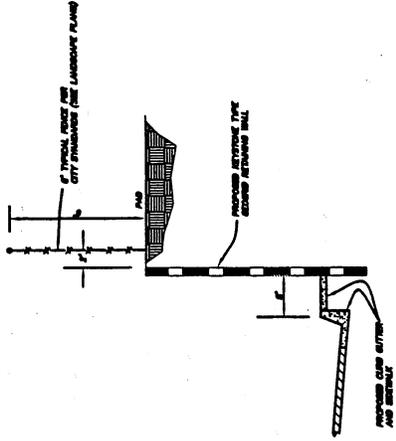
bha inc.
 ARCHITECTS AND ENGINEERS
 1000 WEST 10TH STREET
 LOS ANGELES, CA 90015-4007
 (213) 224-0200

SCHEDULE DATA		REMARKS
1	CONCRETE	AS SHOWN
2	STAINLESS STEEL	AS SHOWN
3	ALUMINUM	AS SHOWN
4	GLASS	AS SHOWN
5	PAINT	AS SHOWN
6	LANDSCAPE	AS SHOWN
7	MECHANICAL	AS SHOWN
8	ELECTRICAL	AS SHOWN
9	PLUMBING	AS SHOWN
10	MECHANICAL	AS SHOWN
11	ELECTRICAL	AS SHOWN
12	PLUMBING	AS SHOWN

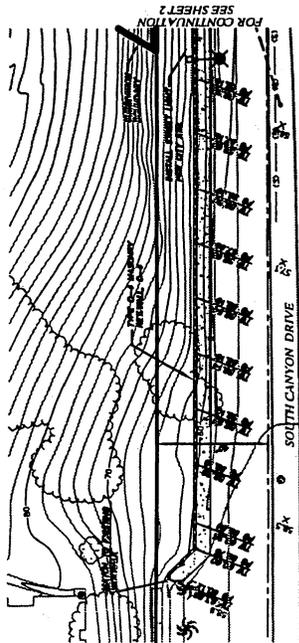
LOI AREA LABELATION		NOTES
1	CONCRETE	AS SHOWN
2	STAINLESS STEEL	AS SHOWN
3	ALUMINUM	AS SHOWN
4	GLASS	AS SHOWN
5	PAINT	AS SHOWN
6	LANDSCAPE	AS SHOWN
7	MECHANICAL	AS SHOWN
8	ELECTRICAL	AS SHOWN
9	PLUMBING	AS SHOWN
10	MECHANICAL	AS SHOWN
11	ELECTRICAL	AS SHOWN
12	PLUMBING	AS SHOWN

SEE SHEET 3 FOR CONTINUATION

TENTATIVE MAP & SITE DEVELOPMENT PLAN FOR
VENTANA CONDOMINIUMS
 CITY OF OCEANSIDE



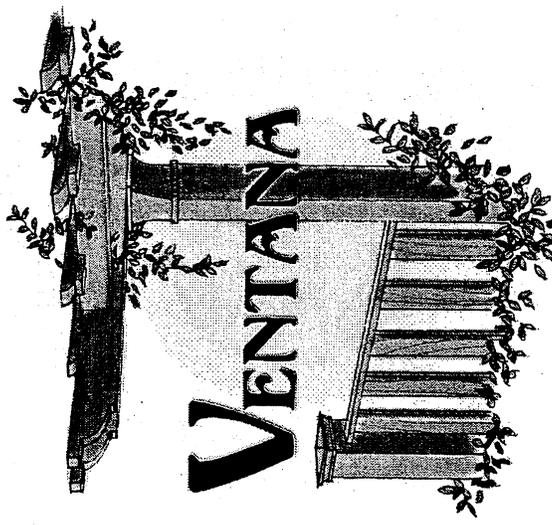
SECTION A-A (FROM SHEET LUT 2 AND 3)
 SCALE: 1/4" = 1'-0"



TENTATIVE MAP & SITE DEVELOPMENT PLAN
VENTANA CONDOMINIUMS
 CITY OF OCEANSIDE, CALIFORNIA
 SHEET 1 OF 3

NO.	DATE	REVISION

DATE PLOTTED: 01/20/2010 10:58:52 AM PLOTTER: HP DesignJet 2400C



A SEVENTEEN UNIT CONDOMINIUM DEVELOPMENT AND 3 SINGLE FAMILY RESIDENCES OCEANSIDE, CALIFORNIA

UTILITIES CONSULTANT:
POWER PLUS UTILITY SERVICES
509 WEST HIGHLAND AVE. #203
SAN DIEGO, CA 92103
PHONE: (619) 781-3954
FAX: (619) 781-3954

PHASE 1 CONSULTANT:
NINTO & MOORE GEOTECHNICAL / ENVIRONMENTAL
CONSULTANTS
SAYARINA RADIRAVAJEVIC
10000 LA JOLLA VILLAGE CENTER
SAN DIEGO, CA 92037-4609
PHONE: (619) 576-1000
FAX: (619) 576-3690

SOILS:
WESTERN SOIL & FOUNDATION ENGINEERS INC.
10000 LA JOLLA VILLAGE CENTER
SAN DIEGO, CA 92037
PHONE: (619) 742-3993
FAX: (619) 742-4810

BIOLOGICAL CONSULTANT:
MARY ROBBINS-HUDE
847 JAMACHA ROAD
SAN DIEGO, CA 92108
PHONE: (619) 441-8144

TRAFFIC ENGINEER:
LANCOTT, LAM & GREENSPAN ENGINEERS
10000 LA JOLLA VILLAGE CENTER
SAN DIEGO, CA 92037
PHONE: (619) 598-8800
FAX: (619) 598-8800

CIVIL ENGINEER:
STEVE SANDY, VICE PRESIDENT
818 AVENIDA ENCINAS, SUITE L
SAN DIEGO, CA 92108
PHONE: (619) 331-4500
FAX: (619) 331-1760

PROJECT INFORMATION:

LAND STATISTICS (IRE-31)
TOTAL ACRES 94,711.87 / 1,984 ACRES
BUILDING COVERAGE 34.4% OR 15,435 SQ. FT.
GARAGE COVERAGE 26.4% OR 11,700 SQ. FT.
TOTAL LOT AREA 19,000 CU. YDS.
TOTAL LOT AREA (EXCEPT)
14,000 CU. YDS.

ZONING INFORMATION:
GENERAL PLAN RT-1B
ZONING RESIDENTIAL
DENSITY 15 DUE/ACRE
PROPOSED DENSITY 14.4 DUE/ACRE
HEIGHT LIGHT FRONT 36'-0"
HEIGHT REAR 30'-0"
HEIGHT SIDE 9'-0"
HEIGHT REAR 9'-0"

PARKING INFORMATION:
RESIDENT PARKING (REQUIRED) 34
RESIDENT PARKING (PROVIDED) 34
GUEST PARKING (REQUIRED) 34
GUEST PARKING (PROVIDED) 34
FLOOR AREA ALLOWED UNLIMITED

BUILDING INFORMATION:
OCCUPANCY TYPE R-1
UNIT CONDO/INUIT R-1
SUBSTANTIAL PARKING STRUCTURE 8-3
CONDO/INUIT 8-3
UNIT CONDO/INUIT 8-3
BUILDING 1

SUBSTANTIAL PARKING STRUCTURE:
BUILDING 1
2 STORES
TYPE V - N/A CONST.
UNIT INFORMATION:
(1) UNIT A 1737 SQ. FT.
(2) UNIT B 1503 SQ. FT.
(3) UNIT C 1823 SQ. FT.
(4) UNIT D 1823 SQ. FT.
(5) UNIT E 1734 SQ. FT.
(6) UNIT F 1734 SQ. FT.
(7) UNIT G 1734 SQ. FT.
(8) UNIT H 1734 SQ. FT.
(9) UNIT I 1734 SQ. FT.
(10) UNIT J 1734 SQ. FT.
(11) TOTAL 23,469 SQ. FT.

LAND STATISTICS (IRE-31)
TOTAL ACRES 94,711.87 / 1,984 ACRES
LOT A 6,431.85 / 145.0 ACRES
LOT B 6,318.85 / 143.4 ACRES
LOT C 6,318.85 / 143.4 ACRES
TOTAL 23,228.85 / 511.8 ACRES
OCCUPANCY TYPE R-3
CONSTRUCTION TYPE V-NR

ZONING INFORMATION:
RESIDENTIAL R-3
BASE DENSITY 3.6 DUE/ACRE
MAXIMUM DENSITY 5.5 DUE/ACRE
HEIGHT LIGHT 36'-0"
HEIGHT REAR 30'-0"
HEIGHT SIDE 9'-0"
HEIGHT REAR 9'-0"

PARKING INFORMATION:
PARKING REQUIRED 21 UNIT
PARKING PROVIDED 21 UNIT
BUILDING INFORMATION - PLUM TYPE A
FIRST FLOOR 1,843 SQ. FT.
SECOND FLOOR 1,843 SQ. FT.
TOTAL 3,686 SQ. FT.
GARAGE 3,686 SQ. FT.

BUILDING INFORMATION - PLUM TYPE B
BUILDING STORES 2 1/2 OR 1,843 SQ. FT.
BUILDING COVERAGE 26.4% OR 11,700 SQ. FT.
ALLOWABLE LOT COVERAGE 40%
PARKING INFORMATION - PLUM TYPE B
FIRST FLOOR 1,843 SQ. FT.
SECOND FLOOR 1,843 SQ. FT.
TOTAL 3,686 SQ. FT.
GARAGE 3,686 SQ. FT.

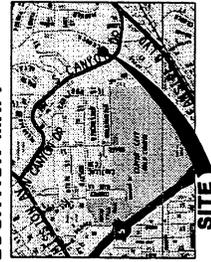
BUILDING STORES
ALLOWABLE LOT COVERAGE 40%
COVERAGE - LOT A
COVERAGE - LOT B
COVERAGE - LOT C
BUILDING COVERAGE 21% OR 1,843 SQ. FT.
BUILDING COVERAGE 21% OR 1,843 SQ. FT.

SHEET SCHEDULE

1. COVER SHEET
2. BUILDING 1 - BASEMENT, FIRST FLOOR
3. BUILDING 1 - SECOND FLOOR, ROOF PLAN
4. UNIT FLOOR PLANS - A-1
5. UNIT FLOOR PLANS - B
6. UNIT FLOOR PLANS - C
7. UNIT FLOOR PLANS - D
8. UNIT FLOOR PLANS - E
9. EXTERIOR ELEVATIONS - BUILDING 1
10. EXTERIOR ELEVATIONS - BUILDING 2
11. CONCEPT LANDSCAPE PLAN

SINGLE FAMILY RESIDENCES
A-1. TYPE A ELEVATIONS
A-2. TYPE A ELEVATIONS
A-3. TYPE A ELEVATIONS
B-1. TYPE B ELEVATIONS
B-2. TYPE B ELEVATIONS
B-3. TYPE B ELEVATIONS

LOCATION MAP:
A.P.N. 19-350-30 (19) 37



DESCRIPTION OF WORK:
WORK SHALL CONSIST OF THE CONSTRUCTION OF 17 TOWN-HOUSE UNITS ABOVE A PARKING GARAGE AND 3 SINGLE FAMILY RESIDENCES.

PROJECT ADDRESS:
CORNER OF CROUCH STREET AND CANYON DRIVE
OCEANSIDE, CA

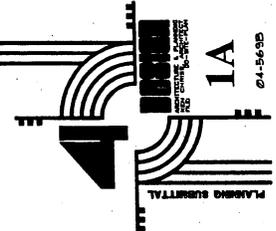
DEVELOPER:
MICHAEL CREWS COMMERCIAL DEVELOPMENT
ANTHONY PROST, MANAGING PARTNER
P.O. BOX 460949 / 535 SOUTH ANDREASEN DRIVE
SAN DIEGO, CA 92146-0949
PHONE: (760) 443-7825
FAX: (760) 443-8441

CONTRACTOR:
MICHAEL CREWS COMMERCIAL DEVELOPMENT, INC.
ANTHONY PROST, PRESIDENT
P.O. BOX 460949 / 535 SOUTH ANDREASEN DRIVE
SAN DIEGO, CA 92146-0949
PHONE: (760) 443-7825
FAX: (760) 443-8441

ARCHITECT:
KENNETH L. CURRIS, ARCHITECT
STEPHANIE LUTJON, PROJECT MANAGER
10000 LA JOLLA VILLAGE CENTER, PLANNING
P.O. BOX 648
OCEANSIDE, CA 92054
PHONE: (760) 433-7100
FAX: (760) 433-7110

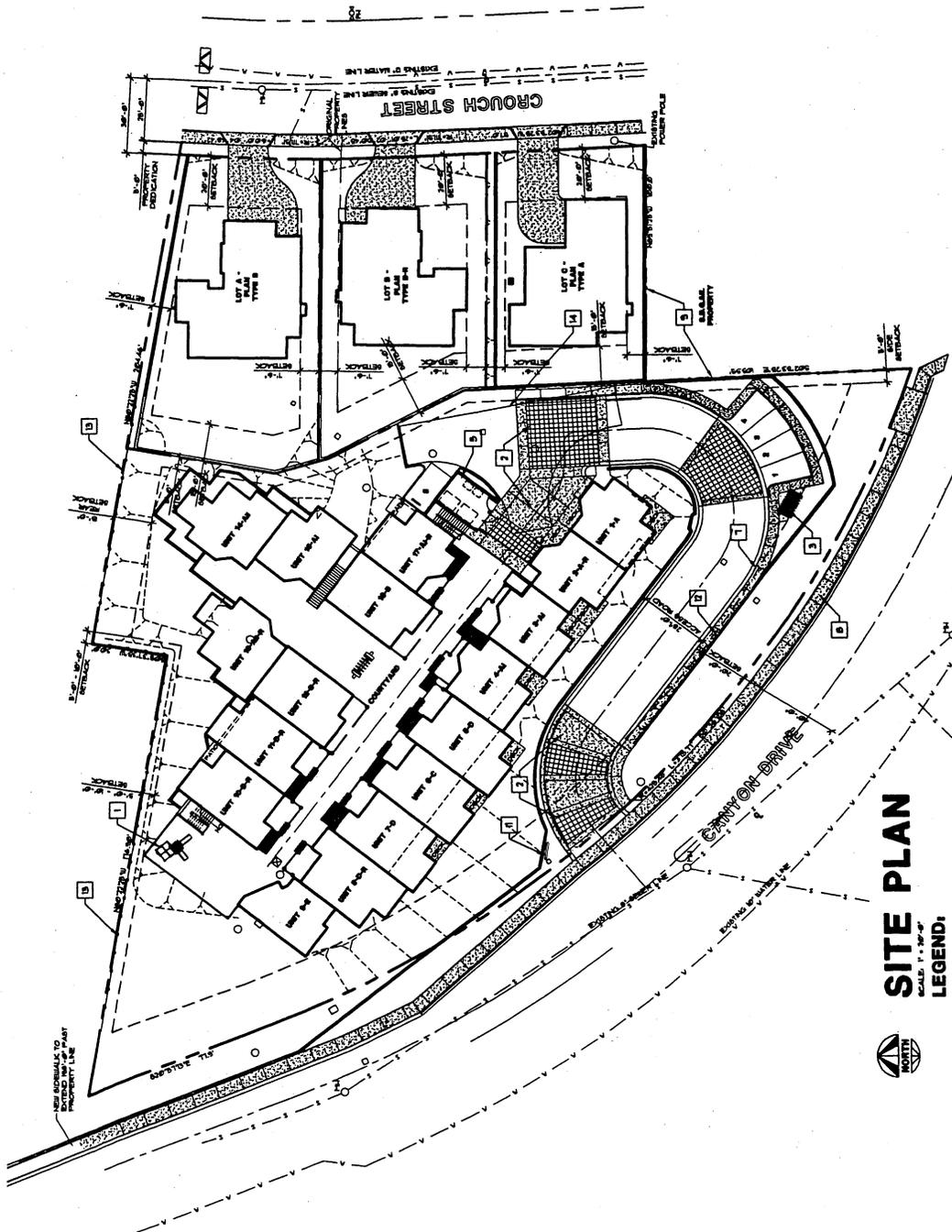
USA
 1274
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VENTANA / OCEANSIDE, CA



PLAN NOTES:

1. PLAY STRUCTURE
2. DECORATIVE CONCRETE PAVING
3. MAILBOX KIOSK, SEE SHEET 11 FOR ELEVATION
4. NOT USED
5. TRASH ENCLOSURE, SEE SHEET 11 FOR ELEVATION
6. NOT USED
7. CONCRETE WALK
8. PUBLIC SIDEWALK
9. EXISTING CHAINLINK FENCE
10. CONCRETE STEPS AT GRADE
11. HOUSING ENTRY SIGN ON FACE OF MASONRY WALL
12. 42" HIGH GUARDRAIL ATOP RETAINING WALL
13. 8'-0" HIGH DECORATIVE METAL FENCE AT PROPERTY LINE
14. FIRE DEPARTMENT TURN-AROUND AREA



NOTE: ALL DIMENSIONS LESS THAN 30 FEET MUST BE PORTED TO PARALLEL FENCE LINE

SITE PLAN

SCALE: 1" = 40'-0"

LEGEND:

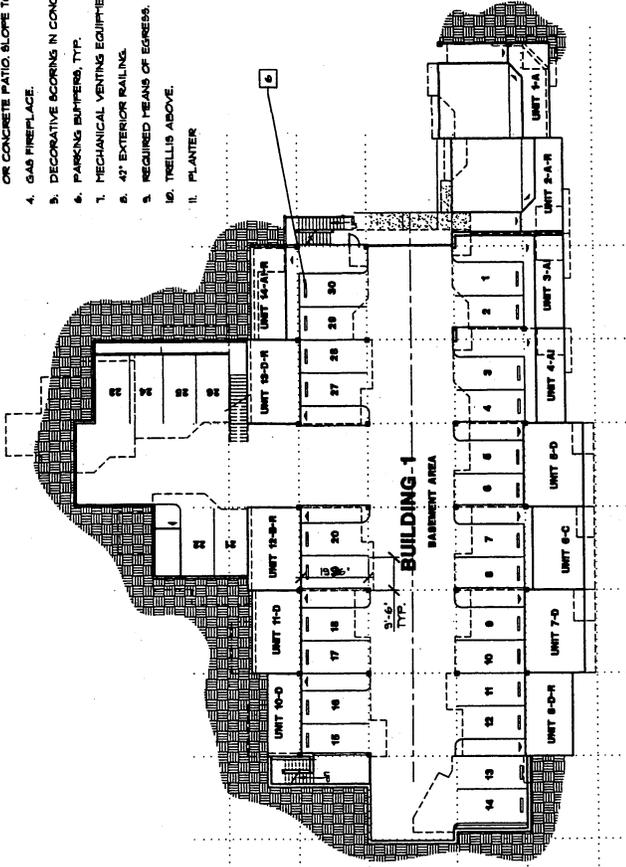
- PROPERTY LINE
- FENCE LINE
- MASONRY RETAINING WALL
- SETBACK LINE
- SEWER LINE
- WATER LINE
- MANHOLE
- FIRE HYDRANT
- STORM DRAIN
- OTHER
- SOUTH
- D



SITE PLAN

PLAN NOTES:

1. DASHED LINED INDICATES BUILDINGS ABOVE.
2. GARAGE VENT.
3. WEATHERPROOF WALKING DECK SURFACE OR CONCRETE PATIO. SLOPE TO DRAIN MIN.
4. GAS FIREPLACE.
5. DECORATIVE SCORNS IN CONCRETE.
6. PARKING BUFFERS, TYP.
7. MECHANICAL VENTING EQUIPMENT.
8. 4" EXTERIOR RAILING.
9. REQUIRED MEANS OF EGRESS.
10. TRELLIS ABOVE.
11. PLANTER.



BASEMENT FLOOR PLAN

- NOTE:**
1. PARKING STALLS ARE TO BE ASSIGNED TO SPECIFIC UNITS.
 2. WALLS BETWEEN B-3 AND B-1 TO BE 2 HR FIRE RATED.

BASEMENT COVERAGE

LENGTH OF ALL BUILDING SIDES	699'-4"
LENGTH OF BUILDING THAT MUST BE 30% BELOW GRADE IN ORDER FOR LEVEL TO QUALIFY AS A BASEMENT	379'-9"
ACTUAL LENGTH OF BUILDING 30% BELOW GRADE	339'-1"

OCCUPANCY TYPE	R-2, U-1, R-1
CONSTRUCTION TYPE	TYPE V
SPRINKLERED	NO

BASEMENT FLOOR AREA DATA

UNIT BASEMENT AREA	3,417 SQ. FT.
PARKING AREA	10,779 SQ. FT.
GARAGE AREA	799 SQ. FT.
TOTAL AREA	14,995 SQ. FT.

BUILDING 1 PLANS

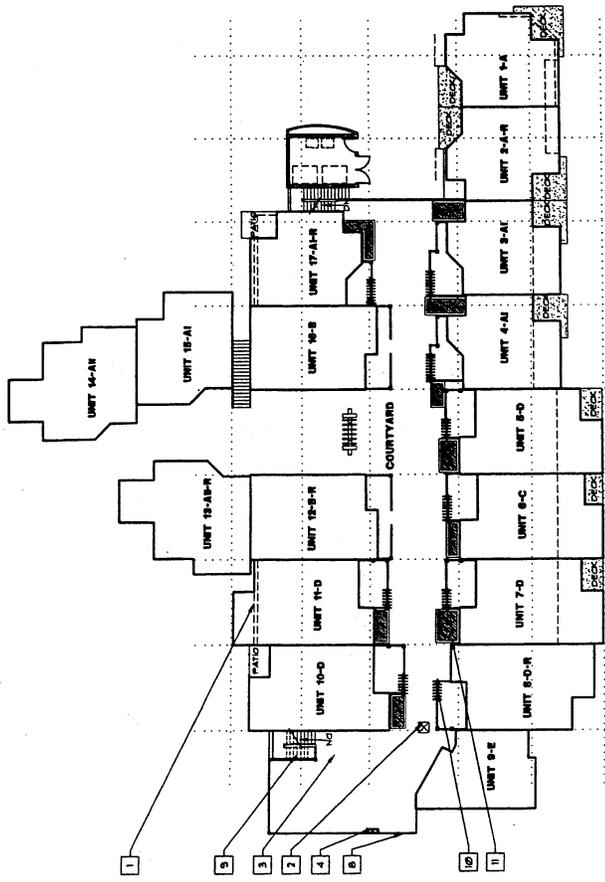
LEGEND:

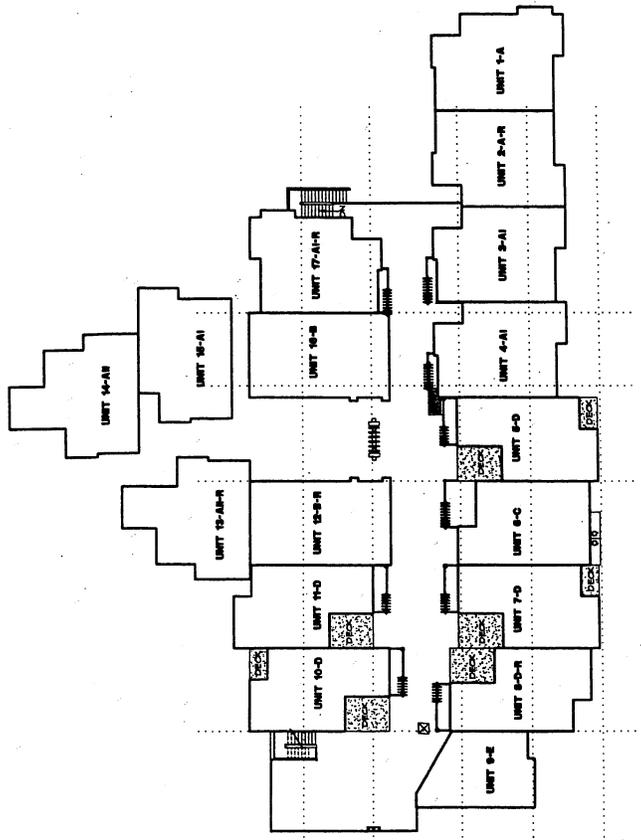
- LINE TYPE INDICATES THE AREAS USED FOR BASEMENT CALCULATIONS
- UNIT ENTRY LOCATION
- RAISED PLANTER

FIRST FLOOR AREA DATA

UNIT AREA	11,622 SQ. FT.
PUBLIC COURTYARD AREA	3,461 SQ. FT.
PRIVATE DECK AREA	6,604 SQ. FT.
TOTAL	21,687 SQ. FT.

FIRST FLOOR PLAN





ROOF PLAN

**BUILDING 1
PLANS**
SCALE: 1/8"=1'-0"

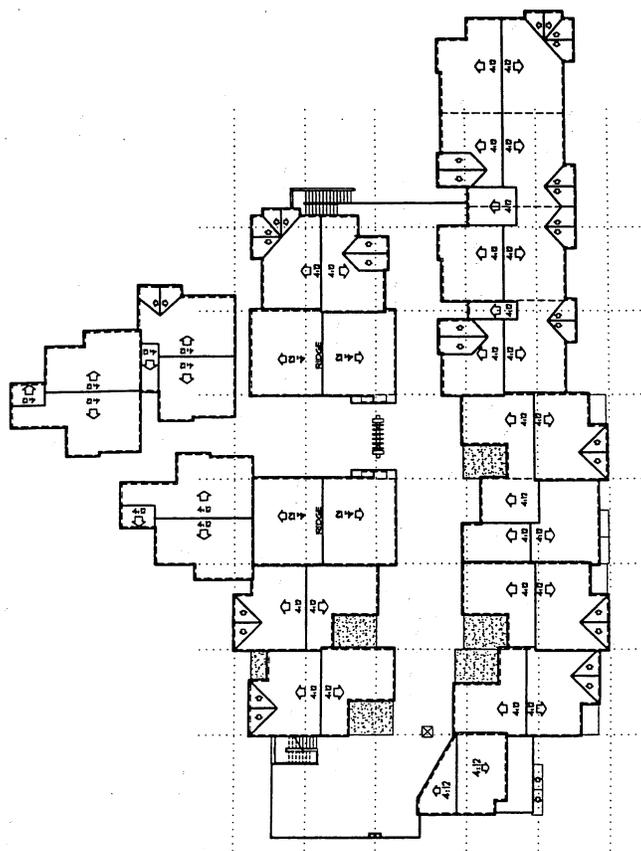
PLAN NOTES:

1. DASHED LINED INDICATES BUILDINGS BELOW
2. WEATHERPROOF WALKING DECK SURFACE
3. THERMIS BELOW
4. PLANTER BELOW

SECOND FLOOR PLAN

SECOND FLOOR AREA DATA

UNIT AREA	16,781 SQ. FT.
PRIVATE DECK AREA	728 SQ. FT.
TOTAL	17,509 SQ. FT.



CONSTRUCTION OUTLINE

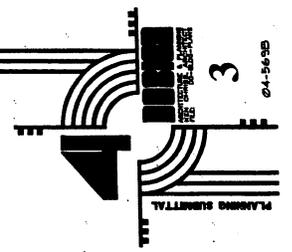
CONSTRUCTION: UNIT CONSTRUCTION TO BE TYPE V WOOD FRAME, NON-RATED CONSTRUCTION.
 FLOORS: ALL BOTTOM FLOORS TO BE CONCRETE SLAB ON GRADE. ALL OTHER FLOORS TO BE PLASTER OVER JOISTS SHEET VENTILATION IN KITCHEN AND BATH.
 EXTERIOR WALLS: 2x4 WOOD FRAMING AT 16" O.C. WITH 1/2" THICK GYPSUM BOARD INDICATED ON PLANS.
 INTERIOR WALLS: 2x4 WOOD FRAMING AT 16" O.C. WITH 1/2" THICK GYPSUM BOARD COVERING WITH SPRAY ON SMOOTH FINISH.

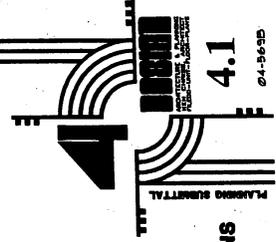
ROOFING: ALL ROOFS TO BE CONCRETE TILE WITH 30 YEAR WARRANTY.
 INSULATION: ALL EXTERIOR WALLS TO RECEIVE R-19 FIBERGLASS INSULATION. ALL INTERIOR WALLS TO RECEIVE R-13 FIBERGLASS INSULATION. ALL CEILING TO RECEIVE R-30 FIBERGLASS INSULATION TO MEET TITLE 24 REGULATIONS.
 DOORS: EXTERIOR ENTRANCE DOORS TO BE SOLID CORE WOOD AND INTERIOR DOORS TO BE FIBERGLASS PANEL DOORS.

GLASS AND GLAZING: ALL WINDOWS TO BE VENT. PAINTED DUAL GLAZED. DELIVERED PRE-GLAZED WITH SCREENS.
 CABINETS: ALL KITCHEN CABINETS TO BE CUSTOM GRADE WOOD CABINETS.
 PAINTING: EXTERIOR EXPOSED WOOD TO RECEIVE TWO COATS OF HEAVY BOODIE STAIN. INTERIOR SURFACES TO BE PAINTED IN BEST PRACTICE AND WITH QUALITY MATERIALS.
 STAIRS: ALL FIXTURES TO BE 'AMERICAN STANDARD' OR AN APPROVED EQUAL. ALL PLUMBING TO BE INSTALLED AS PER THE UPC. WATER CLOSERS TO BE 'AMERICAN STANDARD' TYPE. WATER HEATING TO BE GAS-FIRED.

MECHANICAL: A CENTRAL FORCED AIR HEATING UNIT. HEAT TO BE GAS-FIRED.
 ELECTRICAL: ALL ELECTRICAL WORK TO BE PER THE NATIONAL ELECTRICAL CODE. ALL ELECTRICAL SERVICE TO BE UNDERGROUND.
 LANDSCAPE: ALL LANDSCAPING TO BE MAINTAINED BY AUTOMATIC SPRINKLER SYSTEM. CONCRETE WALKWAYS & PATHS WITH THICKER EDGES WITH LIGHT BROCK FINISH.

**BUILDING 1
PLANS**

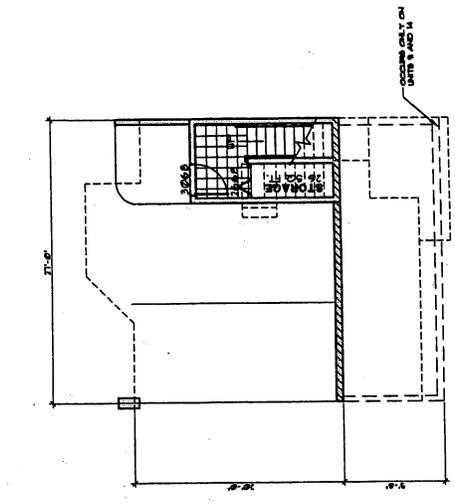




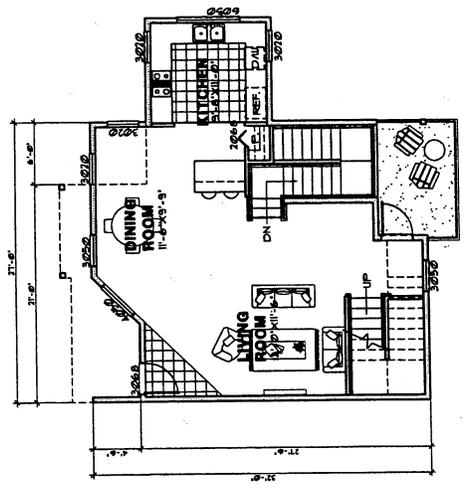
4.1

04-26-03

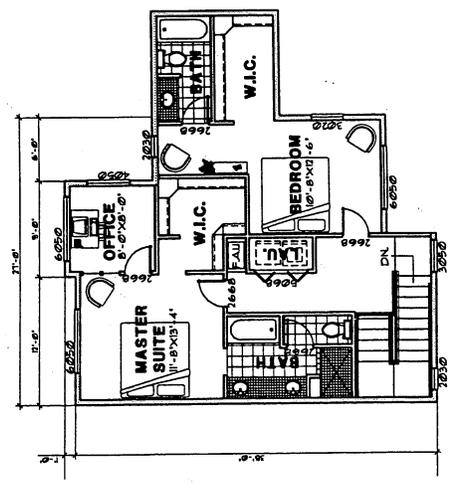
UNIT All
 FLOOR PLANS



BASEMENT
 441 SQ. FT.



FIRST FLOOR
 441 SQ. FT.



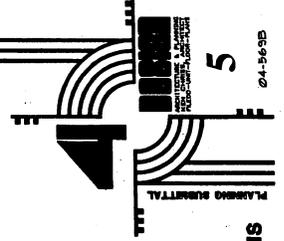
SECOND FLOOR
 441 SQ. FT.

UNIT All
 12 BEDROOM, OFFICE, 1 BATH
 TOTAL OF 3 UNITS

UNIT FLOOR PLANS
 SCALE: 3/8" = 1'-0"

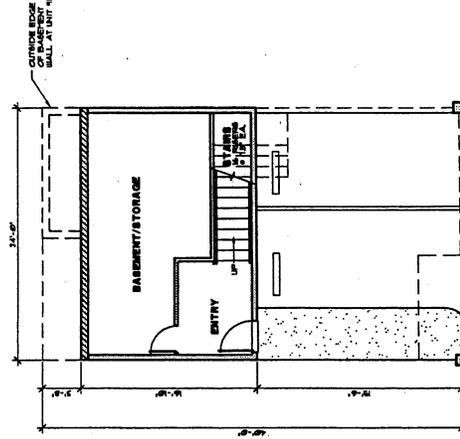
11604
13724
21148
21149
21150

VENTANA / OCEANSIDE, CA

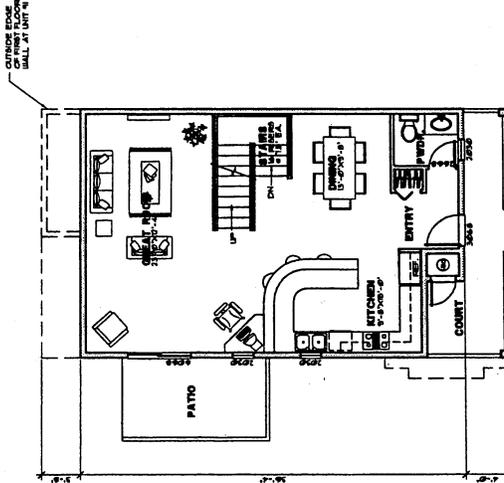


UNIT B FLOOR PLANS

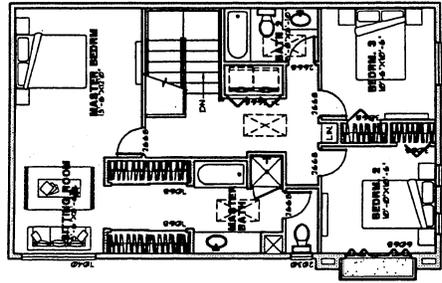
04-565B



BASEMENT
51 SQ. FT.



FIRST FLOOR
451 SQ. FT.



SECOND FLOOR
505 SQ. FT.

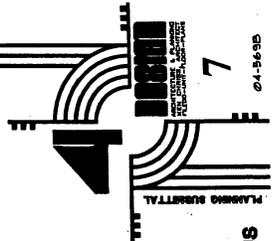
UNIT B FLOOR PLANS

13 BEDROOM, OFFICE, 2-1/2 BATHS
1845 SQ. FT. TOTAL OF 3 UNITS

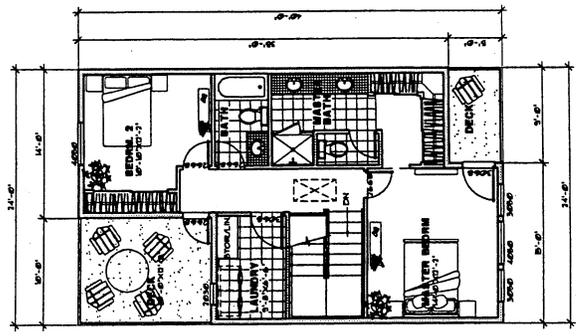
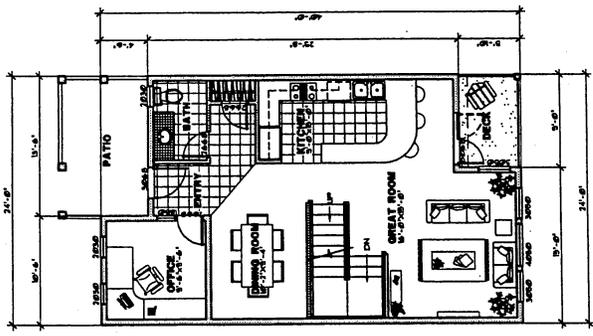
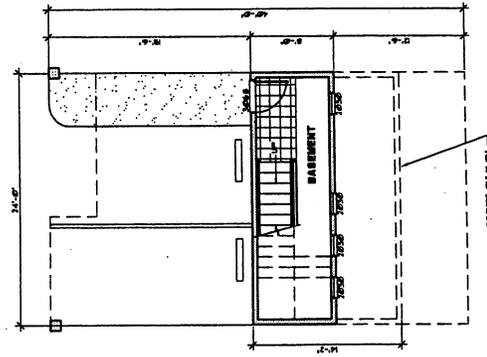
SCALE: 3/8" = 1'-0"

11/24/04
11/24/04
11/24/04
11/24/04
11/24/04

VENTANA / OCEANSIDE, CA



UNIT D FLOOR PLANS



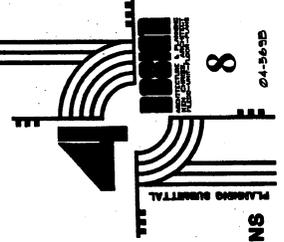
17 BEDROOM OFFICE 3-1/2 BATH
1148 SQFT. TOTAL OF 3 UNITS

UNIT D FLOOR PLANS

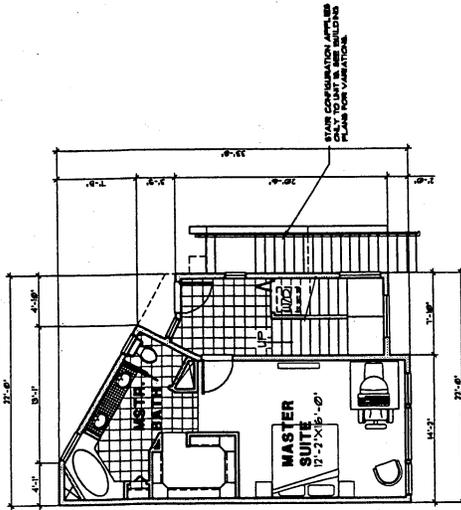
SCALE: 3/8" = 1'-0"

10004
10704
11100
11100
11100

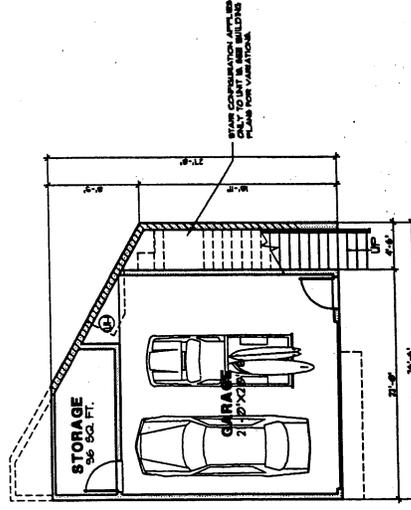
VENTANA / OCEANSIDE, CA



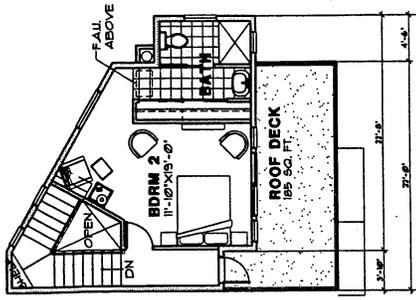
**UNIT E
FLOOR PLANS**



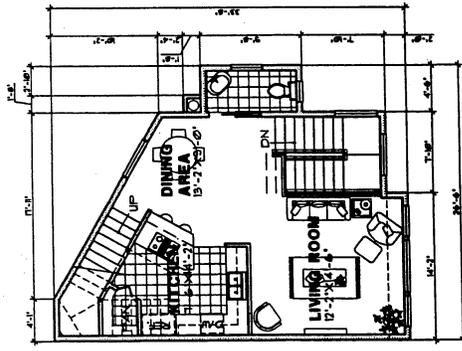
FIRST FLOOR 639 SQ. FT.



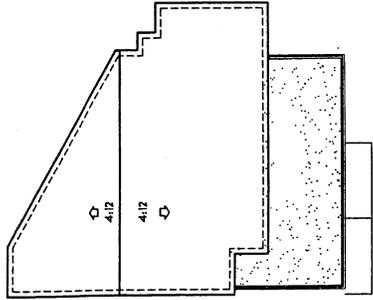
BASEMENT 1445.0 SQ. FT.
STORAGE: 191 SQ. FT.



THIRD FLOOR 445 SQ. FT.



SECOND FLOOR 678 SQ. FT.

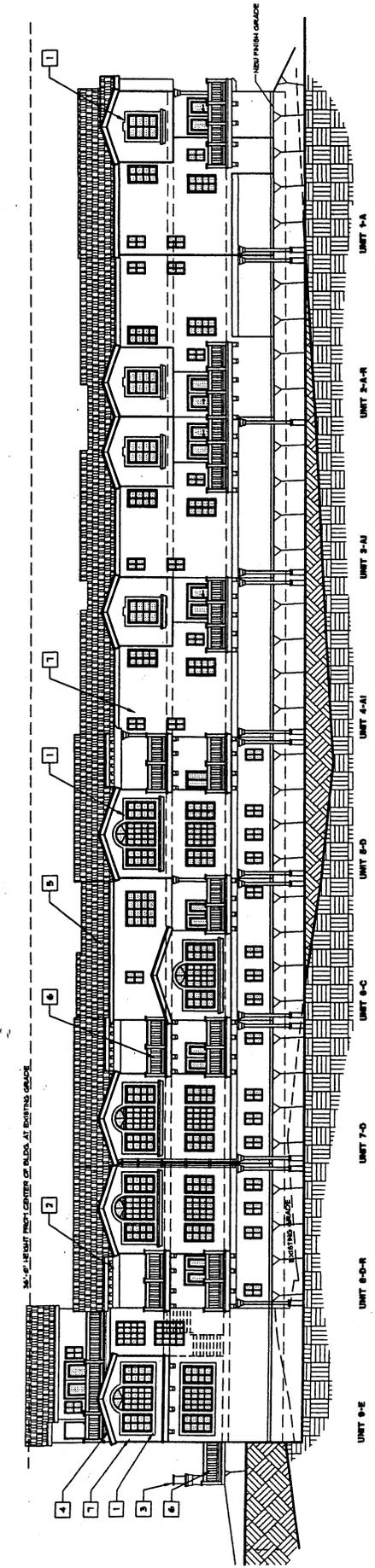


ROOF PLAN

UNIT E FLOOR PLANS

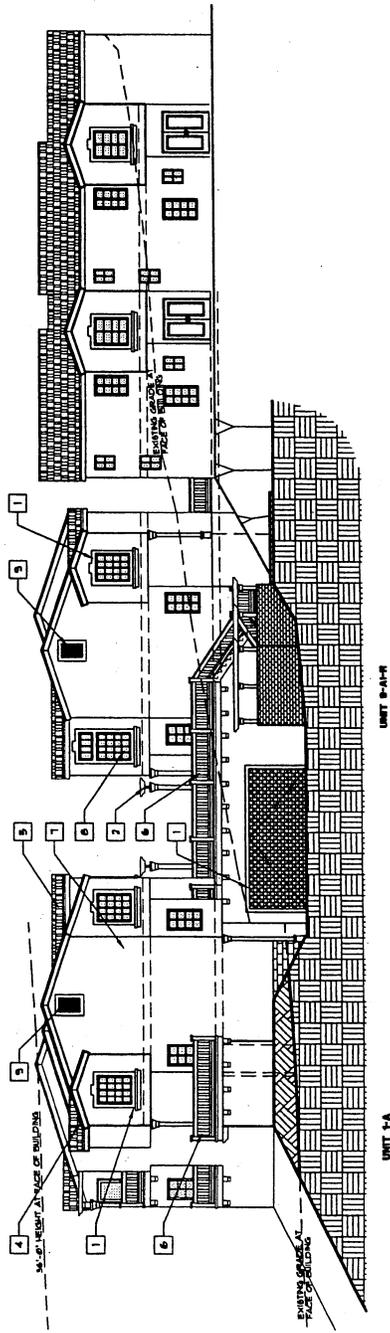
10004
10704
11100
11100
11100

SCALE: 3/8" = 1'-0"

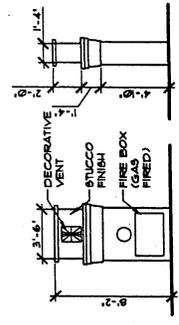


SOUTH ELEVATION, BUILDING 1

- ELEVATION NOTES:**
1. DECORATIVE TRIM
 2. TRELLIS, SEE BUILDING PLANS FOR LOCATIONS
 3. OUTDOOR FIREPLACE, SEE ELEVATION BELOW
 4. SHEET METAL GUTTER
 5. CONCRETE TILE ROOF
 6. EXTERIOR HANDRAIL
 1. STUCCO SIDING
 2. VINYL WINDOWS
 3. ATTIC VENT



EAST ELEVATION, BUILDING 1



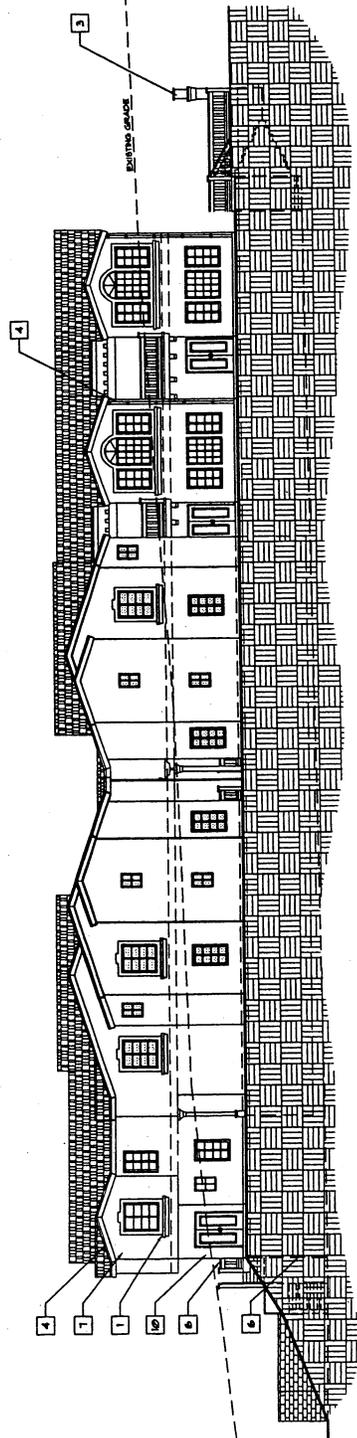
OUTDOOR FIREPLACE
SCALE: 1/4" = 1'-0"

BLDG. 1 EXTERIOR ELEVATIONS
SCALE: 1/4" = 1'-0"

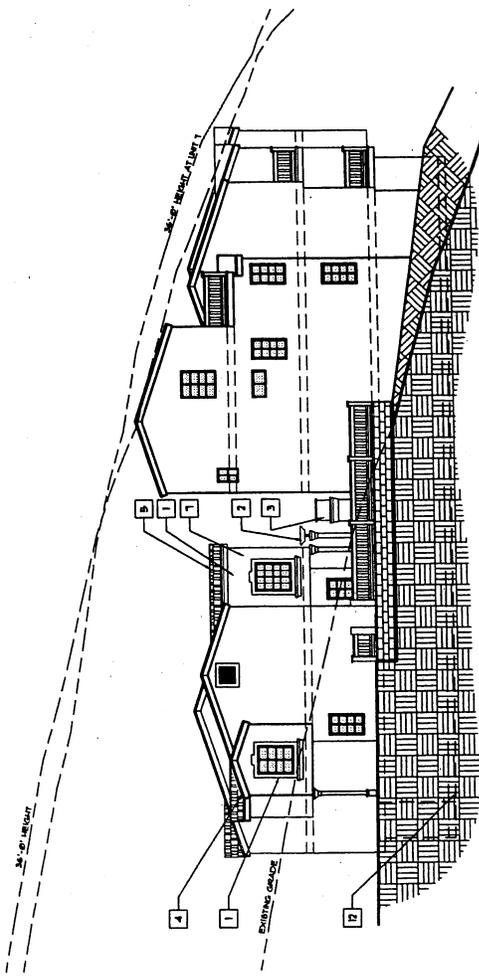
BLDG. 1 EXTERIOR ELEVATIONS

ELEVATION NOTES:

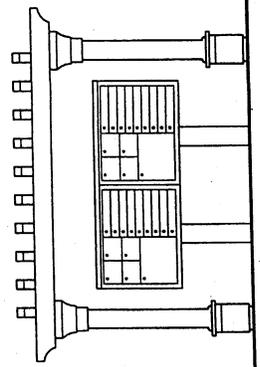
1. DECORATIVE TRIM
2. TRIM, SEE BUILDING PLANS FOR LOCATION
3. OUTDOOR FIREPLACE SEE SHEET 19 FOR ELEVATION
4. SHEET METAL GUTTER
5. CONCRETE TILE ROOF
6. EXTERIOR HANDRAIL
7. STUCCO SIDING
8. VINYL WINDOWS
9. ATTIC VENT
10. 5'-0" HIGH FENCE
11. EXTERIOR FIREPLACE
12. LINE OF BASEMENT BELOW GRADE



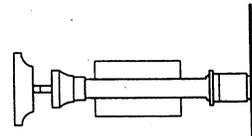
NORTH ELEVATION



WEST ELEVATION



FRONT VIEW



SIDE VIEW

MAILBOX KIOSK SEE SITE PLAN FOR LOCATION
SCALE: 1/4" = 1'-0"

**BLDG. 1
EXTERIOR
ELEVATIONS**

10

04-5695

**GROUND COVERS
 SUCH AS:**

- ARTERIA HYBRID (THRIFT HYBRID)
- CAMPANULA POCHOCKIANSKYANA (BERBERIS BELLAGUARDI)
- FRITARIA WALLENBERGII (FRAXINUS)
- HYBRID WILDCAT PRINCESS (MAUIE) - HYBRID WYBRANTII
- OPHIOGLOSSUM JAPONICUM (MONDO GRASS)
- TRACHELOSPERMUM JAPONICUM (STAR JASMINE)

ORNAMENTAL GRASSES

- MISCANTHUS SENENSIS - SILVIA GRASS
- STIPA PULCHRA - PURPLE NEEDLE GRASS
- PENNISETUM SETACEUM - PURPLE MOUNTAIN GRASS

**ACCENT OR SHADE
 TREES SUCH AS:**

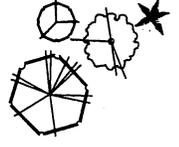
- ACER PALMATHY 'BLOODWOOD' (BLOODWOOD JAPANESE MAPLE)
- ARBUSTUS THAUNIA (STRAUBERRY TREE)
- BAUHAIA VARIEGATA (PURPLE ORCHID TREE)
- CALEDONIUM CAPENSE (CAPE CHESTNUT)
- CUPANONIA ANACARDIUM (CARROT WOOD TREE FERN)
- DUCOSIA ANTARCTICA (NEW ZEALAND PHOENIX ROSEBUSH) (SPYGLASS DATE PALM)
- PLANTAGO RUPESTRIS (DWARF MUSHROOM TREE)
- STAGNARIS ROTUNDFOLIUM (GREEN PALM)

VINES SUCH AS:

- DICTYOTA BUCCONATORIA (TRUFFET VINE)
- TRACHELOSPERMUM JAPONICUM (STAR JASMINE)
- BOUSSAINVILLEA
- PASSIFLORA WURSTLIEBI (PASSION FLOWER)
- JASMINE POLYANTHUM (POLY-ANTHUM JASMINE)

PLANTING NOTES

THE SELECTION OF PLANT MATERIAL IS BASED ON CULTURAL, AESTHETIC AND MAINTENANCE CONSIDERATIONS. PLANTING SHALL BE PREPARED WITH SOIL CONDITIONER, FERTILIZERS, AND APPROPRIATE TAGS FROM THE SITE. THE PLANTING DESIGN AND CONCEPTUAL PLAN SHALL BE APPROVED BY THE CITY OF OCEANSIDE LANDSCAPE GUIDELINES. THE DESIGN SHALL PROVIDE COLOR AND TEXTURAL CONTRAST WITH ENHANCEMENT OF ACCENT PLANTING AND PAVERS. ENTRY SHALL PROVIDE PLANTING OF VIBES AND SKYLINE SILHOUETTE FROM THE UPPER WINDOWS.



**ACCENT SHRUBS
 SUCH AS:**

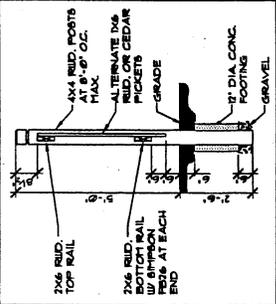
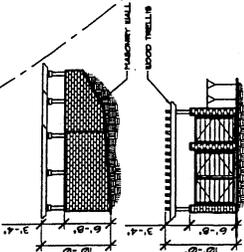
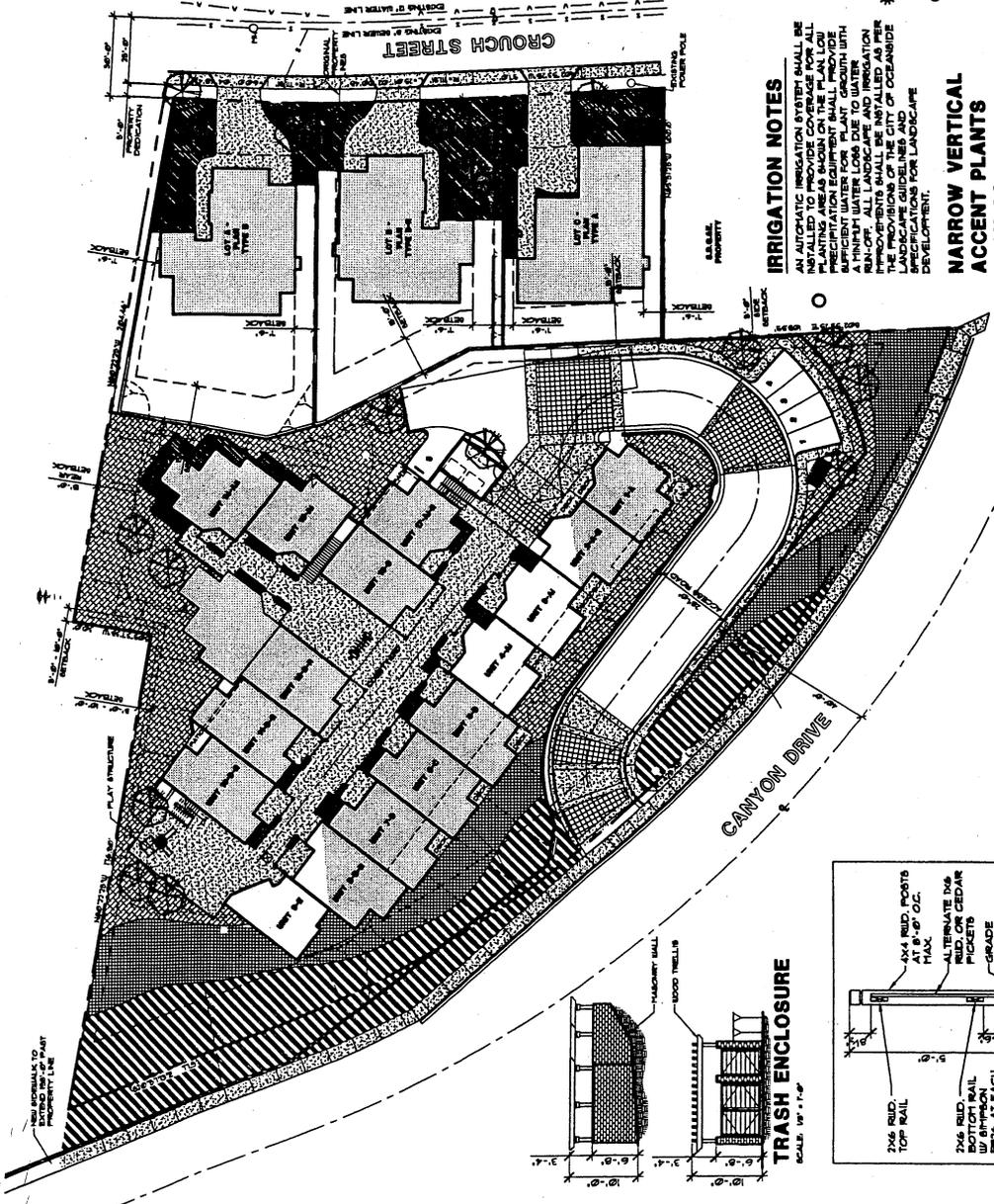
- AGAPANTHUS AFRICANUS (LILY-OF-THE-NILE)
- APPARAGIS DENRIFLORUS 'YETI' (YETI ASP-ARAGIS)
- APHISIDIA ELIATOR (CAST-IRON PLANT)
- ATHYRIUM NIPPONICUM 'PICTUM' (JAPANESE PAINTED FERN)
- AZALEA SPECIES (AZALEA)
- BRENDELIA PALMIFLORA 'FLORIBUNDA' (HYBRID-TOODAY-TORONTO)
- CANNA HYBRIDS (CANNA LILY)
- DIETAS VEGETA (MORNING GLORY)
- PATRIA JAPONICA (CAST-IRON PLANT)
- RUCHARIA SPECIES (RUCHARIA HYBRID)
- GARDENIA SPECIES (JASMINE)
- HEPEROCALLIS HYBRIDS (EVERGREEN DAYLILY)
- HEPEROCALLIS 'SILVER DRAGON' (VARIETAL LILY TURT)
- HEPEROCALLIS 'SILVER DRAGON'
- NANDINA DOMESTICA 'SUN GREEN' (HEAVENLY BABY)
- PHORHAILIUM 'HORN MANURE' (HYBRID NEW ZEALAND FLAX)
- PHORHAILIUM 'SUN STRIKE' (HYBRID NEW ZEALAND FLAX)
- PHORHAILIUM 'SUN BAY' (HYBRID NEW ZEALAND FLAX)
- PHILLODENDRON
- PHILLODENDRON TOSIBA 'SHELLER'S DWARF' (PITTOCORPUS)
- SHALIKOLEPS INDICA DWARF HYBRIDS (INDIAN MAINTOORN)
- STRELITZIA REGINAE (BIRD OF PARADISE)

**NARROW VERTICAL
 ACCENT PLANTS
 SUCH AS:**

- ENSETHE MAURELII (RED AUSTRIAN BANANA)
- PODOPHYLLUM MACROPHYLLUM (YEW PINE)
- STRELITZIA NICOLAI (GIANT BIRD OF PARADISE)

IRRIGATION NOTES

AN AUTOMATIC IRRIGATION SYSTEM SHALL BE INSTALLED TO PROVIDE COVERAGE FOR ALL PLANTING. THE SYSTEM SHALL PROVIDE SUFFICIENT WATER FOR PLANT GROWTH WITH A MINIMUM WATER LOSS. THE SYSTEM SHALL BE DESIGNED TO PROVIDE SUFFICIENT WATER FOR PLANT GROWTH WITH A MINIMUM WATER LOSS. THE SYSTEM SHALL BE DESIGNED TO PROVIDE SUFFICIENT WATER FOR PLANT GROWTH WITH A MINIMUM WATER LOSS.



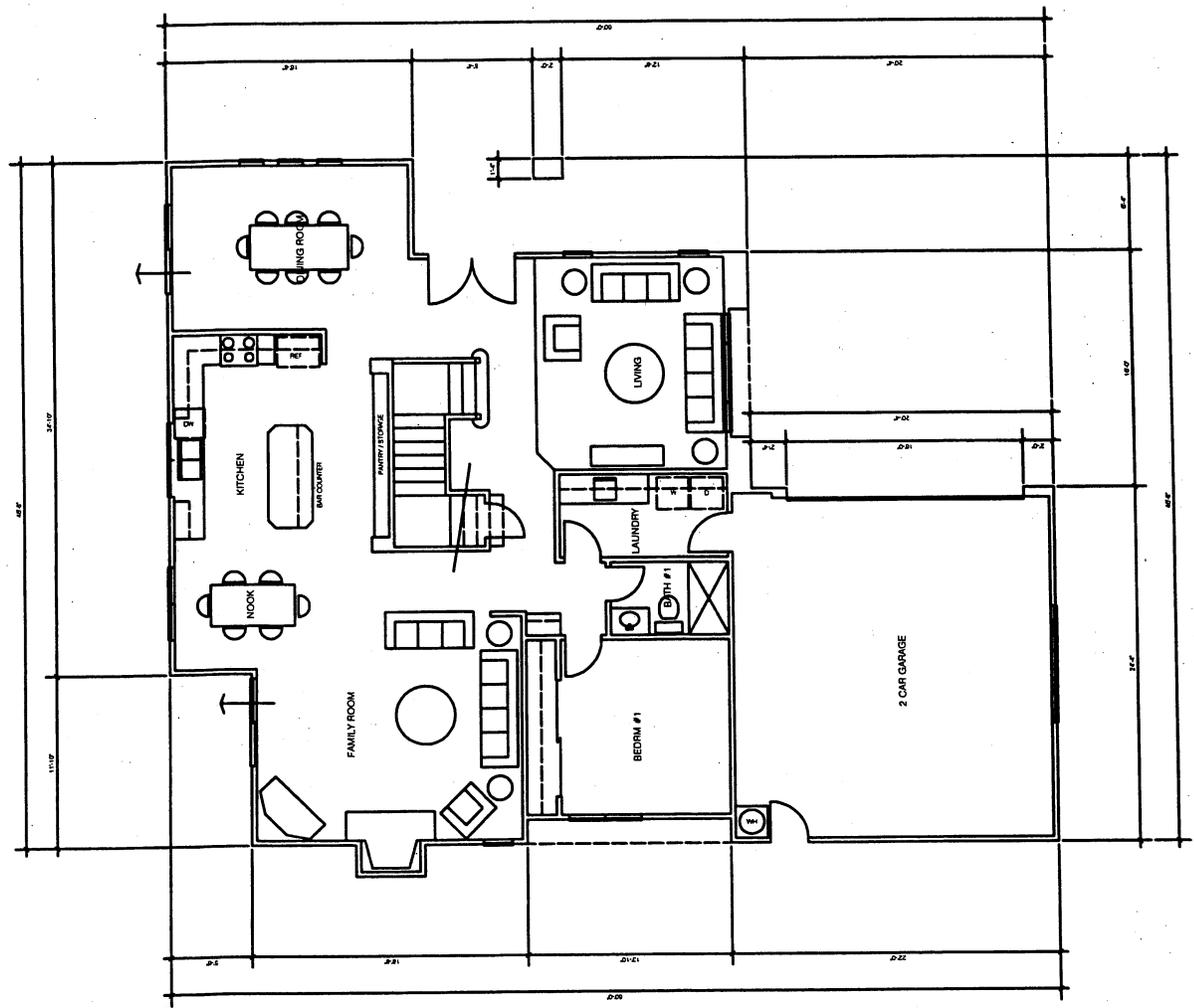
WOOD FENCE
 SCALE: 1/4" = 1'-0"

**CONCEPT
 LANDSCAPE PLAN**
 SCALE: 1" = 30'-0"



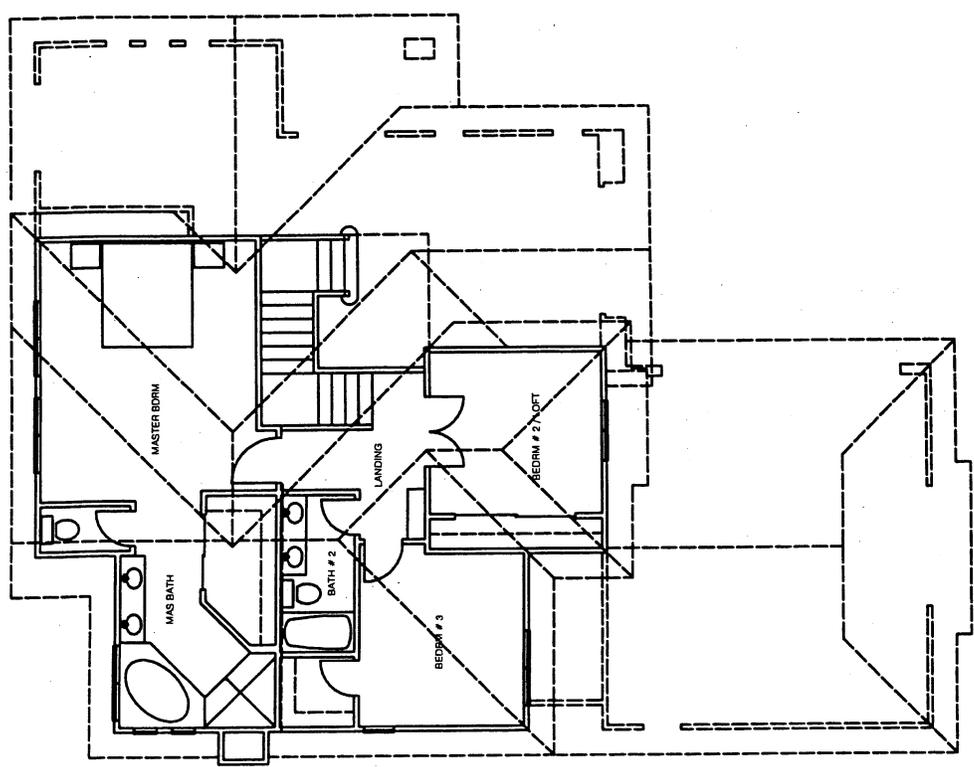
**CONCEPT
 LANDSCAPE
 PLAN**

DATE	11/08
SCALE	1/8" = 1'-0"
DRAWN	J. PERIN
CHECK	W. HARRIS
APP	10/21/08/09/08



RESIDENCE 1,943 S.F. - FIRST FLR
 RESIDENCE 930 S.F. - SECOND FLR
 RESIDENCE 2,493 S.F. - TOTAL
 GARAGE 927 S.F.

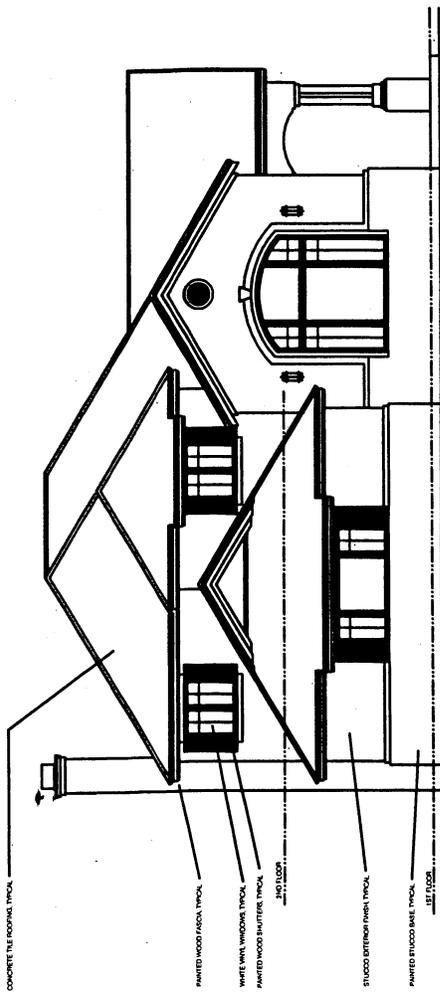
FIRST FLOOR PLAN



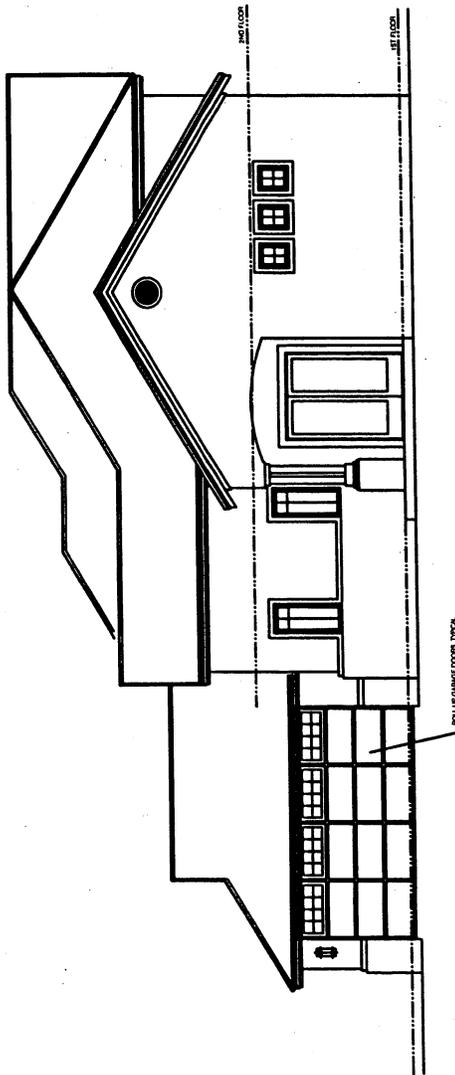
SECOND FLOOR PLAN

REVISIONS

REVISIONS



FRONT EXTERIOR



SIDE EXTERIOR

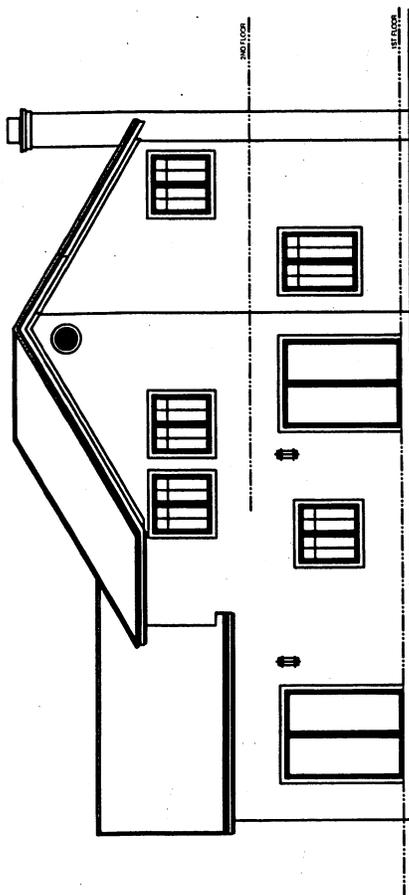
EXTERIOR ELEVATIONS

PLAN A

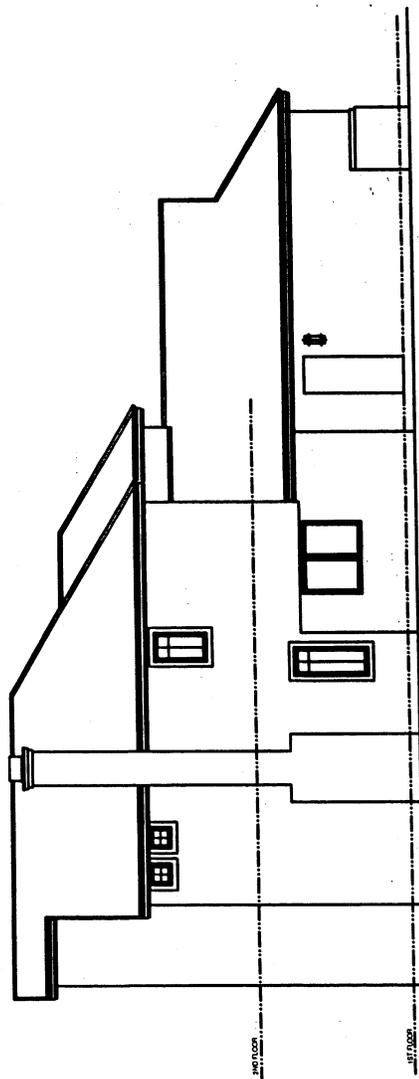
VENTANA - OCEANSIDE, CALIF.
MICHAEL CREWS COMMERCIAL DEVELOPMENT
P.O. BOX #46160 PSCONCINO CALIF. 92046 (760) 749-1918

DATE	DATE
SCALE	DATE
DRAWN	DATE
CHECKED	DATE

REVISIONS

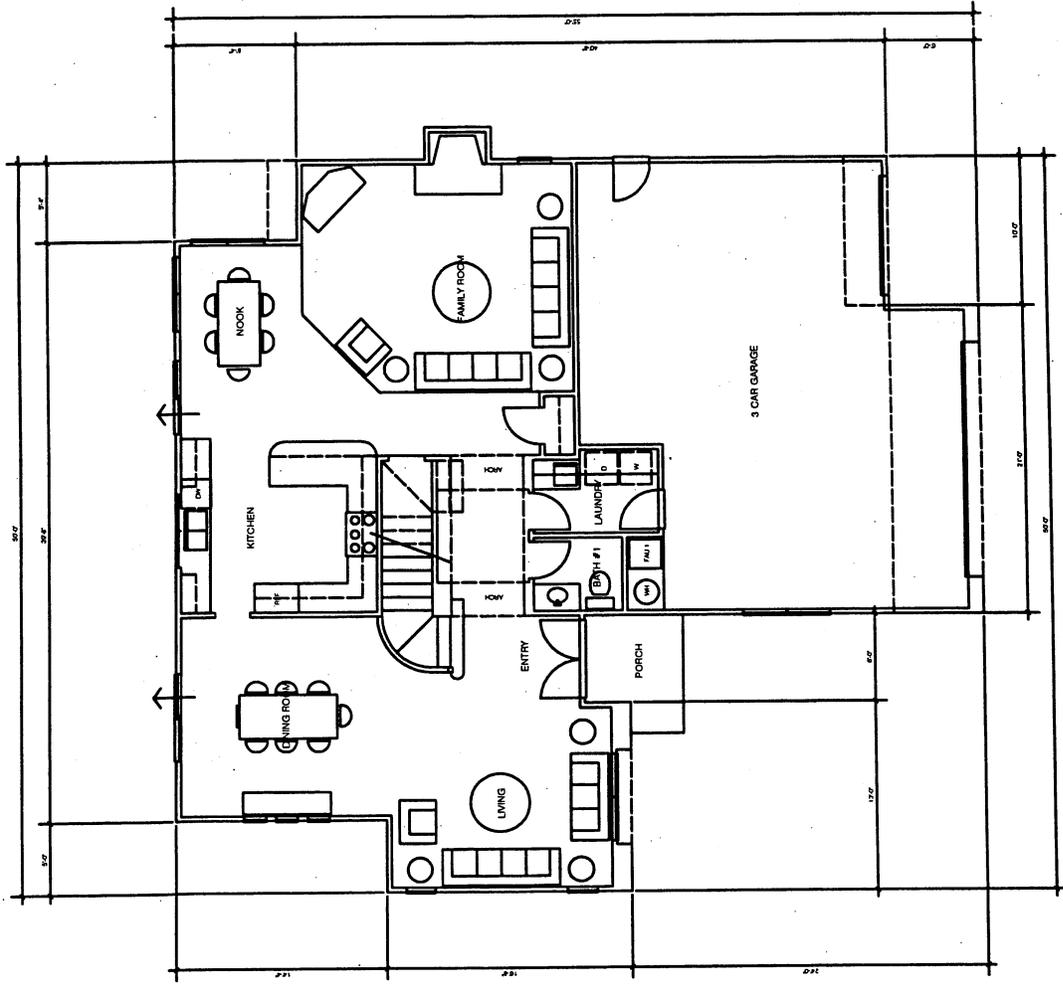


REAR EXTERIOR



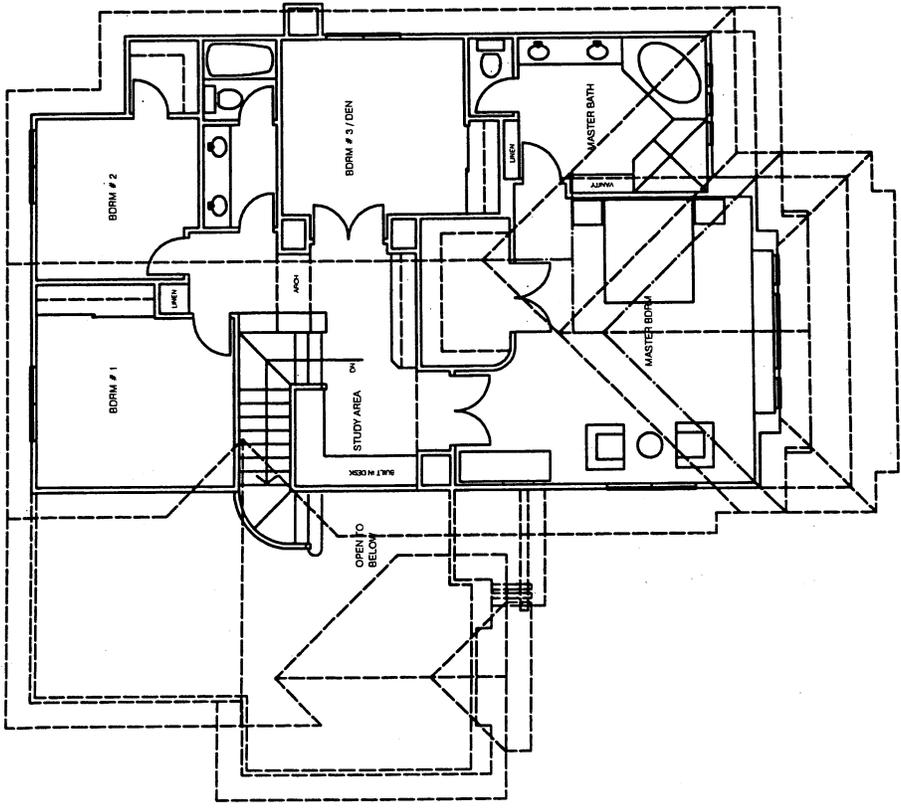
SIDE EXTERIOR

DATE	8/1/09
SCALE	1/8" = 1'-0"
DRAWN	J. PERIN
JOB	UCY090000A



RESIDENCE 1,249 S.F. - FIRST FLR
 RESIDENCE 1,414 S.F. - SECOND FLR
 RESIDENCE 2,773 S.F. - TOTAL
 GARAGE 720 S.F.

FIRST FLOOR PLAN



SECOND FLOOR PLAN

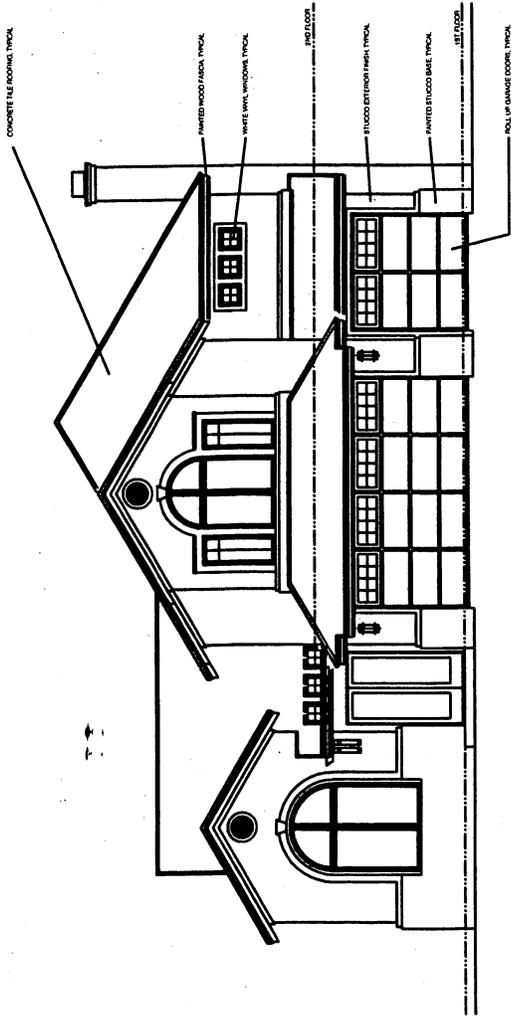
DATE: 11/19/19
SCALE: 1/4" = 1'-0"
DRAWN BY: J. FERRE
JOB: 1901/0000A

EXTERIOR ELEVATIONS

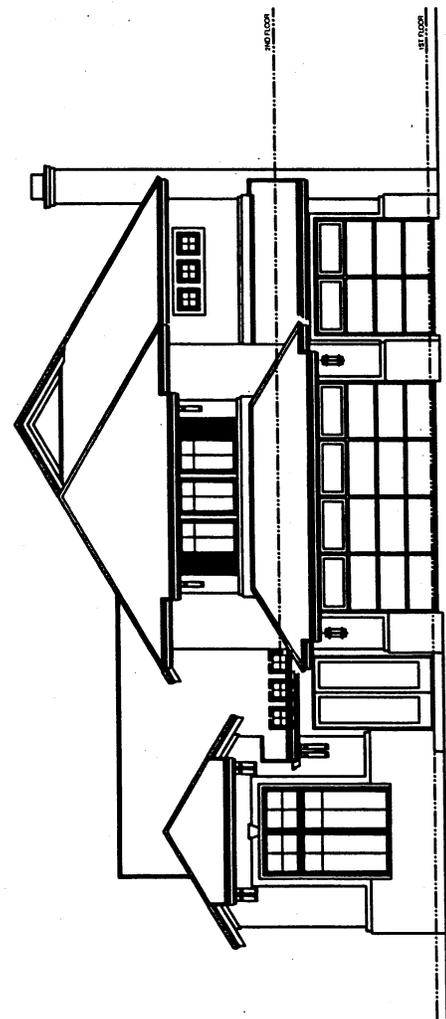
PLAN B

VENTANA - OCEANSIDE, CALIF.
MICHAEL CREWS COMMERCIAL DEVELOPMENT
P.O. BOX #460160 ESCONDIDO, CALIF. 92046 (760) 749-1919

REVISIONS



FRONT EXTERIOR # 1



FRONT EXTERIOR # 2

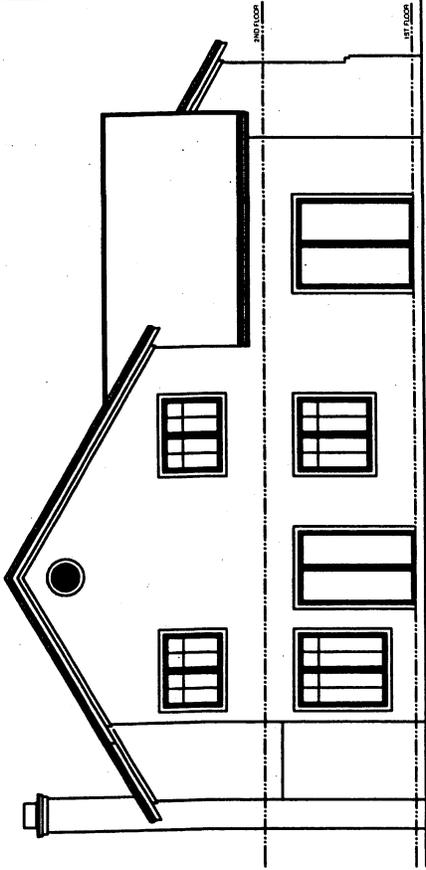
REVISIONS

VENTANA - OCEANSIDE, CALIF.
MICHAEL CREWS COMMERCIAL DEVELOPMENT
P.O. BOX #480160 FSCONDO, CALIF. 92016 (761) 749-
DATE: 01/10/09
SCALE: 1/8" = 1'-0"
DRAWN: J. PERIN
CHECKED: J. PERIN

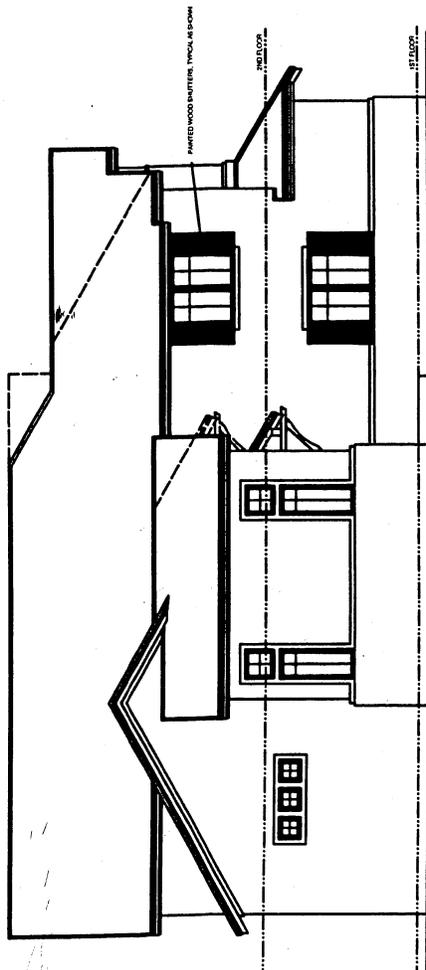
EXTERIOR ELEVATIONS

PLAN B

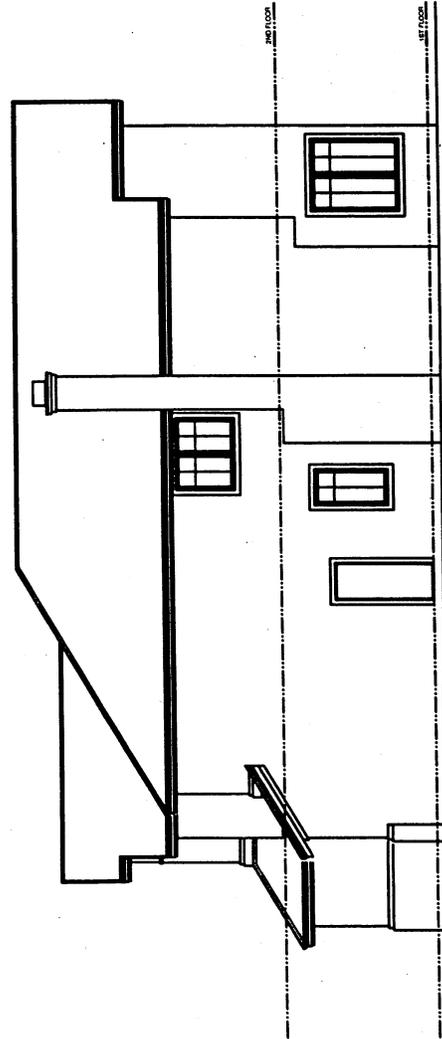
B-3



REAR EXTERIOR



SIDE EXTERIOR



SIDE EXTERIOR

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RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
OCEANSIDE GRANTING THE APPEAL OF PLANNING
COMMISSION RESOLUTION NO. 2006-P10 AND
APPROVING TENTATIVE MAP (T-1-05), DEVELOPMENT
PLAN (D-1-05), CONDITIONAL USE PERMIT (C-48-05) AND
VARIANCE (V-13-05) FOR A 17-UNIT CONDOMINIUM
COMPLEX AND THREE SINGLE-FAMILY RESIDENCES
LOCATED AT THE NORTHWEST CORNER OF CROUCH
STREET AND CANYON DRIVE**

**(Michael Crews Commercial development - Applicant)
(Michael Crews Commercial Development - Appellant)**

WHEREAS, an application was filed for a Tentative Map (T-1-05), Development Plan (D-1-05), Conditional Use Permits (C-48-05) and Variance (V-13-05) for the construction of a 17-unit condominium project and three single-family residences at the northeast corner of Crouch Street and Canyon Drive, which such real property is more particularly described in EXHIBIT "A", attached hereto and incorporated herein by reference;

WHEREAS, on March 13, 2006 the Planning Commission of the City of Oceanside, after holding a duly advertised public hearing, denied with prejudice said Tentative Map, Development Plan, Conditional Use Permit and Variance;

WHEREAS, on March 27, 2006, the Planning Commission adopted Resolution No. 2006-P10 denying with prejudice said Tentative Map, Development Plan, Conditional Use Permit and Variance;

WHEREAS, on April 5, 2006, an appeal was timely filed by Michael Crews Commercial Development of the Planning Commission decision with the City Clerk of the City of Oceanside;

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State Guidelines thereto the project is exempt from environmental review;

WHEREAS, on May 17, 2006, the City Council of the City of Oceanside held a duly noticed public hearing and heard and considered evidence and testimony by all interested parties concerning the

1 appeal of the denial of the above identified, Tentative Map, Development Plan, Conditional Use Permit,
2 and Variance; and

3 WHEREAS, based on such evidence and testimony this Council approved the appeal and
4 reversed the decision of the Planning Commission;

5 NOW, THEREFORE, the City Council of the City of Oceanside DOES RESOLVE as
6 follows:

7 1. The appeal of Planning Commission Actions of March 13, 2006 and March 27,
8 2006: Denial of Tentative Map (T-01-05), Development Plan (D-1-05), Conditional Use Permit
9 (C-48-05) and Variance (V-13-05) is granted.

10 2. The decision of the Planning Commission is reversed, including the finding of
11 inconsistency with the City's General Plan and Zoning Ordinance. The project is consistent
12 with the Land Use Element of the General Plan and the City's Zoning Ordinance implementing
13 the General Plan. The project conforms with the zoning, intensity of land use, development and
14 standards applicable to property within the RM-B and RS Zones.

15 3. Pursuant to CCP Section 1094.6 (f), notice is hereby given that the time within which
16 judicial review must be sought on this decision is governed by CCP Section 1094.6 as set forth in
17 Oceanside City Code Section 1.10.

18 4. Pursuant to Gov't Code §66020(d)(1), NOTICE IS HEREBY GIVEN that the project is
19 subject to certain fees, dedications, reservations and other exactions as provided below:

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 05-R0628-1	\$3,278 per unit
Drainage Fee	Ordinance No. 85-23 Resolution No. 05-R0628-1	\$14,937 per acre
Public Facility Fee	Ordinance No. 91-09 Resolution No. 05-R0628-1	\$1,939 per unit for residential
School Facilities Mitigation Fee	Ordinance No. 91-34	\$2.14 per square foot

1	<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
2			
3	Traffic Signal Fee	Ordinance No. 87-19	\$14.70 per vehicle trip
4	Thoroughfare Fee	Ordinance No. 83-01	\$239 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG)
5	(For commercial and industrial please note the .75 per cent discount)		
6			
7	Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 05-OR 0611-1	Based on meter size Typical \$3,746
8			
9			
10	Wastewater System Buy-in	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on capacity or water meter size Typical \$4,587
11	fees		
12			
13	San Diego County Water	SDCWA Ordinance No. 2005-03	Based on meter size. Residential is typically \$4,154 per unit
14	Authority Capacity Fees		
15			
16	Inclusionary housing in lieu fees—Residential only.	Chapter 14-C of the City Code	\$1,000 per development project + \$100 per unit plus \$10,275 per unit
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5. The current fees referenced above are merely fee amount estimates of the impact fees that would be required if due and payable under currently applicable ordinances and resolutions, presume the accuracy of relevant project information provided by the applicant, and are not necessarily the fee amount that will be owing when such fee becomes due and payable;

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23

6. Unless otherwise provided by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 32B of the Oceanside City Code and the City expressly reserves the right to amend the fees and fee calculations consistent with applicable law;

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7. The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law;

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8. Pursuant to Gov't Code §66020(d)(1), NOTICE IS FURTHER GIVEN that the 90-day period to protest the imposition of any fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that

1 complies with Section 66020;

2 9. Pursuant to Oceanside Zoning Ordinance §4603, this resolution becomes effective 10 days
3 from its adoption;

4 10. Studies and investigations made by this Commission and in its behalf reveal the following
5 facts:

6 FINDINGS:

7 For the Tentative Map:

- 8 a. The proposed subdivision creates parcels that are consistent and exceed the requirements of the
9 RM-B and RS zoning designation. The subdivision map is consistent with the General Plan of
10 the City.
11 b. The proposed building pads on the site will conform to the topography of the site, therefore,
12 making it suitable for residential development. The 1.71-acre site is physically suitable to allow
13 for the development of 17 multi-family residential units and three single-family lots.
14 c. The subdivision complies with all other applicable ordinances, regulations and guidelines of the
15 City.
16 d. The design of the subdivision or proposed improvements will not conflict with easements,
17 acquired by the public at large, for access through the property within the subdivision.
18 e. That the design of the subdivision or the proposed improvements will not cause substantial
19 environment damage or substantially and avoidably injure fish or wildlife or their habitat.

19 For the Development Plan:

- 20 a. The site plan and physical design of the project is consistent with the Zoning Ordinance and the
21 underlying Medium Density Residential and Detached Single-Family Residential (RM-B & RS)
22 zoning designations.
23 b. The Development Plan conforms to the General Plan of the City.
24 c. The project site can be adequately served by existing public facilities, services and utilities.
25 d. The project, as proposed, is compatible with the existing and potential development on
26 adjoining properties or in the surrounding neighborhood.
27 e. The site plan and parameters for the architecture and physical design of the project is consistent
28 with the policies contained within Sections 1.24 and 1.25 of the Land Use Element of the
General Plan.

1 Conditional Use Permit for the Increase in Base Density:

- 2 a. The development portion of the subject property is zoned RM-B and RS with a corresponding
3 Land Use designation of Medium Density-B Residential (RM-B 10-15 dwelling units per acre)
4 and Residential Single-Family District (3.6-5.9 dwelling units per acre). The project density for
5 the multi-family portion of the project (14.6 dwelling units per acre) is consistent with the
6 density range of 10-15 dwelling units per acre. The single-family portion of the project (5.8
7 dwelling units per acre) is consistent with the density range of 3.6 – 5.9 dwelling units per acre.
- 8 b. The location and conditions under which the subject application must comply insure that the
9 project will not cause detriment to the public health safety or welfare of persons residing or
10 working in or adjacent to the project area.
- 11 c. The project has been adequately conditioned or designed to comply with applicable
12 requirements of the Zoning Ordinance.
- 13 d. The project proposes an excellence in design features in accordance with Section 2.32 of the
14 General Plan including offset garages, varied front yard setbacks, large setback areas and various
orientations of the units on the lots.

15 For the Hillside Development Plan:

- 16 a. The project, as designed, is consistent with Hillside Development Regulations and conforms to
17 the City of Oceanside General Plan.
- 18 b. The project is consistent with the zoning and development regulations for the Medium Density
19 Residential and Single-Family Residential (RM-B and RS) zone and with all other applicable
20 ordinances regulations and guidelines of the City of Oceanside.
- 21 c. The project site can be adequately served by existing public facilities, services and utilities.
- 22 d. No feasible alternative exists for the proposed increase in height and length of the manufactured
23 slope without a substantial amount of grading which would further degrade the natural slope of the
site.

24 For the Variance for exceeding the Maximum Height for Walls:

- 25 a. Special circumstances or conditions applicable to the development site, including size, shape,
26 topography, location and surroundings warrant the granting of the Variance. The walls that
27 exceed the maximum height of six feet (maximum height 20 feet) located on various portions
28 of the site are necessary to offset the steep sloped terrain of the subject site. The strict

1 application of the requirements of the Zoning Ordinance deprives such property of privileges
2 enjoyed by other property in the vicinity and under identical zoning classification.

3 b. The proposed additional height for the retaining walls does not make the property or use out-
4 of-character with property improvements in the vicinity. As such, granting the variance will
5 not be detrimental or injurious to property or improvements in the vicinity of the development
6 site, or to the public health, safety or general welfare.

7 c. The granting of the variance is consistent with the purpose of the Zoning Ordinance and will
8 not constitute a grant of special privilege inconsistent with limitations on other properties in the
9 vicinity and in the same zoning district. The additional wall height is a result of the sloped
10 terrain of the subject site.

11 11. The City Council does hereby approve Tentative Map (T-1-05), Development Plan (D-1-
12 05), Conditional Use Permit (C-48-05) and Variance (V-13-05) subject to the following conditions:

13 **Building:**

- 14 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for Building
15 Department plan check.
- 16 2. The granting of approval under this action shall in no way relieve the applicant/project from
17 compliance with all State and local building codes.
- 18 3. Site development, common use areas, access and adaptability of apartments and condominiums
19 shall comply with Part 2, Title 24, and C.C.R. (Disabled Access & Adaptability - HCD).
- 20 4. All electrical, communication, CATV, etc. service lines, within the exterior lines of the property
21 shall be underground (City Code Sec. 6.30).
- 22 5. The building plans for this project are required by State law to be prepared by a licensed
23 architect or engineer and must be in compliance with this requirement prior to submittal for
24 building plan review.
- 25 6. All outdoor lighting shall meet Chapter 39 of the City Code (Light Pollution Ordinance) and shall
26 be shielded appropriately. Where color rendition is important high-pressure sodium, metal halide
27 or other such lights may be utilized and shall be shown on final building and electrical plans.
- 28 7. The developer shall monitor, supervise and control all building construction and supportive
activities so as to prevent these activities from causing a public nuisance, including, but not limited
to, strict adherence to the following:

- 1 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00 p.m.
2 Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for work that is not
3 inherently noise-producing. Examples of work not permitted on Saturday are concrete and
4 grout pours, roof nailing and activities of similar noise-producing nature. No work shall be
5 permitted on Sundays and Federal Holidays (New Year's Day, Memorial Day, July 4th,
6 Labor Day, Thanksgiving Day, Christmas Day) except as allowed for emergency work
7 under the provisions of the Oceanside City Code Chapter 38 (Noise Ordinance).
- 8 b) The construction site shall be kept reasonably free of construction debris as specified in
9 Section 13.17 of the Oceanside City Code. Storage of debris in approved solid waste
10 containers shall be considered compliance with this requirement. Small amounts of
11 construction debris may be stored on-site in a neat, safe manner for short periods of time
12 pending disposal.

- 13 8. Separate unique addresses will be required to facilitate utility releases. Verification that the
14 addresses have been properly assigned by the Planning Division must accompany the Building
15 Permit application.
- 16 9. A complete soils report, structural calculations, and energy calculations/documentations will be
17 required at time of plans submittal to the Building Division for plan check.
- 18 10. UBC 904.2.9 requires automatic fire sprinkler systems in building having three or more stories.
- 19 11. As part of your plan check submittal for a building permit, submit a "plat" drawing showing the
20 first floor elevations for each segment, the locations of the points where the floor level is six feet
21 above grade and the lowest elevation within five feet from the building for each segment.

22 **Engineering:**

- 23 12. Five-foot sidewalk (not including 6" top of curb) shall be installed along Canyon Drive and
24 Crouch Street for the full length of the project.
- 25 13. ADA compliant pedestrian access shall be provided at all project driveways and the
26 intersections of Canyon Drive and Crouch Street.
- 27 14. Sight distance requirements at all driveway and street intersections shall conform to the
28 intersection corner sight distance criteria as provided by the California Department of
Transportation Highway Design Manual.
15. Canyon Drive shall be widened along the frontage of the project as depicted on the approved
site plan, to the satisfaction of the Public Works Director.

- 1 16. A traffic control plan shall be prepared according to the City traffic control guidelines and be
2 submitted to and approved by the Public Works Director prior to the start of work within open
3 City rights-of-way. Traffic control during construction of streets that have been opened to
4 public traffic shall be in accordance with construction signing, marking and other protection as
5 required by the Caltrans Traffic Manual and City Traffic Control Guidelines.
- 6 17. Traffic control during construction adjacent to or within all public streets must meet Caltrans
7 standards and City Traffic Control Guidelines. Traffic control plans shall be in effect from 8:00
8 a.m. to 3:30 p.m. unless approved otherwise.
- 9 18. A haul route shall be obtained at least 7 days prior to the start of hauling operations and must be
10 approved by the Transportation Manager. Hauling operations shall be 8:00 a.m. to 3:30 p.m.
11 unless approved otherwise.
- 12 19. Streetlight/s shall be installed on Canyon Drive along the frontage of the project. The system shall
13 be designed to provide uniform lighting, and be secured prior to the recordation of map or building
14 permit issuance, if a map is not recorded. The subdivider shall pay all applicable fees, energy
15 charges, and/or assessments associated with City-owned (LS-2 rate schedule) streetlights and shall
16 also agree to the formulation of, or the annexation to, any appropriate street lighting district.
- 17 20. The applicant shall pay all applicable traffic signal and thoroughfare fees.
- 18 21. Vehicular access rights to Crouch Street except driveways shall be relinquished to the City from all
19 abutting lots.
- 20 22. All right-of-way alignments, street dedications, exact geometrics and widths shall be dedicated and
21 improved as required by the Public Works Director.
- 22 23. If the project involves demolition of an existing structure or surface improvements, the Public
23 Works Director prior to the issuance of a demolition permit shall approve the grading plans. No
24 demolition shall be permitted without an approved erosion control plan.
- 25 24. Design and construction of all improvements shall be in accordance with standard plans,
26 specifications of the City of Oceanside and subject to approval by the Public Works Director.
- 27 25. Prior to issuance of a building permit all improvement requirements shall be covered by a
28 development agreement and secured with sufficient improvement securities or bonds
guaranteeing performance and payment for labor and materials, setting of monuments, and
warranty against defective materials and workmanship.

- 1 26. Prior to issuance of a building permit a phasing plan for the construction of public and private
2 improvements including landscaping, shall be approved by the Public Works Director.
- 3 27. The developer shall provide public street dedication as required to serve the property.
- 4 28. The approval of the tentative map shall not mean that closure, vacation, or abandonment of any
5 public street, right-of-way, easement, or facility is granted or guaranteed to the subdivider. The
6 subdivider is responsible for applying for all closures, vacations, and abandonments as
7 necessary. The application(s) shall be reviewed and approved or rejected by the City under
8 separate process(es) per codes, ordinances, and policies in effect at the time of the application.
- 9 29. Prior to approval of the final/parcel map or any increment, all improvement requirements, within
10 such increment or outside of it if required by the Public Works Director, shall be covered by a
11 subdivision agreement and secured with sufficient improvement securities or bonds guaranteeing
12 performance and payment for labor and materials, setting of monuments, and warranty against
13 defective materials and workmanship.
- 14 30. Prior to approval of the Final Map a phasing plan for the construction of public and private
15 improvements including landscaping, streets and arterials shall be approved by the Public Works
16 Director. All improvements shall be under construction to the satisfaction of the Public Works
17 Director prior to the issuance of any building permits. All improvements shall be completed prior
18 to issuance of any certificates of occupancy.
- 19 a) The tract shall be recorded as one. The tract may be developed in phases. A construction-
20 phasing plan for the construction of on-site public and private improvements shall be
21 reviewed and approved by the Public Works Director prior to the recordation of the final
22 map. Prior to the issuance of any building permits all offsite improvements including
23 landscaping, landscaped medians, frontage improvements shall be under construction to
24 the satisfaction of the Public Works Director. Prior to issuance of any certificates of
25 occupancy the Public Works Director shall require the dedication and construction of
26 necessary utilities, arterials and streets and other improvements outside the area of any
27 particular final map, if such is needed for circulation, parking, access or for the welfare or
28 safety of future occupants of the development.
31. Where proposed off-site improvements, including but not limited to slopes, public utility facilities,
and drainage facilities, are to be constructed, the applicant shall, at his own expense, obtain all
necessary easements or other interests in real property and shall dedicate the same to the City as

1 required. The applicant shall provide documentary proof satisfactory to the City that such
2 easements or other interest in real property have been obtained prior to the approval of the Final
3 Map. Additionally, the City, may at its sole discretion, require that the applicant obtain at his sole
4 expense a title policy insuring the necessary title for the easement or other interest in real property
5 to have vested with the City of Oceanside or the applicant, as applicable.

6 32. Pursuant to the State Map Act, improvements shall be required at the time of development. A
7 covenant, reviewed and approved by the City Attorney, shall be recorded attesting to these
8 improvement conditions and a certificate setting forth the recordation shall be placed on the map.

9 33. Prior to the issuance of a grading permit, the developer shall notify and host a neighborhood
10 meeting with all of the area residents located within 300 feet of the project site, and residents of
11 property along any residential streets to be used as a "haul route", to inform them of the grading
12 and construction schedule, haul routes, and to answer questions.

13 34. The developer shall monitor, supervise and control all construction and construction-supportive
14 activities, so as to prevent these activities from causing a public nuisance, including but not limited
15 to, insuring strict adherence to the following:

- 16 a) Dirt, debris and other construction material shall not be deposited on any public street or
17 within the City's stormwater conveyance system.
- 18 b) All grading and related site preparation and construction activities shall be limited to the
19 hours of 7:00 a.m. to 6:00 p.m., Monday through Friday. No engineering related
20 construction activities shall be conducted on Saturdays, Sundays or legal holidays unless
21 the Public Works Director grants written permission with specific limitations to the
22 working hours and types of permitted operations. All on-site construction staging areas
23 shall be as far as possible (minimum 100 feet) from any existing residential
24 development. Because construction noise may still be intrusive in the evening or on
25 holidays, the City of Oceanside Noise Ordinance also prohibits "any disturbing
26 excessive, or offensive noise which causes discomfort or annoyance to reasonable
27 persons of normal sensitivity."
- 28 c) The construction site shall accommodate the parking of all motor vehicles used by persons
working at or providing deliveries to the site.

1 d) A haul route shall be obtained at least 7 days prior to the start of hauling operations and
2 must be approved by the Public Works Director. Hauling operations shall be 8:00 a.m. to
3 3:30 p.m. unless approved otherwise.

4 35. Approval of this development project is conditioned upon payment of all applicable impact fees
5 and connection fees in the manner provided in chapter 32B of the Oceanside City Code. All
6 drainage fees, traffic signal fees and contributions, highway thoroughfare fees, park fees,
7 reimbursements, and other applicable charges, fees and deposits shall be paid prior to recordation
8 of the map or the issuance of any building permits, in accordance with City Ordinances and
9 policies. The subdivider shall also be required to join into, contribute, or participate in any
10 improvement, lighting, or other special district affecting or affected by this project. Approval of
11 the tentative map (project) shall constitute the developer's approval of such payments, and his
12 agreement to pay for any other similar assessments or charges in effect when any increment is
13 submitted for final map or building permit approval, and to join, contribute, and/or participate in
14 such districts.

14 36. All streets shall be improved with curbs and gutters.

15 37. All streets shall provide a minimum of 10 feet parkway where depicted on the site plan between
16 the face of curb and the right-of-way line. Sidewalk improvements shall comply with ADA
17 requirements.

18 38. This project's streets shall remain private and shall be maintained by an association. The
19 pavement sections, traffic indices, alignments, and all geometrics shall meet public street
20 standards.

21 39. Prior to approval of the grading plans, the developer shall contract with a geotechnical engineering
22 firm to perform a field investigation of the existing pavement on all streets adjacent to the project
23 boundary. The limits of the study shall be half-street plus twelve (12) feet along the project's
24 frontage. The field investigation shall include a minimum of one pavement boring per every fifty
25 (50) linear feet of street frontage. Should the existing AC thickness be determined to be less than
26 three (3) inches or without underlying Class II base material, the developer shall remove and
27 reconstruct the pavement section as determined by the pavement analysis submittal process
28 detailed in Item No. 2 below.

40. Upon review of the pavement investigation, the Public Works Director shall determine whether
the developer shall: 1) Repair all failed pavement sections, header cut and grind per the direction

1 of the Transportation/Development Inspector, and construct a two-inch thick rubberized AC
2 overlay; or 2) Perform R-value testing and submit a study that determines if the existing pavement
3 meets current City standards/traffic indices. Should the study conclude that the pavement does not
4 meet current requirements, rehabilitation/mitigation recommendations shall be provided in a
5 pavement analysis report, and the developer shall reconstruct the pavement per these
6 recommendations, subject to approval by the Public Works Director.

7 41. Any street shall be improved as required the Public Works Director.

8 42. Pavement sections for all streets, alleys, driveways and parking areas shall be based upon approved
9 soil tests and traffic indices. The pavement design is to be prepared by the subdivider's soil
10 engineer and must be approved by the Public Works Director, prior to paving.

11 43. Any existing broken pavement, concrete curb, gutter or sidewalk or any damaged during
12 construction of the project, shall be repaired or replaced as directed by the Public Works Director.

13 44. For the project frontage, where depicted on the site plan, street improvements including curb,
14 gutters and sidewalk shall be constructed in accordance with the standard plans and specifications
15 of the City of Oceanside and as approved by the Public Works Director.

16 45. Existing overhead utility lines along Crouch Street, where depicted on the site plan, and all new
17 extension services for the development of the project, including but not limited to, electrical, cable
18 and telephone, shall be placed underground per Section 901.G. of the Subdivision Ordinance
19 (R91-166) and as required by the Public Works Director and current City policy.

20 46. The developer shall comply with all the provisions of the City's cable television ordinances
21 including those relating to notification as required by the Public Works Director.

22 47. Grading and drainage facilities shall be designed and installed to adequately accommodate the
23 local stormwater runoff and shall be in accordance with the City's Engineers Manual and as
24 directed by the Public Works Director.

25 48. Prior to any grading of any part of the tract or project, a comprehensive soils and geologic
26 investigation shall be conducted of the soils, slopes, and formations in the project. All necessary
27 measures shall be taken and implemented to assure slope stability, erosion control, and soil
28 integrity. No grading shall occur until a detailed grading plan, to be prepared in accordance with
the Grading Ordinance and Zoning Ordinance, is approved by the Public Works Director.

49. This project shall provide year-round erosion control including measures for the site required for
the phasing of grading. Prior to the issuance of grading permit, an erosion control plan, designed

1 for all proposed stages of construction, shall be reviewed, secured by the applicant with cash
2 securities and approved by the Public Works Director.

3 50. A precise grading and private improvement plan shall be prepared, reviewed, secured and
4 approved prior to the issuance of any building permits. (A Preliminary Grading Plan approved by
5 Public Works Director and at the discretion of the subdivider maybe prepared and submitted prior
6 to the Precise Grading Plan.) The plan shall reflect all pavement, flatwork, landscaped areas,
7 special surfaces, curbs, gutters, medians, striping, signage, footprints of all structures, walls,
8 drainage devices and utility services. Parking lot striping and any on-site traffic calming devices
9 shall be shown on all Precise Grading and Private Improvement Plans.

10 51. Landscaping plans, including plans for the construction of walls, fences or other structures at or
11 near intersections, must conform to intersection sight distance requirements. Landscape and
12 irrigation plans must be submitted to the Public Works Director prior to occupancy. The Public
13 Works Director must approve all plans and a pre-construction meeting held, prior to the start of
14 any improvements.

15 52. Frontage and median landscaping shall be installed prior to the issuance of any certificates of
16 occupancy. Any project fences, sound or privacy walls and monument entry walls/signs shall be
17 shown on, bonded for and built from the landscape plans. These features shall also be shown on
18 the precise grading plans for purposes of location only. Plantable, segmental walls shall be
19 designed, reviewed and constructed by the grading plans and landscaped/irrigated through project
20 landscape plans. The Public Works Director must approve all plans at a pre-construction meeting
21 held prior to the start of any improvements.

22 53. Open space areas and down-sloped areas visible from a collector-level or above roadway and not
23 readily maintained by the property owner, shall be maintained by a homeowners' association that
24 will insure installation and maintenance of landscaping in perpetuity. These areas shall be
25 indicated on the final map and reserved for an association. Future buyers shall be made aware of
26 any estimated monthly costs. The disclosure, together with the CC&R's, shall be submitted to the
27 Public Works Director for review prior to the recordation of final map. In the event the
28 homeowner's association dissolves, responsibility for irrigation and maintenance of the slopes
(open space areas) adjacent to each property shall become that of the individual property owner.

54. The drainage design on the Tentative Map is conceptual only. The final design shall be based
upon a hydrologic/hydraulic study to be approved by the Public Works Director during final

1 engineering. All drainage picked up in an underground system shall remain underground until it is
2 discharged into an approved channel, or as otherwise approved by the Public Works Director. All
3 public storm drains shall be shown on City standard plan and profile sheets. All storm drain
4 easements shall be dedicated where required. The applicant shall be responsible for obtaining any
5 off-site easements for storm drainage facilities.

6 55. Storm drain facilities shall be designed and located such that the inside travel lanes on streets with
7 collector or above design criteria shall be passable during conditions of a 100-year frequency
8 storm.

9 56. Sediment, silt, grease, trash, debris, and/or pollutants shall be collected on-site and disposed of in
10 accordance with all state and federal requirements, prior to stormwater discharge either off-site or
11 into the City drainage system.

12 57. Unless an appropriate barrier is approved on a landscape plan, a minimum 42-inch high barrier,
13 approved by the Public Works Director, shall be provided at the top of all slopes whose height
14 exceeds 20 feet or where the slope exceeds four feet and is adjacent to an arterial street or state
15 highway.

16 58. The development shall comply with all applicable regulations established by the United States
17 Environmental Protection Agency (USEPA) as set forth in the National Pollutant Discharge
18 Elimination System (N.P.D.E.S.) permit requirements for urban runoff and stormwater
19 discharge and any regulations adopted by the City pursuant to the N.P.D.E.S. regulations or
20 requirements. Further, the applicant may be required to file a Notice of Intent with the State
21 Water Resources Control Board to obtain coverage under the N.P.D.E.S. General Permit for
22 Storm Water Discharges Associated with Construction Activity and may be required to
23 implement a Storm Water Pollution Prevention Plan (SWPPP) concurrent with the
24 commencement of grading activities. SWPPP include both construction and post construction
25 pollution prevention and pollution control measures and identify funding mechanisms for post
26 construction control measures. The developer shall comply with all the provisions of the Clean
27 Water Program during and after all phases of the development process, including but not limited
28 to: mass grading, rough grading, construction of street and landscaping improvements, and
construction of dwelling units. The applicant shall design the Project's storm drains and other
drainage facilities to include Best Management Practices to minimize non-point source
pollution, satisfactory to the Public Works Director.

- 1 59. The subdivider shall prepare and submit an Operations and Maintenance (O&M) Plan to the
2 Transportation/Engineering Division with the first submittal of engineering plans. The O&M
3 Plan shall be prepared by the applicant's Civil Engineer. It shall be directly based on the
4 project's Storm Water Mitigation Plan (SWMP) previously approved by the project's approving
5 authority (Planning Commission). The O&M Plan shall be approved by the Public Works
6 Director prior to approval of any plans by the Transportation/Engineering Division. At a
7 minimum the O&M Plan shall include the designated responsible parties to manage the
8 stormwater BMP(s), employee's training program and duties, operating schedule, maintenance
9 frequency, routine service schedule, specific maintenance activities, copies of resource agency
10 permits, cost estimate for implementation of the O&M Plan and any other necessary elements.
- 11 60. The subdivider shall enter into a City-Standard Stormwater Facilities Maintenance Agreement
12 with the City obliging the project proponent to maintain, repair and replace the stormwater Best
13 Management Practices (BMPs) identified in the project's approved Storm Water Mitigation Plan
14 (SWMP), as detailed in the O&M Plan into perpetuity. The agreement shall be approved by the
15 City Attorney prior to issuance of any precise grading permit and shall be recorded at the County
16 Recorder's Office prior to issuance of any building permit. Security in the form of cash (or
17 certificate of deposit payable to the City) or an irrevocable, City-Standard Letter of Credit shall
18 be required prior to issuance of a precise grading permit. The amount of the security shall be
19 equal to 10 years of maintenance costs, as identified by the O&M Plan. The applicant's Civil
20 Engineer shall prepare the O&M cost estimate. The O&M cost estimate shall be approved by
21 the Public Works Director prior to approval of any engineering plans for the project.
- 22 61. At a minimum, maintenance agreements shall require the staff training, inspection and
23 maintenance of all BMPs on an annual basis. The project proponent shall complete and
24 maintain O&M forms to document all maintenance activities. Parties responsible for the O&M
25 plan shall retain records at the subject property for at least 5 years. These documents shall be
26 made available to the City for inspection upon request at any time.
- 27 62. The agreement shall include a copy of executed on-site and off-site access easements necessary
28 for the operation and maintenance of BMPs that shall be binding on the land throughout the life
of the project to the benefit of the party responsible for the O&M of BMPs, until such time that
the stormwater BMP requiring access is replaced, satisfactory to the Public Works Director.

1 The agreement shall also include a copy of the O&M Plan approved by the Public Works
2 Director.

- 3 63. The BMPs described in the project's approved Storm Water Mitigation Plan (SWMP) shall not
4 be altered in any way, shape or form without formal approval by the project's final approving
5 authority City Council at a public hearing, if such hearing was required for the approval of the
6 project.

7 **Fire:**

- 8 64. Fire Department requirements shall be placed on plans in the notes section.
- 9 65. A minimum fire flow of 3,000 gallons per minute shall be provided.
- 10 66. The size of fire hydrant outlets shall be 2 ½ " X 2 ½ X 4".
- 11 67. All proposed and existing fire hydrants within 400 feet of the project shall be shown on the site
12 plan.
- 13 68. The fire hydrants shall be installed and tested prior to placing any combustible materials on the
14 job site.
- 15 69. Provide on-site hydrant(s) and mains capable of supplying the required fire flow.
- 16 70. Detailed plans of underground fire service mains shall be submitted to the Oceanside Fire
17 Department for approval prior to installation.
- 18 71. Blue hydrant identification markers shall be placed as per Oceanside's Engineers Design and
19 Processing Manual Standard Drawing No. M-13.
- 20 72. Provide standpipes as required by the Fire Marshall.
- 21 73. All weather access roads shall be installed and made serviceable prior to and during time of
22 construction. Sec. 902. Uniform Fire Code.
- 23 74. A fire apparatus access road shall be provided to within 150 feet of all exterior walls of the first
24 floor of the building. The route of the fire apparatus access road shall be approved by the Fire
25 Department. The 150 feet is measured by means of an unobstructed route around the exterior of
26 the building.
- 27 75. Apparatus access roads shall have a minimum unobstructed width of 28 feet. A minimum
28 vertical clearance of 14 feet shall be provided for the apparatus access roads.
76. All streets less than 32 feet wide shall be posted "NO PARKING FIRE LANE" per City Vehicle
Code Section 22500.1.

- 1 77. All security gates shall have a knock-box override and as required have strobe activation
2 capability, unless otherwise approved by the Fire Marshall.
- 3 78. Fire extinguishers are required and shall be included on the plans submitted for plan check.
- 4 79. An approved fire sprinkler system must be installed throughout the building. The system shall
5 be designed per N.F.P.A. 13, and U.B.C. standard 9-1. The sprinkler system requires 24-hour
6 supervision.
- 7 80. The Fire Department connection shall not be affixed to the building. The Fire Department
8 connection must be located at least 40 feet away from the building, within 40 feet of a fire
9 hydrant and on the address side of the building, unless otherwise determined by the Fire
10 Department. The hydrant shall be located on the same side of the street as the Fire Department
11 connection.
- 12 81. Provide a fire alarm system as required per U.F.C. Article 10 and N.F.P.A. 72, 1999 Edition.
- 13 82. In accordance with the Uniform Fire Code Sec. 901.1.4.4, approved addresses for Commercial,
14 Industrial, and Residential Occupancies shall be placed on the structure in such a position as to
15 be plainly visible and legible from the street or roadway fronting the property. Numbers shall
16 contrast with their background.
- 17 83. Multi-Building complexes require address directory boards that are visible from the main
18 entrance.
- 19 84. Single-family dwellings require 4-inch address numbers.
- 20 85. Multi-family dwellings require 6-inch address numbers.
- 21 86. Plans shall be submitted to the Fire Prevention Bureau for plan check review and approval prior
22 to the issuance of building permits.
- 23 87. Buildings shall meet Oceanside Fire Department's current adopted codes at the time of building
24 permit application.
- 25 88. Submit a copy of as-built plans on a CD for all projects on the job site before final occupancy.
- 26 89. Submit Approved Technical Report with the building plans to the Building Division.
- 27 90. Future development of the property will require compliance with all applicable Fire Department
28 Codes and Standards.
91. All structural mitigation notes and details resulting from the brush management report or Fire
Department conditions shall be included on the architectural plans when submitted to the
Building Division for building permit.

- 1 92. Trees must be 10 feet off of structures measured at maturity of the tree from the dripline of the
2 tree to the farthest projection of the structure.
- 3 93. Remove prohibited plant species, plants must be in accordance with the Fire Department
4 Guidelines.
- 5 94. Provide an urban interface/wildland Fire consultant to provide structural and brush management
6 mitigation information prior to the approval of the application. The qualifications of the Urban
7 Interface consultant must be provided to the Oceanside Fire Department for review prior to a
8 submittal being accepted.
- 9 95. Site Inspection – site inspection may reveal conditions, which have changed since plan review.
10 When such discrepancies arise, field inspection shall take precedence.
- 11 96. Submit three sets of plans prepared by a licensed landscape architect or other design
12 professional with equivalent credentials, for review.

13 Vegetation Management: Conceptual Fuel Modification Plans

- 14 97. The following shall be included on the conceptual fuel modification plan:
- 15 a) Delineation of each zone (setback, irrigated, and thinning) with a general description of
16 each zone's dimensions and character; i.e., 0-40' Zone 1, with existing vegetation
17 removed, irrigated, and planted with drought-tolerant and fire-resistant plant material.
- 18 b) Identify removal of undesirable plant species in accordance with the Oceanside Fire
19 Prone Plant Species List.
- 20 c) Existing vegetation impacted by the required fuel modification and, if available,
21 proposed vegetation to be planted in the fuel modification area. The conceptual plans
22 should be sensitive to rare and endangered species.
- 23 d) The design professional must be prepared to address their disposition in the final plans.
- 24 e) Identify the design of the proposed development, showing all property lines, contour
25 lines, and the proposed location of all structures nearest to the fuel modification area, if
26 available.
- 27 f) Photographs of the area that show the type of vegetation that currently exist, including
28 height and density, and the topography of the site. Include aerial photographs.
- g) Description of the methods to be used for vegetation removal, if appropriate; i.e.,
mechanical or manual.

- 1 h) Location of emergency and maintenance access easements every 500 feet of the fuel
2 modification area. Access easements shall have a minimum 10-foot width; alternatively
3 5 feet wide easements provided every 250 feet is acceptable. Gates shall be a minimum
4 of 36 inches wide. The easements shall be maintained free of vegetation or any
5 structures.
- 6 i) Identify what exists 1000 feet beyond the development property lines in all directions;
7 i.e., construction, natural vegetation, roads, parks, etc. (Note: the OFD may require
8 additional information on a project-specific basis.)
- 9 j) Identify all proposed off-site fuel modification areas and appropriate legal agreements
10 with adjacent property owners.
- 11 k) Existing and new plants will be in accordance with the Oceanside Fire Department's
12 approved plant palette.

13 Vegetation Management: Precise Fuel Modification Plans

- 14 98. Precise fuel modification plans shall include all information required on conceptual fuel
15 modification plans and the following additional information:
- 16 a) Location and detail of permanent zone markers.
- 17 b) Plant palette to be installed in accordance to acceptable guidelines.
- 18 c) Irrigation plans and specifications.
- 19 d) Building footprints or statements that clearly indicates the limits of proposed
20 development.
- 21 e) All applicable maintenance requirements and assignments of responsibility.
- 22 f) Tracked or project conditions, CC&R and/or deed restrictions relative to fuel
23 modifications.

24 Planning:

- 25 99. This Tentative Map, Development Plan, Conditional Use Permit and Variance shall expire on
26 May 17, 2008, unless a time extension is granted by the City Council.
- 27 100. This Tentative Map, Development Plan, Conditional Use Permit and Variance approves only 17
28 condominium townhomes and three single-family units on individual lots as shown on the plans
and exhibits presented to the City Council for review and approval. No deviation from these
approved plans and exhibits shall occur without Planning Division's approval. Substantial

1 deviations shall require a revision to the Tentative Map, Development Plan, Conditional Use
2 Permit and Variance or a new Tentative Map, Development Plan, Conditional Use Permit and
3 Variance.

4 101. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold harmless
5 the City of Oceanside, its agents, officers or employees from any claim, action or proceeding
6 against the City, its agents, officers, or employees to attack, set aside, void or annul an approval of
7 the City, concerning Tentative Map T-1-05, Development Plan D-1-05, Conditional Use Permit
8 C-48-05 and Variance V-13-05. The City will promptly notify the applicant of any such claim,
9 action or proceeding against the City and will cooperate fully in the defense. If the City fails to
10 promptly notify the applicant of any such claim action or proceeding or fails to cooperate fully
11 in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold
12 harmless the City.

13 102. Landscape plans, meeting the criteria of the City's Landscape Guidelines and Water Conservation
14 Ordinance No. 91-15, including the maintenance of such landscaping, shall be reviewed and
15 approved by the Community Development Director prior to the issuance of building permits.
16 Landscaping shall not be installed until bonds have been posted, fees paid, and plans signed for
17 final approval. The following special landscaping requirements shall be met:

- 18 a) Parkway tree plantings along collector and arterial roads shall be a minimum of two-inch
19 diameter trees so as to ensure a mature landscape theme is achieved in a reasonable amount
20 of time.
- 21 b) The developer shall be responsible for irrigating and landscaping all embankments within
22 the project, and all slopes along major streets.
- 23 c) Street/parkway trees (minimum 15 gallon) shall be planted at a minimum of one tree per
24 unit or lot and two trees per corner lot. Approved root barriers shall be incorporated.
- 25 d) Local street trees in parkways shall be planted at a minimum of 30 feet on center, each side
26 of street, as a solitary planting. Approved root barriers shall be incorporated.
- 27 e) To mitigate the loss of landmark and/or mature existing trees on-site the determination of
28 replacement shall be based on tree number, type, and caliper (caliper measured 2 1/2 feet
from the base of the tree at existing grade). The total number of tree caliper lost shall be
equal to the total number of caliper replaced. Replacement trees shall be a minimum of
15-gallon container stock. A field survey shall be performed under the supervision of the

1 City Landscaping Section to evaluate the existing tree population and the replacement
2 requirements. The existing trees to remain or proposed for removal shall be identified on
3 the Preliminary Grading Plan, Precise Grading Plan and Landscape Plan. The existing tree
4 type, location, and caliper shall be shown on the above plans. Replacement trees shall be
5 identified and shown on the Landscape Plan and shall be subject to review and approval by
6 the Community Development Director.

7 103. All landscaping, fences, walls, etc. on the site, in medians in the public right-of-way and in any
8 adjoining public parkways shall be permanently maintained by the owner, his assigns or any
9 successors-in-interest in the property. The maintenance program shall include normal care and
10 irrigation of the landscaping; repair and replacement of plant materials; irrigation systems as
11 necessary; and general cleanup of the landscaped and open areas, parking lots and walkways,
12 walls, fences, etc. Failure to maintain landscaping shall result in the City taking all appropriate
13 enforcement actions by all acceptable means including but not limited to citations and/or actual
14 work with costs charged to or recorded against the owner. This condition shall be recorded with
15 the covenant required by this resolution.

16 104. Model Landscape plans and Front Yard Landscape plans, designed in compliance with Water
17 Conservation Ordinance No. 91-15 shall be submitted as schematic drawings and shall be
18 approved and signed by the Engineering Division and the Planning Division prior to the issuance
19 of building permits. No bonding shall be required. Precise Grading Plans for model homes shall
20 be prepared by a Civil Engineer and shall be approved by the City Engineer prior to the issuance
21 of building permits. Prior to the issuance of occupancy permits, the City's Landscape
22 Technician/Inspector shall review each unit requested for occupancy to ensure that the installation
23 of planting and irrigation has occurred in conformance with the approved schematic drawings.
24 The irrigation system will also be tested to ensure adequate operation and coverage.

25 105. Front yard landscaping with a complete irrigation system, in compliance with Water Conservation
26 Ordinance No. 91-15, shall be required.

27 106. All single-family or multi-family unit dwelling projects shall dispose of or recycle solid waste
28 in a manner provided in City Ordinance 13.3.

107. A letter of clearance from the affected school district in which the property is located shall be
provided as required by City policy at the time building permits are issued.

- 1 108. A trash enclosure must be provided as required by Chapter 13 of the City Code and shall also
2 include additional space for storage and collection of recyclable materials per City standards.
3 Recycling is required by City Ordinance. The enclosure must be built in a flat, accessible location
4 as determined by the City Engineer. The enclosure shall meet City standards including being
5 constructed of concrete block, reinforced with rebar and filled with cement. A concrete slab must
6 be poured with a berm on the inside of the enclosure to prevent the bin(s) from striking the block
7 walls. The slab must extend out of the enclosure for the bin(s) to roll out onto. Steel posts must
8 be set in front of the enclosure with solid metal gates. All driveways and service access areas
9 must be designed to sustain the weight of a 50,000-pound service vehicle. Trash enclosures and
10 driveways and service access areas shall be shown on both the improvement and landscape plans
11 submitted to the City Engineer. The specifications shall be reviewed and approved by the City
12 Engineer. The City's waste disposal contractor is required to access private property to service the
13 trash enclosures, a service agreement must be signed by the property owner and shall remain in
14 effect for the life of the project. All trash enclosures shall be designed to provide user access
15 without the use and opening of the service doors for the bins. Trash enclosures shall have design
16 features such as materials and trim similar to that of the rest of the project. This design shall be
17 shown on the landscape plans and shall be approved by the Community Development Director.
- 18 109. A covenant or other recordable document approved by the City Attorney shall be prepared by the
19 applicant subdivider and recorded prior to the approval of the final map. The covenant shall
20 provide that the property is subject to this resolution, and shall generally list the conditions of
21 approval.
- 22 110. Prior to the issuance of building permits, compliance with the applicable provisions of the City's
23 anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed and
24 approved by the Community Development Department. These requirements, including the
25 obligation to remove or cover with matching paint all graffiti within 24 hours, shall be noted on
26 the Landscape Plan and shall be recorded in the form of a covenant affecting the subject property.
- 27 111. Prior to the transfer of ownership and/or operation of the site the owner shall provide a written
28 copy of the applications, staff report and resolutions for the project to the new owner and or
operator. This notification's provision shall run with the life of the project and shall be recorded
as a covenant on the property.

- 1 112. Failure to meet any conditions of approval for this development shall constitute a violation of the
2 Tentative Map, Development Plan, Conditional Use Permit and Variance.
- 3 113. Unless expressly waived, all current zoning standards and City ordinances and policies in effect at
4 the time building permits are issued are required to be met by this project. The approval of this
5 project constitutes the applicant's agreement with all statements in the Description and
6 Justification, and other materials and information submitted with this application, unless
7 specifically waived by an adopted condition of approval.
- 8 114. The developer's construction of all fencing and walls associated with the project shall be in
9 conformance with the approved Development Plan. Any substantial change in any aspect of
10 fencing or wall design from the approved Development Plan shall require a revision to the
11 Development Plan or a new Development Plan.
- 12 115. If any aspect of the project fencing and walls is not covered by an approved Development Plan,
13 the construction of fencing and walls shall conform to the development standards of the City
14 Zoning Ordinance. In no case, shall the construction of fences and walls (including combinations
15 thereof) exceed the limitations of the zoning code, unless expressly granted by a Variance or other
16 development approval.
- 17 116. An association shall be formed and Covenants, Conditions and Restrictions (C.C. & R's) shall
18 provide for the maintenance of all common open space, medians and commonly owned fences
19 and walls and adjacent parkways. The maintenance shall include normal care and irrigation of
20 landscaping, repair and replacement of plant material and irrigation systems as necessary; and
21 general cleanup of the landscaped and open area, parking lots and walkways. The C.C. & R's
22 shall be subject to the review and approval of the City Attorney prior to the approval of the final
23 map. The C.C. & R's are required to be recorded prior to or concurrently with the final map. Any
24 amendments to the C.C. & R's in which the association relinquishes responsibility for the
25 maintenance of any common open space shall not be permitted without the specific approval of
26 the City of Oceanside. Such a clause shall be a part of the C.C. & R's. The C.C. & R's shall also
27 contain provisions for the following:
- 28 a) Prohibition of parking or storage of recreational vehicles, trailers or boats.
 - b) Provisions regulating individual patio covers, room additions and other appurtenances.

- c) Provisions for the maintenance of all common open space and open space easements on private lots, including provisions establishing mechanisms to ensure adequate and continued monetary funding for such maintenance by the homeowners' association.
- d) Provisions that restrict any private use of open space easement areas. Restrictions shall include, but are not limited to, removing retaining walls, installing structures such as trellises, decks, retaining walls and other hardscape and any individual landscape improvements.
- e) Provisions prohibiting the homeowners association from relinquishing its obligation to maintain the common open space and open space easement areas without prior consent of the City of Oceanside.
- f) An acknowledgement that the City of Oceanside does not have a view preservation ordinance and that views may be subject to change with maturing off-site landscape and the potential for future off-site building.

117. Any project entrance signs shall meet the requirements of the Sign Ordinance and be approved by the Community Development Director.

118. The following unit type and floor plan mix, as approved by the City Council, shall be indicated on plans submitted to the Community Development Department for building permit:

Plan Type	Sq.Ft.	Bedrms.	Baths	Garage	Units
Plan A	1,737	2	2.5	2	2
Plan Ai	1,563	2	2.5	2	4
Plan Aii	1,843	2	2.5	2	2
Plan B	1,839	3	2.5	2	2
Plan C	1,734	2	2.5	2	1
Plan D	1,740	2	2.5	2	5
Plan E	1,764	2	2.5	2	1

- 1 119. Side and rear elevations and window treatments shall be trimmed to substantially match the front
2 elevations. A set of building plans shall be reviewed and approved by the Community
3 Development Department prior to the issuance of building permits.
- 4 120. Elevations, siding materials, colors, roofing materials and floor plans shall be substantially the
5 same as those approved by the City Council. These shall be shown on plans submitted to the
6 Community Development Department.
- 7 121. This project is subject to the provisions of Chapter 14C of the City Code regarding Inclusionary
8 Housing.
- 9 122. This project shall comply with all provisions of the City's Affirmative Fair Housing Marketing
10 Agreement Policy as required in the project's Affirmative Fair Housing Marketing Agreement.
11 Such agreement shall be submitted to and approved by the Housing and Neighborhood Services
12 Director prior to the issuance of a building permit for the project.

12 **Water Utilities:**

- 13 123. All public water and/or sewer facilities not located within the public right-of-way shall be
14 provided with easements sized according to the City's Engineers Manual. Easements shall be
15 constructed for an all weather access.
- 16 124. No trees or structures or building overhang shall be located within any water or wastewater utility
17 easement.
- 18 125. The property owner shall maintain private water and wastewater utilities located on private
19 property.
- 20 126. A separate irrigation meter is required and approved backflow prevention device is required.
- 21 127. The developer shall construct a public reclamation water system that will serve each lot and or
22 parcels that are located in the proposed project in accordance with the City of Oceanside
23 Ordinance No. 91-15. The proposed reclamation water system shall be located in the public
24 streets or in a public utility easement.
- 25 128. Water services and sewer laterals constructed in existing right-of-way locations are to be
26 constructed by approved and licensed contractors at developer's expense.
- 27 129. The developer shall be responsible for developing all water and sewer facilities necessary to
28 develop the property. Any relocation of water and/or sewer lines is the responsibility of the
developer and shall be done by an approved licensed contractor at the developer's expense.

- 1 130. All lots with a finish pad elevation located below the elevation of the next upstream manhole
2 cover of the public sewer shall be protected from backflow of sewage by installing and
3 maintaining an approved type backwater valve, per of the Uniform Plumbing Code.
- 4 131. The water and wastewater buy-in fees and the San Diego County Water Authority Fees are to be
5 paid to the City and collected by the Water Utilities Department at the time of building permit
6 issuance.
- 7 132. All water and wastewater construction shall conform to the most recent edition of the City's
8 Engineers Manual, or as approved by the Water Utilities Director.
- 9 133. All new development of single-family and multi-family residential units shall include hot water
10 pipe insulation and installation of a hot water recirculation device or design to provide hot water
11 to the tap within 15 seconds in accordance with City of Oceanside Ordinance No. 02-OR126-1.
- 12 134. The sewer system is proposed to connect to existing 8" sewer lines that are more than 50 years
13 old; therefore, our sewer crews will video the sewer line to determine its condition. If it is in
14 poor condition we will require the project to slipline the sewer lines from the manhole located
15 at Station 7 + 71.2 to manhole station 4 + 31.2 on Crouch Street, and from manhole station 1+
16 55.6 to station 4 + 12.35 on Canyon Drive as shown on City sewer base maps.

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135. On-site water and sewer mains shall be privately owned and maintained. Provide a DCDA off of Canyon Drive for the water system located near the property line as shown on Standard Drawing Number W-14 of the Water, Sewer and Reclaimed Water Design and Construction Manual.

PASSED and ADOPTED by the City Council of the City of Oceanside, California this _____ day of _____, 2006 by the following vote:

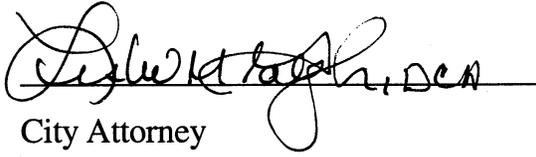
- AYES:
- NAYS:
- ABSENT:
- ABSTAIN:

Mayor of the City of Oceanside

ATTEST:

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

City Clerk


City Attorney

DESCRIPTION

PARCEL 1: (APN: 149-350-30)

THAT PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 11 SOUTH, RANGE 5 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 17 OF ELLERY'S LOMA ALTA ADDITION, ACCORDING TO MAP THEREOF NO. 1956, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, NOVEMBER 8, 1926, SAID CORNER BEING ALSO THE BEGINNING OF A TANGENT CURVE ON THE EAST LINE OF SAID LOT 17, CONCAVE EASTERLY AND HAVING A RADIUS OF 711.91 FEET, A RADIAL LINE OF SAID CURVE BEARS SOUTH 87° 06' 35" WEST TO SAID POINT, SAID CORNER BEING ALSO A POINT ON THE WEST SIDELINE OF CROUCH STREET, 50 FEET WIDE; THENCE SOUTH 02° 53' 25" EAST, 3.00 FEET, TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 87° 06' 35" WEST, 79.86 FEET; THENCE ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 20.00 FEET, THROUGH A CENTRAL ANGLE OF 90°, AN ARC LENGTH OF 31.42 FEET; THENCE TANGENT SOUTH 02° 53' 25" EAST 71.71 FEET; THENCE SOUTH 89° 51' 25" EAST, 100.00 FEET, TO THE WEST SIDELINE OF SAID CROUCH STREET, THENCE NORTH 02° 53' 25" WEST 97.00 FEET, ALONG THE WEST SIDELINE OF SAID CROUCH STREET, TO THE TRUE POINT OF BEGINNING.

PARCEL 2: (APN: 149-350-31)

THAT PORTION OF LOT 17 OF ELLERY'S LOMA ALTA ADDITION, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1956, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, NOVEMBER 8, 1926, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 17, SAID CORNER BEING ALSO THE BEGINNING OF A TANGENT CURVE ON THE EAST LINE OF SAID LOT 17, CONCAVE EASTERLY AND HAVING A RADIUS OF 711.91 FEET, A RADIAL LINE OF SAID CURVE BEARS SOUTH 87° 06' 35" WEST TO SAID POINT, SAID CORNER BEING ALSO A POINT ON THE WEST SIDELINE OF CROUCH STREET, 50 FEET WIDE; THENCE NORTH ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 02° 00' 45", 25.01 FEET, TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 87° 06' 35" WEST 92.96 FEET; THENCE ALONG A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 20.00 FEET; THROUGH A CENTRAL ANGLE OF 12° 31' 00", AN ARC LENGTH OF 4.37 FEET; THENCE TANGENT NORTH 80° 22' 25" WEST 28.83 FEET; THENCE NORTH 15° 50' 26" WEST, 22.15 FEET; THENCE NORTH 09° 37' 35" WEST 60.00 FEET, TO A POINT ON THE NORTHERLY LINE OF LAND DESCRIBED IN DEED TO ELLA L. MURPHY, ET AL, RECORDED MARCH 8, 1949 IN BOOK 3132, PAGE 329 OF OFFICIAL RECORDS; THENCE ALONG THE NORTHERLY LINE OF SAID MURPHY'S LAND SOUTH 80° 22' 25" EAST 125.00 FEET TO THE NORTHEASTERLY CORNER OF SAID MURPHY'S LAND, SAID POINT ALSO BEING THE WEST SIDELINE OF SAID CROUCH STREET, SAID SIDELINE BEING A CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 711.91 FEET, TO WHICH POINT A RADIAL BEARS NORTH 96° 02' 58" WEST; THENCE SOUTH ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 04° 49' 42" AN ARC LENGTH OF 60.00 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 3: (APN: 149-350-32)

THAT PORTION OF LOT 17 OF ELLERY'S LOMA ALTA ADDITION, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1956, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, NOVEMBER 8, 1926, MORE FULLY DESCRIBED AS FOLLOWS:

DESCRIPTION

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 17, SAID CORNER BEING ALSO THE BEGINNING OF A TANGENT CURVE ON THE EAST LINE OF SAID LOT 17, CONCAVE EASTERLY AND HAVING A RADIUS OF 711.91 FEET, A RADIAL LINE OF SAID CURVE BEARS SOUTH 87° 06' 35" WEST TO SAID POINT, SAID CORNER BEING ALSO A POINT ON THE WEST SIDELINE OF CROUCH STREET, 50 FEET WIDE; THENCE NORTH ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 02° 00' 45" 25.01 FEET; THENCE SOUTH 87° 06' 35" WEST 92.96 FEET; THENCE ALONG A TANGENT TO THE RIGHT, HAVING A RADIUS OF 20.00 FEET, THROUGH A CENTRAL ANGLE OF 12° 31' 00", AN ARC LENGTH OF 4.37 FEET; THENCE TANGENT NORTH 80° 22' 25" WEST, 28.83 FEET, TO THE TRUE POINT OF BEGINNING; THENCE NORTH 80° 22' 25" WEST, 120.78 FEET; THENCE NORTH 09° 37' 35" EAST 50.00 FEET TO A POINT ON THE NORTH LINE OF LAND DESCRIBED IN DEED TO ELLA L. MURPHY, ET AL, RECORDED MARCH 8, 1949 IN BOOK 3132, PAGE 329 OF OFFICIAL RECORDS; THENCE ALONG THE BOUNDARY OF SAID MURPHY'S LAND, AS FOLLOWS; SOUTH 80° 22' 25" EAST 31.79 FEET, NORTH 09° 37' 35" EAST, 30.00 FEET, AND SOUTH 80° 22' 25" EAST, 79.46 FEET; THENCE LEAVING THE BOUNDARY OF SAID MURPHY'S LAND SOUTH 09° 37' 35" WEST 60.00 FEET; THENCE SOUTH 15° 50' 26" EAST, 22.15 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 4: (APN: 149-350-33)

THAT PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 11 SOUTH, RANGE 5 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF, AND THAT PORTION OF LOT 17 OF ELLERY'S LOMA ALTA ADDITION, ACCORDING TO MAP THEREOF NO. 1956, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, NOVEMBER 8, 1926, ALL IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, INCLUDED WITHIN THE FOLLOWING DESCRIBED LINES A, B, & C:

LINE A:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 17 OF ELLERY'S LOMA ALTA ADDITION, ACCORDING TO MAP THEREOF NO. 1956, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, NOVEMBER 8, 1926, SAID CORNER BEING ALSO THE BEGINNING OF A TANGENT CURVE ON THE EAST LINE OF SAID LOT 17, CONCAVE EASTERLY AND HAVING A RADIUS OF 711.91 FEET, A RADIAL LINE OF SAID CURVE BEARS SOUTH 87° 06' 35" WEST TO SAID POINT, SAID CORNER BEING ALSO A POINT ON THE WEST SIDELINE OF CROUCH STREET, 50 FEET WIDE; THENCE SOUTH 02° 53' 25" EAST, 3.00 FEET; THENCE SOUTH 87° 06' 35" WEST, 79.86 FEET; THENCE ALONG A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET; THROUGH A CENTRAL ANGLE OF 90°, AN ARC LENGTH OF 31.42 FEET; THENCE TANGENT SOUTH 02° 53' 25" EAST, 177.30 FEET, TO A POINT ON THE NORTH SIDELINE OF CANYON DRIVE, 80 FEET WIDE.

LINE B:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 17, SAID CORNER BEING ALSO THE BEGINNING OF A TANGENT CURVE ON THE EAST LINE OF SAID LOT 17, CONCAVE EASTERLY AND HAVING A RADIUS OF 711.91 FEET, A RADIAL LINE OF SAID CURVE BEARS SOUTH 87° 06' 35" WEST TO SAID POINT, SAID CORNER BEING ALSO A POINT ON THE WEST SIDELINE OF CROUCH STREET, 50 FEET WIDE; THENCE ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 02° 00' 45", 25.01 FEET; THENCE SOUTH 87° 06' 35" WEST, 92.96 FEET; THENCE ALONG A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 20.00 FEET, THROUGH A CENTRAL ANGLE OF 12° 31' 00", AN ARC LENGTH OF 4.37 FEET; THENCE TANGENT NORTH 80° 22' 25" WEST, 28.83 FEET; THENCE NORTH 80° 22' 25" WEST, 120.78 FEET; THENCE NORTH 09° 37' 35" EAST, 50.00 FEET, TO A POINT ON THE NORTH LINE OF LAND DESCRIBED IN DEED TO ELLA L. MURPHY, ET AL, RECORDED MARCH 8, 1949 IN BOOK

Page 3
Order No. 43050463

DESCRIPTION

3132, PAGE 329 OF OFFICIAL RECORDS; THENCE NORTH $80^{\circ} 22' 25''$ WEST 145.11 FEET, TO THE EASTERLY SIDELINE OF CANYON DRIVE, 80 FEET WIDE.

LINE C:

THE NORTHERLY, NORTHEASTERLY, AND EASTERLY SIDELINE OF CANYON DRIVE.

1 PLANNING COMMISSION
2 RESOLUTION NO. 2006-P10

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE
4 CITY OF OCEANSIDE, CALIFORNIA DENYING WITHOUT
5 PREJUDICE TENTATIVE MAP, DEVELOPMENT PLAN,
6 CONDITIONAL USE PERMIT AND VARIANCE ON CERTAIN
7 REAL PROPERTY IN THE CITY OF OCEANSIDE

8 APPLICATION NO: T-1-05, D-1-05, C-48-05 and V-13-05

9 APPLICANT: Michael Crews Commercial

10 LOCATION: Northwest corner of the Intersection of Crouch Street and Canyon Drive

11 THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA DOES
12 RESOLVE AS FOLLOWS:

13 WHEREAS, there was filed with this Commission a verified petition on the forms
14 prescribed by the Commission requesting a Tentative Map (T-1-05), Development Plan (D-1-05)
15 Conditional Use Permit (C-48-05) and Variance (V-13-05) under the provisions of Articles 10, 41
16 & 43 of the Zoning Ordinance of the City of Oceanside to permit the following:

17 17-unit residential condominiums development and three single-family units;
18 on certain real property described in the project description.

19 WHEREAS, the Planning Commission, after giving the required notice, did on the 13th
20 day of March, 2006 conduct a duly advertised public hearing as prescribed by law to consider said
21 application.

22 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
23 Guidelines thereto; the project is exempt from environmental review;

24 WHEREAS, pursuant to Oceanside Zoning Ordinance §4603, this resolution becomes
25 effective 10 days from its adoption in the absence of the filing of an appeal or call for review;

26 WHEREAS, studies and investigations made by this Commission and in its behalf reveal
27 the following facts:

28 FINDINGS:

29 For the Tentative Map:

1. That the site is not physically suitable for the type of development in that the project did not adequately provide guest parking, proper access and grading suitable for the site.

- 1 2. That the site is not physically suitable for the proposed density of development due to
2 proposed placement and limited number of guest parking on the project site, inadequate
3 access driveway and grading sensitive to the hillside site.
4

5 For the Development Plan:

- 6 1. The site plan and physical design of the project is not consistent with the Zoning
7 Ordinance and the underlying Medium Density Residential and Detached Single-Family
8 Residential (RM-B & RS) zoning designations due to lack of adequate guest parking and
9 placement of the available limited guest parking on the subject site.

10 Conditional Use Permit for the Increase in Base Density:

- 11 1. The development portion of the subject property is zoned RM-B and RS with a
12 corresponding Land Use designation of Medium Density-B Residential (RM-B 10-15
13 dwelling units per acre) and Residential Single-Family District (3.6-5.9 dwelling units
14 per acre). The project density for the multi-family portion of the project (14.6 dwelling
15 units per acre) is inconsistent and exceeds the base density range of 10 dwelling units per
16 acre. The single-family portion of the project (5.8 dwelling units per acre) is
17 inconsistent and exceeds the density range of 3.6 dwelling units per acre.
18 2. The project does not proposes an excellence in design features in accordance with Section
19 2.32 of the General Plan.

20 For the Variance for exceeding the Maximum Height for Walls:

- 21 1. Circumstances or conditions applicable to the development site, including size, shape,
22 topography, location and surroundings do not warrant the granting of the Variance.
23 The strict application of the requirements of the Zoning Ordinance will not deprive the
24 subject property owner of privileges enjoyed by other property owners in the vicinity
25 and under identical zoning classification.
26 2. The granting of the variance is inconsistent with the purpose of the Zoning Ordinance and
27 will constitute a grant of special privilege inconsistent with limitations on other properties
28 in the vicinity and in the same zoning district. The project can be redesigned to avoid the
29 need for constructing retaining walls in excess to the maximum height permitted by the
Zoning Ordinance.

1 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
2 deny Tentative Map (T-1-05), Development Plan (D-1-05), Conditional Use Permit (C-48-05) and
3 Variance (V-13-05).

4 PASSED on March 13, 2006 by the following vote, to wit:

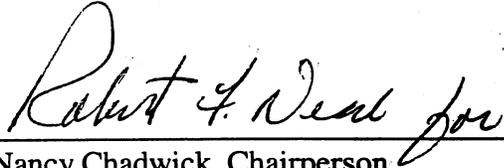
5 AYES: Chadwick, Neal, Todd, Schaffer and Parker

6 NAYS: Horton

7 ABSENT: Nack

8 ABSTAIN: None

9 ADOPTED Resolution No. 2006-P10 on March 27, 2006.

10
11 
12 _____
13 Nancy Chadwick, Chairperson
14 Oceanside Planning Commission

15 ATTEST:

16 
17 _____
18 Jerry Hittleman, Secretary

19 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
20 this is a true and correct copy of Resolution No. 2006-P10.

21 Dated: March 27, 2006
22
23
24
25
26
27
28
29



DATE: March 13, 2006

TO: Chairman and Members of the Planning Commission

FROM: Community Development Department/Planning Division

SUBJECT: **CONSIDERATION OF A TENTATIVE MAP (T-1-05), DEVELOPMENT PLAN (D-1-05), CONDITIONAL USE PERMIT (C-48-05) AND VARIANCE (V-13-05) FOR THE CONSTRUCTION OF A 17-UNIT CONDOMINIUM COMPLEX AND THREE SINGLE-FAMILY RESIDENCES LOCATED AT THE NORTHWEST CORNER OF CROUCH STREET AND CANYON DRIVE – VENTANA – APPLICANT: MICHAEL CREWS COMMERCIAL DEVELOPMENT**

RECOMMENDATION

Staff recommends that the Planning Commission approve Tentative Map (T-1-05), Development Plan (D-1-05), Conditional Use Permit (C-48-05) and Variance (V-13-05) and adopt Planning Commission Resolution No. 2006-P10 as attached.

PROJECT DESCRIPTION AND BACKGROUND

Background: The project involves development of a 17-unit multi-family condominium and three single-family residences on a 1.71-acre site on the northwest corner of the intersection of Crouch Street and Canyon Drive within the Loma Alta Neighborhood.

Site Review: The subject site is vacant, devoid of structures with sparse vegetation.

Geology-Soil: The triangular shaped site is characterized by a relatively steep knoll with elevations ranging from 110 feet in the north-central portion of the site to 62 feet located in the southeastern portion of the project (Canyon Drive). The underlying soil is part of the Santiago formation and consists of terrace deposits, colluviums and artificial fill. There is no evidence of any deep-seated landslides.

The project is subject to compliance with the Hillside Development Regulations. The Hillside Regulations place special requirements on sites with slopes between 20 percent to 40 percent with a minimum 25-foot elevation differential. Forty percent slopes with a minimum 25-foot elevation differential, are considered “undevelopable” slopes. In

addition, the Hillside Regulations limit the overall grading quantities in hillside areas to a maximum of 7,500 cubic yards per graded acre. The 20 percent to 40 percent slopes total approximately 10.2 percent (7,625 square feet) of the developable portions of the site and the "undevelopable" slopes total approximately 3 percent of the site (2,762 square feet).

Drainage: Based on the hydrology study, the runoff from the condominium will drain into the proposed driveway and will be collected by curb inlets located along the driveway. The runoff will be piped through the proposed filtering system and confluence with the runoff from lots 1 through 3. The remaining portion of the off-site runoff will be directed west to the proposed catch basin near the northwestern portion of the property. From the catch basin, the runoff will be piped to the existing drain system in Canyon Drive.

Surrounding land uses include mainly commercial uses to the south of the subject site and residential uses to west and northeast.

This site has two zoning and land designations. Part of the site (1.2 acres) is zoned Residential Medium-Density B (10 – 15 dwelling units per acre) with Medium-Density B General Plan Land Use Designation; the remaining part (.5 acres) is zoned Single-Family Residential (3.6 – 5.9 dwelling units per acre) with Single-Family Detached Residential General Plan Land Use Designation. The proposed density for the RM-B portion of the project is 14.6 units per acre and the RS portion is 5.8 dwelling units per acre. Both the RM-B and the RS portions of the project exceed the base density. The project is situated within the Loma Alta neighborhood.

Project Description: The project application consists of a Tentative Map, Development Plan, Conditional Use Permit and Variance. Each discretionary request is described as follows:

Tentative Map and Development Plan: The project proposes a 17-unit multi-family condominium and three single-family residences on a 1.71-acre site.

The 17-unit townhome portion of the project is arranged in four buildings consisting of two (2) duplexes one (1) four-plex and one (1) nine-plex. The project proposes seven unit types that range in size from 1,563 square feet to 1,843 square feet. All of the units are two-story with a basement, 2-3 bedrooms, 2.5-bathroom with a 2-car basement garage.

The architecture for the 17 townhomes is Spanish/Mediterranean. The applicant proposes use of brown concrete tile roofs and stucco finish.

The three single-family residential units front Crouch Street. The three lots range in size from 6,002 square feet to 8,220 square feet with an average lot size of approximately 7,100 square feet. The two-story units range in size from 2,493 or 2,773 square feet in size. The proposed design is a modern style.

Vehicle access for the townhomes will be provided via a driveway on Canyon Drive. All of the single-family units will have individual driveways that are accessed from Crouch Street. Five (5) guest parking spaces are provided four of which are located on the southeastern portion of the site. A single guest parking space (parking space No. 5) is located adjacent to Unit No. 17.

Listed below is the project breakdown for the townhome product type (see floor plans and elevations for specific details):

Plan Type	Sq.Ft.	Bedrms.	Baths	Garage	Units
Plan A	1,737	2	2.5	2	2
Plan Ai	1,563	2	2.5	2	4
Plan Aii	1,843	2	2.5	2	2
Plan B	1,839	3	2.5	2	2
Plan C	1,734	2	2.5	2	1
Plan D	1,740	2	2.5	2	5
Plan E	1,764	2	2.5	2	1

Listed below is the project breakdown for the single-family unit product type (see floor plans and elevations for specific details):

Plan Type	Sq.Ft.	Bedrms.	Baths	Garage	Units	%
Plan 1	2,493	4	3.5	2	1	33
Plan 2	2,773	4	3.5	3	2	67

The project landscape planting theme will be consistent with those found in the neighborhood. Specifically, the project calls for the utilization of trees such as the Carrot Wood and Palm trees; Lily of the Nile, New Zealand Flax and Indian Hawthorne shrubs; and Star Jasmine ground cover. Perimeter fencing will also be provided by the project. Depending on the location, the fence will either be a 6-foot high block wall, or wood fence.

The project requires a minimum of 5,100 square feet of common useable open space. The project provides a total of 5,311square feet of common and private (patios and balconies) useable open space. The recreational area consists of a concrete courtyard area located between the units.

Outlined below are the required development criteria of the underlying RM-B Zoning and those proposed for the project:

	MINIMUM REQUIRED	PROPOSED
LOT SIZE	7,500 sq.ft.	1.22 Acres
SETBACKS		
Front	20 feet	20 feet
Side	5/10 average feet	10 average feet
Rear	15 feet	15 feet
PARKING	34 parking spaces 4 Guest Parking	34 covered parking spaces (within a garage) 5 Guest Parking
BUILDING HEIGHT	36-feet (max) 3 Stories (max)	36-feet 2 Stories

Outlined below are the required development criteria of the underlying RS Zoning and those proposed for the project:

	MINIMUM REQUIRED	PROPOSED
LOT SIZE	6,000 sq.ft.	6, 002 sq.ft. (minimum)
SETBACKS		
Front	20 feet	20 feet
Side	7.5 feet	7.5 feet
Rear	15 feet	15 feet
PARKING	8 parking spaces	8 parking spaces
BUILDING HEIGHT	36-feet (max) 3 Stories (max)	29-feet 2 Stories

Conditional Use Permit: The applicant has requested a Conditional Use Permit to exceed the base density for both RM-B and RS zone. The base density for the RM-B portion is 10 dwelling units per acre (the project proposes 14.6 du. per acre) and for the RS portion is 3.6 dwelling units per acre (the project proposes 5.8 du. per acre).

Variance: A Variance is requested to exceed the maximum retaining wall height of six feet. The project proposes several walls throughout the site, which exceeds the maximum wall height.

The project is subject to the following Ordinances and city policies:

1. Zoning Ordinance
2. General Plan Land Use Element
3. California Environmental Quality Act (CEQA)
4. The Subdivision Ordinance

ANALYSIS

KEY PLANNING ISSUES

1. Is the proposed project consistent with the existing neighborhood in regards to the density (RM-B 10–15 dwelling units per acre and the RS 3.6-5.9 dwelling units per acre)?
2. Is the proposed project consistent with the underlying land use designation and zoning development criteria?
3. Can the necessary findings be made for the Variance to exceed the maximum wall height of six feet?

DISCUSSION

In reviewing the application staff's analysis focused on the compatibility of the project with existing development patterns of the area.

The development pattern for the Loma Alta Neighborhood consists of tract subdivisions intermixed with estate residential development. Some multi-family residential development exists adjacent to the commercial corridors. Staff believes that the proposed condominium and single-family residential developments are consistent and compatible with the development pattern within the surrounding neighborhood.

Staff also believes the lot pattern created by the three single-family residential units is consistent with the surrounding subdivisions. The three lots range in size from 6,002 square feet to 8,220 square feet with an average lot size of approximately 7,100 square feet. In addition, the single-family units at approximately 2,500 square feet in size are also consistent with similar development within the Loma Alta neighborhood.

Staff compared the project's architecture with the surrounding neighborhood. The predominant architectural theme throughout the existing neighborhoods is a Ranch Style, Spanish Mediterranean or Modern design. In comparing the proposed architectural elevations with existing neighborhoods, staff finds that the architectural design is compatible with existing neighborhoods.

The project is subject to compliance with the provisions of the Hillside Development Regulations. The overall grading is anticipated to be 12,800 (cut) cubic feet for 1.49 graded acres, which equates to 8,590 cubic yards per graded acre, which exceeds the maximum allowable of 7,500 cubic yards per graded acre for hillside development. Staff believes that the amount of cut is necessary to provide a level surface of a relatively steep infill site. Although the grading exceeds 7,500 cubic yards, staff believes the applicant has reduced the amount of grading as much as possible while still trying to preserve the hillside on a very constricted site.

A Conditional Use Permit is required for all residential projects that propose a density above the allowable base density (10 dwelling units per acre for the RM-B zone and 3.6 dwelling units within the RS zone). Section 2.32 of the Land Use Element of the General Plan requires that projects, which exceed the base density, must possess an excellence of design features, in addition to exceeding the development standards in the surrounding neighborhood. These standards include, but are not limited to, superior architecture, landscaping, recreational facilities, private and semi-private open space areas, varied frontyard setbacks, meandering sidewalks, floor areas and lot standards that exceed the norm.

Staff believes that the project reflects a superior design. The proposed unit floor areas exceed those in the surrounding neighborhood. In addition, the project design provides varied setbacks varying rooflines and articulated front elevations.

Variance: The applicant is requesting relief from the six-foot retaining wall height development standard. Retaining walls that exceed the maximum height are proposed throughout the site. The applicant is requesting approval for retaining walls that range in size from 0 – 20 feet high. The retaining walls will create pads for development of the site. The retaining walls will be planted and irrigated to further blend in with the surrounding area.

CONCLUSION:

In summary, the proposed project provides a quality multi-family and single-family residential product in a mixed residential zone. The project provides several amenities including large open space area. The proposed architecture and landscaping is consistent and compliments the surrounding neighborhood.

Neighborhood Meeting Report: The applicant's representative met with the neighborhood on July 26, 2005, (see attachment) to discuss the project merits.

ENVIRONMENTAL DETERMINATION

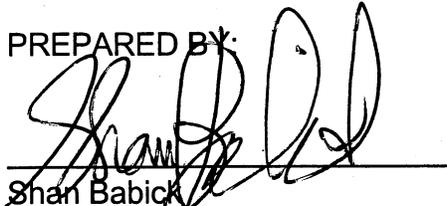
The proposed project is categorically exempt from the California Environmental Quality Act (CEQA).

SUMMARY

Staff finds that the proposed Tentative Map, Development Plan, Conditional Use Permit and Variance are consistent with the requirements of the Zoning Ordinance and the land use policies of the General Plan. The project meets or exceeds all development standards and meets the findings to deviate from wall height standards. The project is compatible in residential product type and density with the surrounding neighborhood. As such, staff recommends that the Planning Commission approve the project. The Commission's action should be:

- Move to approve Tentative Map (T-1-05), Development Plan (D-1-05), Conditional Use Permit (C-48-05), and Variance (V-13-05) and adopt Planning Commission Resolution No. 2006-P10 as attached.

PREPARED BY:


Shan Babick
Associate Planner

SUBMITTED BY:


Jerry Hittleman
Acting City Planner

REVIEWED BY:

Amy Volzke, Senior Planner



JH/SB/fil

Attachments:

1. Tentative Map, Site Plan, Landscape Plan
2. Planning Commission Resolution No. 2006-P10



Michael Crews

COMMERCIAL DEVELOPMENT

2006 APR -5 P 2:11

RECEIVED
CITY CLERK DEPARTMENT
CITY OF OCEANSIDE

April 4, 2006

City Clerk Department
City of Oceanside
300 North Coast Highway
Oceanside, CA 92054

Received by: Holly
Via: hand-delivered - Frost
Copy to: Mike Blessing &
Jerry Hittleman

Re: Ventana, Oceanside, CA

Dear City Clerk,

Please accept this letter as Michael Crews Commercial Development's official written request to appeal the City of Oceanside Planning Commission's final action denying the adoption of Resolution No. 2006-P10 for a Tentative Map, development plan, conditional use permit and variance on certain real property in the City of Oceanside on 3/27/06.

Michael Crews Commercial Development hereby requests that the project reference above referred to as Ventana is directly brought forth to the City of Oceanside City Council at their next available meeting for their consideration and approval of a Tentative Map (T-1-01) Development plan (D-1-05), conditional use permit (C-48-05) and variance (V-13-05) for the construction of a 17 unit condominium complex and three single family residences located at the Northwest corner of Crouch Street and Canyon Drive.

Sincerely,

MICHAEL CREWS COMMERCIAL DEVELOPMENT

Anthony J. Frost
Managing Partner

AJF/slb

cc: File

RECEIVED

APR 06 2006

Planning Department



Post Office Box 460160
Escondido, CA 92046
(760) 749-1919
Fax (760) 743-8641
www.michaelcrews.com

ACCEPTANCE OF APPEAL
(OFFICE USE ONLY)

Appeal of: VENTANA

Date of Final Action: 3/27/06 Date Filed: 4/5/06

Form of Appeal: \$656 Appeal Fee Petition

Person Submitting Appeal: ANTHONY FROST

Company/Developer Representative, Company Name: Michael Crews Commercial Development

Name of Person who Prepared the Appeal: _____

ANTHONY FROST

Name of Spokesperson for the Appeal: _____

ANTHONY FROST

Address: 939 S. Andreasen Drive, Escondido CA.

Phone Number: 760-749-1919 ext 124

E-mail and/or Fax: 760-743-8641

Appeals must be filed within 10 days of the date of final action. **Section 4604:** To appeal by petition for a waiver of the appeal fee, the appeal must be accompanied by the signatures of 50% of the property owners within the noticed area or 25 signatures of the property owners or tenants within the noticed area, whichever is less.

I hereby certify that this appeal is being submitted in accordance with the Zoning Ordinance and meets the criteria specified in Section 4604 for an appeal by petition.

Signature: _____ Date: _____