



DATE: June 24, 2015

TO: Honorable Mayor and City Councilmembers

FROM: Development Services Department

SUBJECT: **CALL FOR REVIEW OF PLANNING COMMISSION RESOLUTION NO. 2015-P11 APPROVING A TENTATIVE TRACT MAP, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT TO ALLOW A FIVE-LOT SUBDIVISION AND DEVELOPMENT OF FIVE SINGLE-FAMILY HOMES AT 2535 IVY ROAD – IVY RIDGE ESTATES – APPLICANT: MAIN STREET PARTNERS, INC.**

SYNOPSIS

Staff recommends that the City Council adopt a resolution upholding Planning Commission Resolution No. 2015-P11 approving Tentative Tract Map (T14-00004), Development Plan (D14-00007), and Conditional Use Permit (CUP14-00013) to allow a five-lot subdivision and development of five single-family homes at 2535 Ivy Road.

BACKGROUND

On April 7, 2015, the Planning Commission unanimously approved a proposal to subdivide and develop a 1.16-acre vacant site at 2535 Ivy Road, within the southerly portion of the Fire Mountain Neighborhood Planning Area. The Planning Commission staff report is appended to this staff report as Attachment 3.

On April 17, 2015, the Planning Commission's action was called for review by Deputy Mayor Lowery and Councilmember Sanchez. The stated reasons for the call for review are discussed in a subsequent section of this staff report.

PROJECT DESCRIPTION

The proposed project requires approval of a Tentative Map, Development Plan, and Conditional Use Permit. The Tentative Map allows for the creation of five residential lots with frontage on a new cul-de-sac connecting to Ivy Road. The proposed new lots range in size from 7,078 to 8,798 square feet. Off-site improvements associated with the proposed subdivision include the widening of existing vehicle travel lanes on Ivy Road and the installation of new curb, gutter, sidewalk and landscaped parkway. The

project would also result in the burial of existing overhead utilities along the property frontage. The Development Plan allows for five two-story single-family homes with two floor plans that feature between 2,988 and 3,188 square feet of habitable space. Three of the proposed residences would exhibit a cottage architectural style, with the other two homes displaying a craftsman style. As dictated by applicable parking standards, each home would include three enclosed parking spaces. The proposed project requires a Conditional Use Permit to exceed the base density allowance for the surrounding RS zoning district (i.e., 3.6 du/acre). The five-lot subdivision constitutes a density of 4.3 du/acre, amounting to 73 percent of the maximum allowable density of 5.9 du/acre.

A more detailed project description is provided in the Planning Commission staff report, appended as Attachment 3.

ANALYSIS

Filed in accordance with Zoning Ordinance Section 4604(B), the call for review includes the following grounds:

Issue #1

The proposed entrance to the cul-de-sac on Ivy [Road] as designed is on a blind curve, resulting in a dangerous situation and increasing unacceptable traffic impacts. It is not clear why entrance was not designed as a continuance of Laurel Road, resulting in a 4-way stop. The 4-way stop requirement would definitely be a preferred traffic design. There should be at the least a traffic study and specific traffic calming requirements included as conditions of approval, as well as red-striping on Ivy [Road] in front of the project

Response to Issue #1:

With respect to travel lane width, driver sight distance, and pedestrian facilities, existing conditions on Ivy Road adjacent to the project site do not conform to current City standards:

- At present, the paved portion of this stretch of Ivy Road measures 32.5 feet, which is 7.5 feet less than the 40-foot standard width for a local collector street.
- Due to the slope and curvature of the roadway, along with tall vegetation at the property frontage, driver sight distance at certain points along Ivy Road measures less than 150 feet, where a minimum of 300 feet is generally required.
- There is currently no curb, gutter, sidewalk, or landscaped parkway along the frontage of the project site.

As noted by Councilmember Sanchez and the five residents who have provided written comment on the proposed project, existing conditions on this stretch of Ivy Road create traffic safety concerns. Pedestrian safety is also a matter of concern, given the absence of sidewalk.

As part of the proposal, off-site improvements associated with the project would widen the curb-to-curb dimension of Ivy Road to 40 feet, consistent with current City standards. The widening of Ivy Road would substantially flatten the existing curve in the roadway and thereby ease the turning movements that motorists must make to negotiate this curve. Combined with the removal of both sloping terrain and tall landscape at the frontage of the project site, the smoothing of the curve in the roadway would significantly increase the sight distance available to motorists traveling in both directions.

Additionally, per direction from the Planning Commission, staff met with the applicant and a citizen to review the roadway. Staff will install warnings of the stop sign at Laurel Road, along with new signage announcing a 25 mile-per-hour speed limit. The applicant has agreed to fund the installation of a driver feedback sign on the north side of Ivy Road to the east of the project site. The driver feedback sign is intended to raise the consciousness of motorists as they approach the curve in the roadway.

The curb on the south side of Ivy Road would be painted red to prohibit on-street parking, rendering the full width of the 20-foot eastbound travel lane available to motorists.

Staff agrees that it would be ideal to align the cul-de-sac with Laurel Road. However, doing so would require a lot line adjustment that would take land from the abutting property at 2440 Papyrus Court. Additionally, aligning the cul-de-sac with Laurel Road is complicated by a steep slope at the western edge of the project site. The proposed location and design of the cul-de-sac are consistent with City standards for sight distance and other traffic safety features.

Issue #2

While more than three homes can be built with a CUP, the design of the proposed homes is not consistent with the character of Fire Mountain and is not "excellent." (Ref. comments by Commissioner Troisi: "I understand that you can build more homes if you have excellence in architecture and design. While these homes are nice, they are not excellent... If you look at the other two cul-de-sacs [in the vicinity], they are each odd, while this cul-de-sac is very standard.")

Response to Issue #2:

As noted in the Planning Commission staff report and in staff's presentation at the April 7 public hearing: the proposed homes embody two different architectural styles consistent with styles found in the area; have two different floor plans; only two of the five homes share the same architectural style and floor plan; and the design of the homes includes architectural elements that go beyond what could be seen in a tract-home subdivision.

Three of the proposed homes exceed the minimum required front yard setback of 20 feet, while four of the homes exceed the minimum required rear yard setback of 15 feet. The home on Lot 1, adjacent to the Ivy Road, would maintain a 15-foot corner side yard setback, where the minimum requirement is 10 feet.

Staff agrees that the proposed cul-de-sac is more symmetrical than other cul-de-sacs in the vicinity. However, both the cul-de-sac and the adjoining private driveways would be finished with interlocking permeable pavers, lending the subdivision a rustic appearance as viewed from Ivy Road.

Issue #3

It is not clear where the guest parking is and whether there is in fact any guest parking. (Ref. comments by commissioners, especially questions regarding the red-striping of the fire access roads leading up to the driveways.)

Response to Issue #3:

While there is no guest parking requirement for single-family development, it is staff's practice in the entitlement review process to evaluate how guest parking demand will be accommodated by private driveways and adjacent on-street parking resources. All of the private driveways in the proposed subdivision have capacity for at least three vehicles, in addition to each house having a three-car garage. Additionally, two vehicles can be accommodated curbside within the cul-de-sac. Located to the north of the private driveways on Lots 1 and 5, these curbside spaces would not impede emergency vehicle access to the residential properties.

There is no need for red-striping of the curb within the cul-de-sac, as emergency vehicles will be able to turn-around, even with cars parked in those few areas where space allows.

Issue #4

It is not clear whether the fire access roads are to be red-striped and/or whether there is to be allowed any parking on the fire access roads.

Response to Issue #4:

As noted above, there would be no need for red-striped curb within the cul-de-sac. The dimensions of the cul-de-sac would provide adequate clear space for emergency vehicle access, while accommodating four curbside parking spaces.

The fire hydrant at the base of the cul-de-sac would be situated between two private driveways; with less than five feet of curb separating these two driveways, there would not be sufficient space for curbside parking in proximity to the fire hydrant.

Issue #5

It is not clear why the City of Oceanside is requiring that one of the storm water basins be "owned" by one of the homeowners, while the others are planned as owned by the HOA. If it has to do with enforcement, shouldn't they be consistent?

Response to Issue #5:

Maintenance of the storm water basins located in the front yards of the single-family properties would be the responsibility of the individual homeowners, not the HOA.

COMMISSION OR COMMITTEE REPORT

The Planning Commission reviewed the proposed project on April 7, 2015. Public hearing notices were mailed to business and residential property owners within a 300-foot radius of the proposed project, pursuant to City Council policy in effect at that time. The Planning Commission unanimously approved the proposal.

Commissioner Troisi asked that the color palette for the homes exhibit greater variety, while maintaining muted tones. The applicant agreed to expand the color palette. Changes to the color palette would be reviewed and approved by the City Planner.

In light of concerns about traffic safety expressed by Fire Mountain resident John Taylor, the Planning Commission directed staff to work with the applicant to implement appropriate traffic calming measures, as noted above.

CITY ATTORNEY'S ANALYSIS

Pursuant to Oceanside Zoning Ordinance Article 4605, the City Council is authorized to hold a public hearing on calls for review. After conducting the public hearing, the Council shall affirm, modify, or reverse the Planning Commission's decision. If the decision is modified or reversed, the City Council is required to state the specific reasons for the modification or reversal. A resolution would then be prepared and brought back to Council for consideration.

RECOMMENDATION

Staff recommends that the City Council adopt a resolution upholding Planning Commission Resolution No. 2015-P11 approving Tentative Tract Map (T14-00004), Development Plan (D14-00007), and Conditional Use Permit (CUP14-00013) to allow a five-lot subdivision and development of five single-family homes at 2535 Ivy Road.

PREPARED BY:

SUBMITTED BY:



Russ Cunningham
Senior Planner



Michelle Skaggs Lawrence
Interim City Manager

REVIEWED BY:

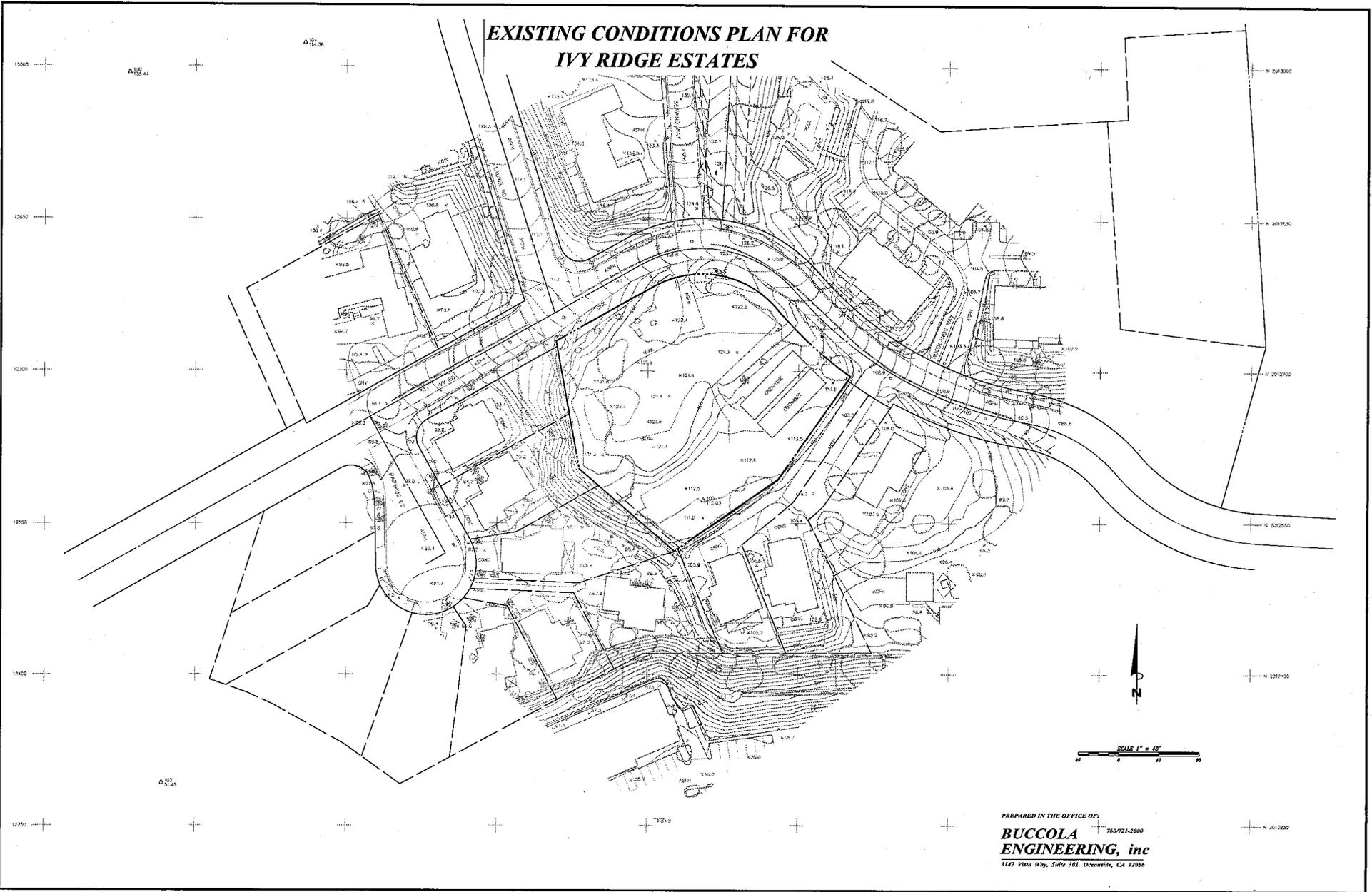
Peter Weiss, Assistant City Manager
Rick Brown, Interim Development Services Director
Jeff Hunt, City Planner



ATTACHMENTS:

1. City Council Resolution
2. Call for Review and Associated Correspondence
3. Site Plans/Floor Plans & Elevations
4. Planning Commission Staff Report dated April 7, 2015

EXISTING CONDITIONS PLAN FOR IVY RIDGE ESTATES



PREPARED IN THE OFFICE OF:
BUCCOLA
ENGINEERING, inc
3142 Vista Way, Suite 301, Occidente, CA 92956

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE UPHOLDING PLANNING COMMISSION RESOLUTION NO. 2015-P11 APPROVING A TENTATIVE TRACT MAP, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT TO PERMIT A FIVE-LOT SUBDIVISION AND DEVELOPMENT OF FIVE SINGLE-FAMILY HOMES AT 2535 IVY ROAD

(Main Street Partners, Inc. - Applicant)

WHEREAS, on April 7, 2015, the Planning Commission of the City of Oceanside, after holding a duly advertised public hearing, adopted Resolution No. 2015-P11 approving Tentative Tract Map (T14-00004), Development Plan (D14-00007), and Conditional Use Permit (CUP14-00013) to permit a five-lot subdivision and the development of five single-family homes at 2535 Ivy Road; and

WHEREAS, on April 17, 2015, Deputy Mayor Lowery and Councilmember Sanchez filed a timely call for review of the Planning Commission’s approval of said project; and

WHEREAS, on June 24, 2015, 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 Planning Commission’s approval of the Tentative Tract Map, Development Plan, and Conditional Use Permit; and

WHEREAS, based on such evidence, testimony, and staff reports, this Council has determined that the findings of fact articulated by the Planning Commission adequately address all of the issues raised in the call for review of this project, and therefore the Council accepts the findings of fact as set forth in Planning Commission Resolution No. 2015-P11, attached hereto as Exhibit “A”, and incorporates them by reference as if fully set forth herein;

NOW, THEREFORE, the City Council of the City of Oceanside does resolve as follows:

1. The Council affirms the Planning Commission action of April 7, 2015 and upholds the approval of Tentative Tract Map (T14-00004), Development Plan (D14-00007),

1 and Conditional Use Permit (CUP14-00013), as specified by Planning Commission Resolution
2 No. 2014-P11, attached hereto as Exhibit "A" and incorporated herein by this reference;

3 2. Notice is hereby given that the time within which judicial review must be sought
4 on this decision is governed by CCP Section 1094.6(b) as set forth in Oceanside City Code
5 Section 1.10, and Public Resources Code §21167(d).

6 PASSED and ADOPTED by the City Council of the City of Oceanside, California this
7 day of _____, 2015, by the following vote:

8 AYES:

9 NAYS:

10 ABSENT:

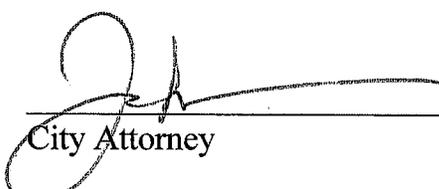
11 ABSTAIN:

12
13 _____
14 Mayor of the City of Oceanside

15 ATTEST:

16 APPROVED AS TO FORM:
17 OFFICE OF THE CITY ATTORNEY

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19 _____
20 City Clerk

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21 City Attorney

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PLANNING COMMISSION
RESOLUTION NO. 2015-P11

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA APPROVING A TENTATIVE MAP, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO: T14-00004, D14-00007, CUP 14-00013
APPLICANT: Main Street Partners Inc. – Buccola Engineering, Inc.
LOCATION: 2535 Ivy Road
(APN 165-240-32)

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

WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by the Commission requesting a Tentative Map, Development Plan, and Conditional Use Permit, and under the provisions of Articles 10 and 43 of the Zoning Ordinance and Article IV of the Subdivision Ordinance, to permit the following:

a five-lot subdivision for single-family residential purposes and construction of five single family detached homes, each with associated on-site parking facilities and landscaping; on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 7th day of April, 2015 conduct a duly advertised public hearing as prescribed by law to consider said application.

WHEREAS, pursuant to the California Environmental Quality Act and State Guidelines thereto; this project is categorically exempt from CEQA per Article 19, Section 15332 (In-Fill Development Projects);

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and city ordinance;

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

1	<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
2			
3	Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	\$3,503 per unit
4			
5	Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is \$2,843-\$15,964 per acre)
6			
7	Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	\$2,072 per unit for residential
8			
9	School Facilities Mitigation Fee	Ordinance No. 91-34	\$3.20 per square foot residential
10			
11	Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	\$15.71 per vehicle trip
12			
13	Thoroughfare Fee	Ordinance No. 83-01	\$255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG)
14			
15	Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 09-OR 0093-1	Fee based on water meter size. Residential is typically \$4,597 per unit.
16			
17			
18	Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0092-1	Based on capacity or water meter size. Residential is typically \$6,313 per unit.
19			
20			
21	San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Residential is typically \$4,492 per unit.
22			
23			
24	Inclusionary housing in lieu fees—Residential only.	Chapter 14-C of the City Code	\$1,000 per development project, \$100 per unit, plus \$2.11 per square foot.
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1 WHEREAS, the current fees referenced above are merely fee amount estimates of the
2 impact fees that would be required if due and payable under currently applicable ordinances and
3 resolutions, presume the accuracy of relevant project information provided by the applicant, and
4 are not necessarily the fee amount that will be owing when such fee becomes due and payable;

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

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

11 WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS FURTHER GIVEN that
12 the 90-day period to protest the imposition of any fee, dedication, reservation, or other exaction
13 described in this resolution begins on the effective date of this resolution and any such protest must
14 be in a manner that complies with Section 66020;

15 WHEREAS, pursuant to Oceanside Zoning Ordinance §2115, this resolution becomes
16 effective 20 days from its adoption in the absence of the filing of an appeal or call for review;

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

19 **FINDINGS:**

20 **For Tentative Map (T13-00003):**

- 21 1. That the proposed Tentative Map is consistent with the General Plan of the City by
22 meeting and exceeding lot size requirements and other applicable provisions of the
23 Zoning Ordinance and the Subdivision Ordinance. The subject property bears a zoning
24 designation of Single-Family Residential (R-S), which requires a minimum lot size of
25 6,000 square feet. The lot sizes created by this subdivision map exceed the 6,000
26 square-foot minimum, ranging in size between 7,088 and 8,786 gross square feet.
- 27 2. The 1.163-acre site is physically suitable for the proposed type of development. The
28 design of the subject subdivision will provide parcels with pad areas of sufficient size
29 and dimension to accommodate five residential lots. Moreover, the site design, will
allow for proper separation between the homes, adequate vehicle circulation and parking
as well as ample landscape coverage. That the design of the subdivision or the proposed

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improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The subject property is located in an urbanized and developed area and contains no sensitive habitat.

4. That the design of the subdivision or the type of improvements meets City standards and will not conflict with easements, acquired by the public at large, for access through or the use of property within the proposed subdivision. There are no easements, acquired by the public at large, for access through or the use of the subject property.
5. That the subdivision complies with all other applicable ordinances, regulations and guidelines of the City of Oceanside. The proposed tentative map exhibit accords with the form and content requirements of the City's Subdivision Ordinance (Section 401).

For the Development Plan (D14-00007):

1. The site plan and physical design of the project is consistent with the Zoning Ordinance and the underlying Single Family Density Residential zone (SFD), as well as the policies contained within Sections 1.24 and 1.25 of the Land Use Element of the General Plan. Remedial grading to provide slope stabilization will not require modifications to the previously approved project inconsistent with the project's original site planning and physical design.
2. The Development Plan conforms to the General Plan of the City. With approval of the Conditional Use Permit indicated herein, the five-lot single-family subdivision would be permitted to exceed the base density of 3.6 dwelling units per acre, thereby resulting in a density of 4.45 dwelling units per acre. As such, it will not conflict with any General Plan policies, including the goals and objectives of Community Values Section 1.13(H) and Community Development Sections 2.0, 2.02, 2.3, and 2.32 of the Land Use Element of the General Plan.
3. The project site can be adequately served by existing public facilities, services and utilities.
4. The project, as proposed, is compatible with existing and potential development on adjoining properties and in the surrounding neighborhood.

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1 For the Conditional Use Permit (CUP14-00013):

- 2 1. The proposed location of the use is in accord with the objectives of the Zoning
3 Ordinance and the purposes of the Single-Family Residential (RS) zoning district in
4 which the site is located. In accordance with Zoning Code Section 1050 (B), the
5 Conditional Use Permit would allow a net density of 4.45 dwelling units per acre, which
6 is within the density range permitted of 3.6 to 5.9 dwelling units per acre. Moreover, as
7 required by Zoning Code Section 1050 (B), the project would conform with Section 2.3
8 of the Land Use Element of the General Plan, which allows densities above 3.6 dwelling
9 units per acre for residential projects possessing an excellence of design features. The
10 proposed project includes lot areas which exceed the 6,000 minimum required,; setbacks
11 and lot coverage which exceed minimum standards, and superior architectural design
12 and materials.
- 13 2. The proposed five-lot single-family residential project will be consistent with the pattern
14 of development found throughout the Fire Mountain neighborhood. The develop consists
15 of lots which exceed the minimum 6,000 square-foot standard size for the RS district, in
16 much the same way as other single family residential developments in the area. The lots
17 created by this subdivision are between 7,000 to nearly 9,000 square feet. Also, like
18 similar developments in the area, the single family homes will be two story and over
19 2,000 square feet. Physical improvements to the site will include the undergrounding of
20 utilities as well as installation of public sidewalks.
- 21 3. The proposed conditional use will comply with the provisions of the Zoning Ordinance,
22 in that it will fall within the allowable density range of 3.6 and 5.9 dwelling units per
23 acre, conform to all applicable development standards, and posses an excellence of
24 design features..

25 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
26 approve Tentative Parcel Map (T14-00004), Development Plan (D14-00007), and Conditional
27 Use Permit (CUP14-00013), subject to the following conditions:

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1 **Building:**

- 2 1. Construction shall comply with the current addition edition of the California Codes.
- 3 2. California Residential Code requires each new one and two family dwellings to install
- 4 an Automatic Fire Sprinkler System designed and installed in accordance with CRC
- 5 Section R 313.3 or NFPA 13D.
- 6 3. All new one and two family dwellings shall comply with the current California Green
- 7 Code.
- 8 4. The granting of approval under this action shall in no way relieve the applicant/project
- 9 from compliance with all state and local building codes.
- 10 5. The building plans for this project are required by state law to be prepared by a licensed
- 11 architect or engineer and must comply with this requirement prior to submittal for building
- 12 plan review.
- 13 6. All electrical, communication, CATV, etc. service lines within the exterior lines of the
- 14 property shall be underground (City Code Sec. 6.30).
- 15 7. The developer shall monitor, supervise and control all building construction and supporting
- 16 activities so as to prevent these activities from causing a public nuisance, including, but not
- 17 limited to, strict adherence to the following:
- 18 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00
- 19 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for work
- 20 that is not inherently noise-producing. Examples of work not permitted on
- 21 Saturday are concrete and grout pours, roof nailing and activities of similar noise-
- 22 producing nature. No work shall be permitted on Sundays and Federal Holidays
- 23 (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, and
- 24 Christmas Day) except as allowed for emergency work under the provisions of the
- 25 Oceanside City Code Chapter 38 (Noise Ordinance).
- 26 b) The construction site shall be kept reasonably free of construction debris as
- 27 specified in Section 13.17 of the Oceanside City Code. Storage of debris in
- 28 approved solid waste containers shall be considered compliance with this
- 29 requirement. Small amounts of construction debris may be stored on-site in a neat,
- safe manner for short periods of time pending disposal.

- 1 8. Separate/unique addresses will be required to facilitate utility releases. Verification that the
2 addresses have been properly assigned by the City's Planning Division must accompany
3 the Building Permit application.
- 4 9. A complete Soils Report, Structural Calculations, & Energy Calculations/documentation
5 will be required at time of plans submittal to the Building Division for plan check.

6 **Engineering:**

- 7 10. For the demolition of any existing structure or surface improvements; grading plans shall
8 be submitted and erosion control plans be approved by the City Engineer prior to the
9 issuance of a demolition permit. No demolition shall be permitted without an approved
10 erosion control plan.
- 11 11. Design and construction of all improvements shall be in accordance with the City of
12 Oceanside Engineers Design and Processing Manual, City Ordinances, and standard
13 engineering and specifications of the City of Oceanside and subject to approval by the
14 City Engineer.
- 15 12. All right-of-way alignments, street dedications, exact geometrics and width shall be
16 dedicated and constructed or replaced as required by the City Engineer.
- 17 13. All improvements shall be under construction to the satisfaction of the City Engineer prior
18 to the issuance of any building permits. All improvements shall be completed prior to
19 issuance of any certificates of occupancy.
- 20 14. The tract shall be recorded and developed as one. The City Engineer shall require the
21 dedication and construction of necessary utilities, streets and other improvements outside
22 the area of this final map, if such is needed for circulation, parking, access or for the
23 welfare or safety of future occupants of the development.
- 24 15. Prior to the issuance of any grading, improvement or building permits for a model
25 complex, all improvements shall be under construction to the satisfaction of the City
26 Engineer prior to the issuance of any building permits, including any model home. All
27 public and private improvements including landscaping and off-site streets that are
28 found to be required to serve the model complex shall be completed prior to the issuance
29 of any certificates of occupancy.
16. Provide the City of Oceanside with a certification from each public utility and each
public entity owning easements within the proposed project stating that: (a) they have

- 1 received from the owner/developer a copy of the proposed map; (b) they object or do not
2 object to the filing of the map without their signature; (c) in case of a street dedication
3 affected by their existing easement, they will sign a "subordination certificate" or "joint-
4 use certificate" on the map when required by the governing body. In addition, the
5 owner/developer shall furnish proof to the satisfaction of the City Engineer that no new
6 encumbrances have been created that would subordinate the City's interest over areas to
7 be dedicated for public road purposes since submittal of the project.
- 8 17. Pursuant to the State Map Act, improvements shall be required at the time of development.
9 A covenant, reviewed and approved by the City Attorney, shall be recorded attesting to
10 these improvement conditions and a certificate setting forth the recordation shall be placed
11 on the map.
- 12 18. Prior to approval of the final map or any increment, all improvement requirements, within
13 such increment or outside of it if required by the City Engineer, shall be covered by a
14 Subdivision Improvement Agreement and secured with sufficient improvement securities
15 or bonds guaranteeing performance and payment for labor and materials, setting of
16 monuments, and warranty against defective materials and workmanship.
- 17 19. The owner/developer shall provide five feet (5') public street dedication for Ivy Road along
18 property frontage to serve the property.
- 19 20. If a subdivider is required under this division or any other provision of law to make a
20 dedication for specified public purposes on a final map, the local agency shall specify
21 whether the dedication is to be in fee for public purposes or an easement for public
22 purposes.
- 23 21. A traffic control plan shall be prepared according to the City traffic control guidelines
24 and approved to the satisfaction of the City Engineer prior to the start of work within the
25 public right-of-way on Ivy Road. Traffic control during construction of streets that have
26 been opened to public traffic shall be in accordance with construction signing, marking
27 and other protection as required by the Caltrans Traffic Manual and City Traffic Control
28 Guidelines. Traffic control plans shall be in effect from 8:00 a.m. to 3:30 p.m. unless
29 approved otherwise.
22. Vehicular access rights to Ivy Road shall be relinquished to the City from all abutting
lots except for the proposed private Street.

- 1 23. Ivy Road shall be constructed with curbs and gutters and sidewalk. Ivy Road shall provide
2 a minimum of 10 feet parkway between the face of curb and the right-of-way line.
3 Sidewalk improvements shall comply with ADA requirements. Publicly maintained
4 pedestrian ramps (maintained by the City of Oceanside must be fully located within public
5 right-of-way. Minimum curb return radius shall comply with the City of Oceanside
6 Engineers Design and Processing Manual.
- 7 24. Sight distance requirements at the intersection of the proposed private street on Ivy Road
8 shall conform to the corner sight distance criteria as provided by SDRSD DS-20A and or
9 DS-20B. Minimum intersectional sight distance is required based on the posted regulatory
10 speed sign (or 85th percentile speed survey) multiplied by 10.
- 11 25. Ivy Road shall be paved and constructed half plus twelve along the property frontage as
12 required the satisfaction of the City Engineer.
- 13 26. Any existing public or private pavement, concrete curb, gutter, driveways, pedestrian
14 ramps and sidewalk within the project, or adjacent to the project boundary that are already
15 damaged or damaged during construction of the project, shall be repaired or replaced as
16 directed by the City Engineer.
- 17 27. Streetlights shall be maintained and installed on Ivy Road if required) per City Standards to
18 the satisfaction of the City Engineer. The system shall provide uniform lighting, and be
19 secured prior to occupancy. The owner/developer shall pay all applicable fees, energy
20 charges, and/or assessments associated with City-owned (LS-2 rate schedule) streetlights
21 and shall also agree to the formulation of, or the annexation to, any appropriate street
22 lighting district.
- 23 28. This project's street shall remain private and shall be maintained by an association. The
24 pavement sections, traffic indices shall be based on approved geotechnical report and in
25 compliance with the City of Oceanside Engineers Design and Processing Manual. The
26 private project street and driveway alignments and geometric layouts shall meet the City
27 of Oceanside Engineers Design and Processing Manual.
- 28 29. Pavement sections for Ivy Road and the proposed private street, driveways and parking
29 areas shall be based upon approved soil tests and traffic indices. The pavement design is
to be prepared by the owner/developer's soil engineer and must be in compliance with the

- 1 City of Oceanside Engineers Design and Processing Manual and be approved by the City
2 Engineer, prior to paving.
- 3 30. Prior to approval of the grading plans, the owner/developer shall contract with a
4 geotechnical engineering firm to perform a field investigation of the existing pavement on
5 Ivy Road adjacent to the project boundary. The limits of the study shall be half-street plus
6 12 feet along the project's frontage. The field investigation shall include a minimum of one
7 pavement boring per 50 linear feet of street frontage. Should the existing AC thickness be
8 determined to be less than the current minimum standard for AC and Class II Base as set
9 forth in the table for City of Oceanside Pavement Design Guidelines in the City of
10 Oceanside Engineers Manual, the owner/developer shall remove and reconstruct the
11 pavement section as determined by the pavement analysis submittal process detailed in the
12 condition listed below:
- 13 31. Upon review of the pavement investigation, the City Engineer shall determine whether the
14 owner/developer shall: 1) Repair all failed pavement sections, header cut and grind per the
15 direction of the City Engineer, and construct a two-inch thick rubberized AC overlay; or 2)
16 Perform R-value testing and submit a study that determines if the existing pavement meets
17 current City standards/traffic indices. Should the study conclude that the pavement does
18 not meet current requirements, rehabilitation/mitigation recommendations shall be provided
19 in a pavement analysis report, and the owner/developer shall reconstruct the pavement per
20 these recommendations, subject to approval by the City Engineer.
- 21 32. The responsibility of private road maintenance shall be included in the CC&R of this
22 tentative map and shall be recorded concurrent or prior to the recordation of the final
23 map, and be included in the grant deed title of the future home owners.
- 24 33. Where proposed off-site improvements, including but not limited to slopes, public utility
25 facilities, and drainage facilities, are to be constructed, the owner/developer shall, at his
26 own expense, obtain all necessary easements or other interests in real property and shall
27 dedicate the same to the City of Oceanside as required. The owner/developer shall provide
28 documentary proof satisfactory to the City of Oceanside that such easements or other
29 interest in real property have been obtained prior to the approval of the final map (or)
/issuance of any grading, building or improvement permit for this development/project.
Additionally, the City of Oceanside, may at its sole discretion, require that the

1 owner/developer obtain at his sole expense a title policy insuring the necessary title for the
2 easement or other interest in real property to have vested with the City of Oceanside or the
3 owner/developer, as applicable.

4 34. A precise grading and private improvement plan shall be prepared, reviewed, secured and
5 approved prior to the issuance of any building permits. The plan shall reflect all pavement,
6 flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping, and signage,
7 footprints of all structures, walls, drainage devices and utility services. Parking lot striping
8 and any on-site traffic calming devices shall be shown on all precise grading and private
9 improvement plans.

10 35. This project shall provide year-round erosion control including measures for the site
11 required for the phasing of grading. Prior to the issuance of grading permit, an erosion
12 control plan, designed for all proposed stages of construction, shall be reviewed, secured by
13 the owner/developer with **cash securities or a letter of credit** and approved by the City
14 Engineer.

15 36. Prior to the issuance of a grading permit, the owner/developer shall notify and host a
16 neighborhood meeting with all of the area residents located within 300 feet of the project
17 site, to inform them of the grading and construction schedule, and to answer questions.

18 37. The owner/developer shall monitor, supervise and control all construction and
19 construction-supportive activities, so as to prevent these activities from causing a public
20 nuisance, including but not limited to, insuring strict adherence to the following:

21 a) Dirt, debris and other construction material shall not be deposited on any public
22 street or within the City's stormwater conveyance system.

23 b) All grading and related site preparation and construction activities shall be
24 limited to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday. No
25 engineering related construction activities shall be conducted on Saturdays,
26 Sundays or legal holidays unless written permission is granted by the City Engineer
27 with specific limitations to the working hours and types of permitted
28 operations. All on-site construction staging areas shall be as far as possible
29 (minimum 100 feet) from any existing residential development. Because
construction noise may still be intrusive in the evening or on holidays, the City of
Oceanside Noise Ordinance also prohibits "any disturbing excessive or offensive

- 1 noise which causes discomfort or annoyance to reasonable persons of normal
2 sensitivity.”
- 3 c) The construction site shall accommodate the parking of all motor vehicles used by
4 persons working at or providing deliveries to the site. An alternate parking site can
5 be considered by the City Engineer in the event that the lot size is too small and
6 cannot accommodate parking of all motor vehicles.
- 7 d) The owner/developer shall complete a haul route permit application (if required
8 for import/export of dirt) and submit to the City of Oceanside Engineering
9 Division 48 hours in advance of beginning of work. Hauling operations (if
10 required) shall be 8:00 a.m. to 3:30 p.m.. unless approved otherwise.
- 11 38. It is the responsibility of the owner/developer to evaluate and determine that all soil
12 imported as part of this development is free of hazardous and/or contaminated material
13 as defined by the City and the County of San Diego Department of Environmental
14 Health. Exported or imported soils shall be properly screened, tested, and documented
15 regarding hazardous contamination.
- 16 39. The approval of the tentative map shall not mean that proposed grading or improvements
17 on adjacent properties (including any City properties/right-of-way or easements) is
18 granted or guaranteed to the owner/developer. The owner/developer is responsible for
19 obtaining permission to grade to construct on adjacent properties. Should such
20 permission be denied, the tentative map shall be subject to going back to the public hearing
21 or subject to a substantial conformity review.
- 22 40. Prior to any grading of any part of this tract, a comprehensive soils and geologic
23 investigation shall be conducted of the soils, slopes, and formations in the project. All
24 necessary measures shall be taken and implemented to assure slope stability, erosion
25 control, and soil integrity. No grading shall occur until a detailed grading plan, to be
26 prepared in accordance with the Grading Ordinance and Zoning Ordinance is approved by
27 the City Engineer.
- 28 41. Landscaping plans, including plans for the construction of walls, fences or other structures
29 at or near intersections, must conform to intersection sight distance requirements.
Landscape and irrigation plans for disturbed areas shall be submitted to the City Engineer
prior to the issuance of a preliminary grading permit and approved by the City Engineer

1 prior to the issuance of building permits. Frontage landscaping shall be installed and
2 established prior to the issuance of any certificates of occupancy. Securities shall be
3 required only for landscape items in the public right-of-way. Any project fences, sound or
4 privacy walls and monument entry walls/signs shall be shown on, bonded for and built
5 from the landscape plans. These features shall also be shown on the precise grading plans
6 for purposes of location only. Plantable, segmental walls shall be designed, reviewed and
7 constructed by the grading plans and landscaped/irrigated through project landscape plans.
8 All plans must be approved by the City Engineer and a pre-construction meeting held,
9 prior to the start of any improvements.

10 42. Advisory condition - Unless an appropriate barrier is approved on a landscape plan, a
11 minimum 42-inch high barrier, approved by the City Engineer, shall be provided at the
12 top of all slopes whose height exceeds 20 feet or where the slope exceeds 4 feet and is
13 adjacent to any streets, an arterial street or state highway.

14 43. The drainage design shown on the tentative map, site plan or preliminary grading plan, and
15 the drainage report for this tentative map/development plan is conceptual only. The final
16 drainage report and drainage design shall be based upon a hydrologic/hydraulic study that
17 is in compliance with the latest San Diego County Hydrology and Drainage Manual to be
18 approved by the City Engineer during final engineering. All drainage picked up in an
19 underground system shall remain underground until it is discharged into an approved
20 channel, or as otherwise approved by the City Engineer. All public storm drains shall be
21 shown on City standard plan and profile sheets. All storm drain easements shall be
22 dedicated where required. The owner/developer shall be responsible for obtaining any off-
23 site easements for storm drainage facilities.

24 44. Drainage facilities shall be designed and installed to adequately accommodate the local
25 storm water runoff and shall be in accordance with the San Diego County Hydrology and
26 Design Manual and in compliance with the City of Oceanside Engineers Design and
27 Processing Manual to the satisfaction of the City Engineer.

28 45. The owner/developer shall place a covenant on the non-title sheet of the final map
29 agreeing to the following: "The present or future owner/developer shall indemnify and
save the City of Oceanside, its officers, agents, and employees harmless from any and all

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liabilities, claims arising from any flooding that occurs on this site, and any flooding that is caused by this site impacting adjacent properties”.

46. Storm drain facilities shall be designed and located such that the inside travels lanes on Ivy Road shall be passable during conditions of a 100-year frequency storm.

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

48. The owner/developer shall comply with the provisions of National Pollution Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activity (General Permit) Water Quality Order 2009-0009-DWQ. The General Permit continues in force and effect until a new General Permit is issued or the SWRCB rescinds this General Permit. Only those owner/developers authorized to discharge under the expiring General Permit are covered by the continued General Permit. Construction activity subject to the General Permit includes clearing, grading, and disturbances to the ground such as stockpiling, or excavation that results in land disturbances of equal to or greater than one acre. The owner/developer shall obtain coverage under the General Permit by submitting a Notice of Intent (NOI) and obtaining a Waste Discharge Identification Number (WDID#) from the State Water Resources Control Board (SWRCB). In addition, coverage under the General Permit shall not occur until an adequate SWPPP is developed for the project as outlined in Section A of the General Permit. The site specific SWPPP shall be maintained on the project site at all times. The SWPPP shall be provided, upon request, to the United States Environmental Protection Agency (USEPA), SWRCB, Regional Water Quality Control Board (RWQCB), City of Oceanside, and other applicable governing regulatory agencies. The SWPPP is considered a report that shall be available to the public by the RWQCB under section 308(b) of the Clean Water Act. The provisions of the General Permit and the site specific SWPPP shall be continuously implemented and enforced until the owner/developer obtains a Notice of Termination (NOT) for the SWRCB. The owner/developer is required to retain records of all monitoring information, copies of all reports required by this General Permit, and records of all data used to complete the NOT for all construction activities to be covered by the General Permit for a period of at

1 least three years from the date generated. This period may be extended by request of the
2 SWRCB and/or RWQCB.

3 49. Following the City Engineer's determination that Storm Water Mitigation Plan (SWMP)
4 is deemed complete and prior to issuance of grading permits, the owner/developer shall
5 submit and obtain approval of an Operation & Maintenance (O&M) Plan, prepared to
6 the satisfaction of the City Engineer. The O&M Plan shall include an approved and
7 executed Maintenance Mechanism pursuant to Section 5 of the Standard Urban Storm
8 Water Mitigation Plan (SUSMP). The O&M shall satisfy the minimum Maintenance
9 Requirements pursuant to Section 5 of the SUSMP. At a minimum the O&M Plan shall
10 include the designated responsible party to manage the storm water BMP(s), employee
11 training program and duties, operating schedule, maintenance frequency, routine service
12 schedule, specific maintenance activities, copies of resource agency permits, cost
13 estimate for implementation of the O&M Plan, a non-refundable **cash security** to
14 provide maintenance funding in the event of noncompliance to the O&M Plan, and any
15 other necessary elements. The owner/developer shall provide the City with access to
16 site for the purpose of BMP inspection and maintenance by entering into an Access
17 Rights Agreement with the City. The owner/developer shall complete and maintain
18 O&M forms to document all operation, inspection, and maintenance activities. The
19 owner/developer shall retain records for a minimum of 5 years. The records shall be
20 made available to the City upon request.

21 50. The owner/developer shall enter into a City-Standard Stormwater Facilities Maintenance
22 Agreement (SWFMA) with the City obliging the owner/developer to maintain, repair
23 and replace the Storm Water Best Management Practices (BMPs) identified in the
24 project's deemed complete SWMP, as detailed in the O&M Plan into perpetuity. The
25 Agreement shall be approved by the City Attorney prior to issuance of any precise
26 grading permit and shall be recorded at the County Recorder's Office prior to issuance
27 of any building permit. A non-refundable **security in the form of cash** shall be required
28 prior to issuance of a precise grading permit. The amount of the non-refundable security
29 shall be equal to 10 years of maintenance costs, as identified by the O&M Plan, but not
to exceed a total of \$25,000. The owner/developer's civil engineer shall prepare the
O&M cost estimate.

- 1 51. At a minimum, maintenance agreements shall require the staff training, inspection and
2 maintenance of all BMPs on an annual basis. The owner/developer shall complete and
3 maintain O&M forms to document all maintenance activities. Parties responsible for the
4 O&M plan shall retain records at the subject property for at least 5 years. These
5 documents shall be made available to the City for inspection upon request at any time.
- 6 52. The Agreement shall include a copy of executed on-site and off-site access easement and
7 or access rights necessary for the operation and maintenance of BMPs that shall be
8 binding on the land throughout the life of the project to the benefit of the party
9 responsible for the O&M of BMPs, satisfactory to the City Engineer. The agreement
10 shall also include a copy of the deemed complete O&M Plan.
- 11 53. The BMPs described in the project's deemed complete SWMP shall not be altered in
12 any way, unless reviewed and approved to the satisfaction of the City Engineer. The
13 determination of whatever action is required for changes to a project's deemed complete
14 SWMP shall be made by the City Engineer.
- 15 54. The owner/developer shall provide a copy of the title/cover page of a deemed complete
16 SWMP with the first engineering submittal package. If the project triggers the City's
17 Stormwater requirements but no deemed complete Stormwater document (SWMP)
18 exists, the appropriate document shall be submitted to the City Engineer for review. The
19 SWMP shall be prepared by the owner/developer's Civil Engineer. All Stormwater
20 documents shall be in compliance with the latest edition of submission requirements.
- 21 55. Prior to any occupancy permit, the developer/owner shall construct each and all of the
22 structural BMPs and operating in compliance with all of its specifications, plan, permits,
23 Ordinances, and the requirement of the State Regional Water Quality Control Board
24 (RWQCB), Order No. R9-2013-0001.
- 25 56. Open space areas and down-sloped areas visible from a collector-level or above roadway
26 and not readily maintained by the property owner, shall be maintained by a homeowners'
27 association that will insure installation and maintenance of landscaping in perpetuity.
28 These areas shall be indicated on the final map and reserved for an association. Future
29 buyers shall be made aware of any estimated monthly costs. The disclosure, together with
the CC&R's, shall be submitted to the City Engineer for review prior to the recordation of
final map.

- 1 57. All existing overhead utility lines within this subdivision/development and/or within any
2 full width street or right-of-way on Ivy Road abutting this new subdivision, and all new
3 extension services for the development of the project, including but not limited to,
4 electrical, cable and telephone, shall be placed underground per Section 901.G. of the
5 Subdivision Ordinance (R91-166) and as required by the City Engineer and current City
6 policy.
- 7 58. The owner/developer shall obtain any necessary permits and clearances from all public
8 agencies having jurisdiction over the project due to its type, size, or location, including but
9 not limited to the U. S. Army Corps of Engineers, California Department of Fish & Game,
10 U. S. Fish and Wildlife Service and/or San Diego Regional Water Quality Control Board
11 (including NPDES), San Diego County Health Department, prior to the issuance of grading
12 permits.
- 13 59. The owner/developer shall comply with all the provisions of the City's cable television
14 ordinances including those relating to notification as required by the City Engineer.
- 15 60. Approval of this development project is conditioned upon payment of all applicable impact
16 fees and connection fees in the manner provided in chapter 32B of the Oceanside City
17 Code. All traffic signal fees and contributions, highway thoroughfare fees, park fees,
18 reimbursements, and other applicable charges, fees and deposits shall be paid prior to
19 recordation of the map or the issuance of any building permits, in accordance with City
20 Ordinances and policies. The owner/developer shall also be required to join into,
21 contribute, or participate in any improvement, lighting, or other special district affecting or
22 affected by this project. Approval of the tentative map shall constitute the
23 owner/developer's approval of such payments, and his agreement to pay for any other
24 similar assessments or charges in effect when any increment is submitted for final map or
25 building permit approval, and to join, contribute, and/or participate in such districts.
- 26 61. Prior to issuance and approval of a final grading plan, said grading plan showing a drainage
27 basin in each of the front yards in compliance with SWMP requirements, shall be submitted
28 for review and approval by the City Engineer. A note shall be added to said map, and a
29 covenant submitted for review and approval by the City Attorney, indicating that the front
yard drainage basis shall be maintained in perpetuity by each property owner and shall be

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deed restricted to preclude any structures being placed over and/or within their parameters that would lead them to be non-compliant with the SWMP approved by the City Engineer.

62. Prior to issuance and approval of a final grading plan, a final landscape plan which includes the final drainage basin design in compliance with SWMP requirements and as approved by the City Engineer shall be submitted for review and approval by the City's Landscape Architect.

63. Prior to issuance of the final tract map, a note shall be added to the Final Map indicating the drainage basins in compliance with SWMP requirements and located in each front yard shall be the responsibility of each homeowner and shall be maintained in perpetuity by each homeowner. The area within the front yards of each lot and identified in the Planning Commission approved tract map as "drainage basin" shall be deed restricted to preclude any structures from being placed over and/or within their parameters so as to ensure compliance with SWMP requirements.

Landscaping:

64. Landscape plans, shall meet the criteria of the City of Oceanside Landscape Guidelines and Specifications for Landscape Development (latest revision), Water Conservation Ordinance No.(s) 91-15 and 10-Ordinance 0412, Engineering criteria, City code and ordinances, including the maintenance of such landscaping, shall be reviewed and approved by the City Engineer prior to the issuance of building permits. Landscaping shall not be installed until bonds have been posted, fees paid, and plans signed for final approval. A landscape pre-construction meeting shall be conducted by the landscape architect of record, Public Works Inspector, developer or owner's representative and landscape contractor prior to commencement of the landscape and irrigation installation. The following landscaping requirements shall be required prior to plan approval and certificate of occupancy:

- a) Final landscape plans shall accurately show placement of all plant material such as but not limited to trees, shrubs, and groundcovers.
- b) Landscape Architect shall be aware of all utility, sewer, gas and storm drain lines and utility easements and place planting locations accordingly to meet City of Oceanside requirements.

- 1 c) All required landscape areas shall be maintained by owner, project association or
2 successor of the project (including public rights-of-way (parkways) adjacent to
3 the Ivy Road Cul-De-Sac - private). The landscape areas shall be maintained per
4 City of Oceanside requirements.
- 5 d) Proposed landscape species shall fit the site and meet climate changes indicative
6 to their planting location. The selection of plant material shall also be based on
7 cultural, aesthetic, and maintenance considerations. In addition proposed
8 landscape species shall be low water users as well as meet all Fire Department
9 requirements.
- 10 e) All planting areas shall be prepared and implemented to the required depth with
11 appropriate soil amendments, fertilizers, and appropriate supplements based
12 upon a soils report from an agricultural suitability soil sample taken from the
13 site.
- 14 f) Ground covers or bark mulch shall fill in between the shrubs to shield the soil
15 from the sun, evapotranspiration and run-off. All the flower and shrub beds shall
16 be mulched to a 3" depth to help conserve water, lower the soil temperature and
17 reduce weed growth.
- 18 g) The shrubs shall be allowed to grow in their natural forms. All landscape
19 improvements shall follow the City of Oceanside Guidelines.
- 20 h) Root barriers shall be installed adjacent to all paving surfaces, where a paving
21 surface is located within 6 feet of a trees trunk on-site (private) and within 10
22 feet of a trees trunk in the right-of-way (public). Root barriers shall extend 5 feet
23 in each direction from the centerline of the trunk, for a total distance of 10 feet.
24 Root barriers shall be 24 inches in depth. Installing a root barrier around the
25 tree's root ball is unacceptable.
- 26 i) All fences, gates, walls, stone walls, retaining walls, and plantable walls shall
27 obtain planning department approval for these items in the conditions or
28 application stage prior to 1st submittal of working drawings.
- 29 j) For the planting and placement of trees and their distances from hardscape and
other utilities/ structures the landscape plans shall follow the City of Oceanside's
(current) Tree Planting Distances and Spacing Standards.

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- k) An automatic irrigation system shall be installed to provide coverage for all planting areas shown on the plan. Low volume equipment shall provide sufficient water for plant growth with a minimum water loss due to water run-off.
- l) Irrigation systems shall use high quality, automatic control valves, controllers and other necessary irrigation equipment. All components shall be of non-corrosive material. All drip systems shall be adequately filtered and regulated per the manufacturer's recommended design parameters.
- m) All irrigation improvements shall follow the City of Oceanside Guidelines and Water Conservation Ordinance.
- n) The landscape plans shall match all plans affiliated with the project.
- o) Landscape construction drawings are required to implement approved Fire Department regulations, codes, and standards at the time of plan approval.
- p) Landscape plans shall comply with Biological and/or Geotechnical reports, as required, shall match the grading and improvement plans, comply with SWMP Best Management Practices and meet the satisfaction of the City Engineer.
- q) Existing landscaping on and adjacent to the site shall be protected in place and supplemented or replaced to meet the satisfaction of the City Engineer.

65. All landscaping, fences, walls, etc. on the site, in medians within the public right-of-way and within any adjoining public parkways shall be permanently maintained by the owner, his assigns or any successors-in-interest in the property. The maintenance program shall include: a) normal care and irrigation of the landscaping b) repair and replacement of plant materials (including interior trees and street trees) c) irrigation systems as necessary d) general cleanup of the landscaped and open areas e) parking lots and walkways, walls, fences, etc. f) pruning standards for street trees shall comply with the International Society of Arboriculture (ISA) *Standard Practices for Tree Care Operations – ANSI A300, Appendix G: Safety Standards, ANSI Z133; Appendix H; and Tree Pruning Guidelines, Appendix F* (most current edition). Failure to maintain landscaping shall result in the City taking all appropriate enforcement actions including but not limited to citations. This maintenance program condition shall be recorded with a covenant as required by this resolution.

1 66. In the event that the conceptual landscape plan (CLP) does not match the conditions of
2 approval, the resolution of approval shall govern.

3 **Fire:**

4 67. All proposed and existing fire hydrants within 400 feet of the project shall be shown on
5 the site plan.

6 68. The fire hydrants shall be installed and tested prior to placing any combustible materials
7 on the job site.

8 69. Provide on-site hydrants and mains capable of supplying the required fire flow.

9 70. Blue hydrant identification markers shall be placed as per Oceanside's Engineers Design
10 and Processing Manual Standard Drawing No. M-13.

11 71. All weather access roads shall be installed and made serviceable prior to and maintained
12 during time of construction.

13 72. Parking permitted on the street in marked parking spots only. All other curbs must be
14 posted "NO PARKING FIRE LANE" per Vehicle Code Section 22500.1. Any
15 markings, signs and/or fire lane identification shall be in accordance with the Fire
16 Department Standard Guidelines for Emergency Access.

17 73. Single-family dwellings require 4 inch address numbers.

18 74. Plans shall be submitted to the Fire Prevention Bureau for plan check review and
19 approval prior to the issuance of building permits.

20 75. Fire sprinkler system installed per NFPA 13 D required in all dwellings.

21 **Planning:**

22 76. This Tentative Map, Development Plan, and Conditional Use Permit shall expire 36
23 months from its approval, unless this time period is extended by the provisions of
24 Section 408 or 409 of the Subdivision Ordinance.

25 77. This Tentative Map, Development Plan, and Conditional Use Permit approve only a 5-
26 lot residential subdivision as shown on the plans and exhibits presented to the Planning
27 Commission for review and approval. No deviation from these approved plans and
28 exhibits shall occur without Planning Division approval. Substantial deviations shall
29 require a revision to the Tentative Map, Development Plan, and Conditional Use Permit
or a new Tentative Map, Development Plan, and Conditional Use Permit.

- 1 78. The applicant, permittee, or any successor-in-interest shall defend, indemnify and hold
2 harmless the City of Oceanside, its agents, officers or employees from any claim, action
3 or proceeding against the City, its agents, officers, or employees to attack, set aside, void
4 or annul an approval of the City, concerning Tentative Map (T14-00004), Development
5 Plan (D14-00013), and Conditional Use Permit (CUP14-00013). The City will promptly
6 notify the applicant of any such claim, action or proceeding against the City and will
7 cooperate fully in the defense. If the City fails to promptly notify the applicant of any
8 such claim action or proceeding or fails to cooperate fully in the defense, the applicant
9 shall not, thereafter, be responsible to defend, indemnify or hold harmless the City.
- 10 79. All single-family dwelling units shall dispose of or recycle solid waste in a manner
11 provided in City Code Section 13.3.
- 12 80. Outdoor lighting shall be low emission, shielded, and directed away from neighboring
13 properties.
- 14 81. All rear wood fences adjacent to public right-of-way and/or visible from the public right-
15 of-way will be stained or otherwise finished with a waterproof material.
- 16 82. Adjacent homeowners shall be notified of planned construction activities and times
17 approximately one week prior to the start of work.
- 18 83. All required Resource Agency permits shall be obtained prior to issuance of grading
19 permits, for the subdivision or any related improvements. Hard copies of these permits
20 must be submitted to the Planning Division.
- 21 84. A covenant or other recordable document approved by the City Attorney shall be
22 prepared by the property owner and recorded prior to the approval of the final map. The
23 covenant shall provide that the property is subject to this resolution, and shall generally
24 list the conditions of approval.
- 25 85. Prior to the transfer of ownership and/or operation of the site the owner shall provide a
26 written copy of the applications, staff report and resolutions for the project to the new
27 owner and or operator. This notification's provision shall run with the life of the project
28 and shall be recorded as a covenant on the property.
- 29 86. Failure to meet any conditions of approval shall constitute a violation of the Tentative
Map, Development Plan, and Conditional Use Permit..

- 1 87. Unless expressly waived, all current zoning standards and City ordinances and policies
2 in effect at the time building permits are issued. The approval of this project constitutes
3 the applicant's agreement with all statements in the Description and Justification and
4 other materials and information submitted with this application, unless specifically
5 waived by an adopted condition of approval.
- 6 88. The developer's construction of all fencing and walls associated with the project shall be
7 in conformance with the approved Development Plan. Any substantial change in any
8 aspect of fencing or wall design from the approved Development Plan shall require a
9 revision to the Development Plan or a new Development Plan.
- 10 89. If any aspect of the project fencing and walls is not covered by an approved
11 Development Plan, the construction of fencing and walls shall conform to the
12 development standards of the City Zoning Ordinance. In no case, shall the construction
13 of fences and walls (including combinations thereof) exceed the limitations of the
14 zoning code, unless expressly granted by a Variance or other development approval.
- 15 90. Prior to the issuance of building permits, compliance with the applicable provisions of the
16 City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed
17 and approved by the Planning Division. These requirements, including the obligation to
18 remove or cover with matching paint all graffiti within 24 hours, shall be noted on the
19 Landscape Plan and shall be recorded in the form of a covenant affecting the subject
20 property.
- 21 91. Elevations, siding materials, colors, roofing materials, and floor plans shall be
22 substantially the same as those approved by the Planning Commission. These shall be
23 shown on plans submitted to the Building Division and Planning Division.
- 24 92. This project is subject to the provisions of Chapter 14C of the City Code regarding
25 Inclusionary Housing.
- 26 93. Garages shall be kept available and useable for the parking of tenant's automobiles at all
27 times.
- 28 94. All mechanical rooftop and ground equipment shall be screened from public view as
29 required by the Zoning Ordinance. That is, on all four sides and top. The roof jacks,
mechanical equipment, screen and vents shall be painted with non-reflective paint to match
the roof. This information shall be shown on the building plans.

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95. An association shall be formed and Covenants, Conditions and Restrictions (C.C. & R's) shall provide for the maintenance of all common open space and commonly owned fences and walls. The maintenance shall include normal care and irrigation of landscaping, repair and replacement of plant material and irrigation systems as necessary, and general cleanup of the landscaped and open area, parking lots and walkways. The C.C. & R's shall be subject to the review and approval of the City Attorney prior to the approval of the Final Map/Final Parcel Map (delete as appropriate). The C.C. & R's are required to be recorded prior to or concurrently with the Final Map. Any amendments to the C.C. & R's in which the association relinquishes responsibility for the maintenance of any common open space shall not be permitted without the specific approval of the City of Oceanside. Such a clause shall be a part of the C.C. & R's. The C.C. & R's shall also contain provisions for the following:

- a) Prohibition of parking or storage of recreational vehicles, trailers or boats.
- b) Provisions regulating individual patio covers, prohibiting 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.

- 1 96. At all times, the sidewalk shall be free of obstructions, including private vehicles and other
2 objects. Vehicles, or other objects, parked in the driveway shall not project over or obstruct
3 the sidewalk.
- 4 97. Any project entrance signs shall meet the requirements of the Sign Ordinance and be
5 approved by the City Planner.
- 6 98. The developer is prohibited from entering into any agreement with a cable television
7 franchisee of the City, which gives such franchisee exclusive rights to install, operate, and
8 or maintain its cable television system in the development.
- 9 99. This project shall comply with all provisions of the City's Affirmative Fair Housing
10 Marketing Agreement policy. Such agreement shall be submitted to and approved by the
11 Housing and Neighborhood Services Director prior to the recordation of a Final Map or the
12 issuance of a building permit for the project, whichever comes first.
- 13 100. A letter of clearance from the affected school district in which the property is located
14 shall be provided as required by City policy at the time building permits are issued.
- 15 101. In the event any subsurface archaeological resources are encountered during grading or
16 construction activities, such activities in the locality of the find shall be halted
17 immediately. An archaeologist, certified by the Society of Professional Archaeologists
18 (SOPA), shall be brought in to determine the significance of the archaeological
19 resources and implement appropriate mitigations prior to recommencing earthwork.
- 20 102. Landscape plans, meeting the criteria of the City's Landscape Guidelines and Water
21 Conservation Ordinance No. 91-15, including the maintenance of such landscaping, shall
22 be reviewed and approved by the City Engineer and City Planner prior to the issuance of
23 building permits. Landscaping shall not be installed until bonds have been posted, fees
24 paid, and plans signed for final approval.
- 25 103. Front yard landscaping with a complete irrigation system, in compliance with Water
26 Conservation Ordinance No. 91-15, shall be required.
- 27 104. Side and rear elevations and window treatments shall be trimmed to substantially match
28 the front elevations. A set of building plans shall be reviewed and approved by the
29 Planning Division prior to the issuance of building permits.
- 105. Construction of the proposed project should comply with the California Administrative
Code. The building must be for a minimum exterior-to-interior noise reduction resulting

1 in interior noise levels, due to exterior sources, of 45 dBA CNEL or less. This noise
2 reduction could be achieved using standard construction methods, including but not
3 limited to mechanical ventilation, double-paned windows and acoustically insulated
4 doors where they face roadways.

5 106. Any trash, debris, or waste material found onsite during grading or cleanup operations
6 shall be disposed of off-site in accordance with local, state, and federal regulations. Any
7 buried trash/debris or materials containing petroleum encountered shall be evaluated
8 prior to removal and disposal.

9 107. The entity managing the biological open space over the long-term shall implement a pest
10 management program targeting snails.

11 **Water Utilities:**

12 108. The developer will be responsible for developing all water and sewer utilities necessary to
13 develop the property. Any relocation of water and/or sewer utilities is the responsibility of
14 the developer and shall be done by an approved licensed contractor at the developer's
15 expense.

16 109. All Water and Wastewater construction shall conform to the most recent edition of the
17 Water, Sewer, and Reclaimed Water Design and Construction Manual or as approved by
18 the Water Utilities Director.

19 110. The property owner shall maintain private water and wastewater utilities located on private
20 property.

21 111. Water services and sewer laterals constructed in existing right-of-way locations are to be
22 constructed by an approved and licensed contractor at developer's expense.

23 112. Residential units shall be metered individually.

24 113. Each residential unit shall have a private sewer lateral connection to public sewer main.

25 114. Per the latest approved California Fire Code, all new residential units shall be equipped
26 with fire sprinkler system.

27 **The following conditions shall be met prior to the approval of engineering design plans.**

28 115. All public water and/or sewer facilities not located within the public right-of-way shall be
29 provided with easements sized according to the *Water, Sewer, and Reclaimed Water
Design and Construction Manual*. Easements shall be constructed for all weather access.

- 1 116. Any water and/or sewer improvements required to develop the proposed property will need
2 to be included in the improvement plans and designed in accordance with the *Water,*
3 *Sewer, and Reclaimed Water Design and Construction Manual.*
- 4 117. No trees, structures or building overhang shall be located within any water or wastewater
5 utility easement.
- 6 118. All lots with a finish pad elevation located below the elevation of the next upstream
7 manhole cover of the public sewer shall be protected from backflow of sewage by installing
8 and maintaining an approved type backwater valve, per the latest approved California
9 Plumbing Code.
- 10 119. The developer shall construct a public reclamation water system that will serve each lot and
11 or parcels that are located in the proposed project in accordance with the City of Oceanside
12 Ordinance No. 91-15. The proposed reclamation water system shall be located in the
13 public right-of-way or in a public utility easement. The developer may elect to pay an
14 in-lieu fee by submitting a formal letter requesting the City to determine this fee that is based
15 on 75 percent of the design and construction cost to construct a reclaimed water line
16 fronting the property.
- 17 120. Show all water services and sewer lateral sizes. Identify between proposed and existing.
18 If existing, note on plans whether they are to be removed/abandoned or protected during
19 construction.
- 20 121. Connections to public sewer main with 6-inch or larger sewer lateral will require a new
21 sewer manhole for connection to main per Section 3.3 of *Water, Sewer, and Reclaimed*
22 *Water Design and Construction Manual.*
- 23 122. A separate irrigation meter and approved backflow prevention device is required for
24 common areas and shall be displayed on the plans. Average irrigation flow and peak flows
25 by irrigation zone shall be provided on landscape plans to determine proposed water meter
26 and reduced pressure principle backflow device size. Indicate in CC&Rs if a homeowner's
27 association will be responsible for landscaped area and irrigation water.
- 28 123. Provide stationing and offsets for existing and proposed water services and sewer laterals
29 on plans.
- 124. Provide plan and profile of proposed public water and sewer mains including utility
crossings in Ivy Road.

- 1 125. Show on engineering plans 3 valves at each tee connection, such as, connection at Ivy
- 2 Road.
- 3 126. Show on preliminary plans a minimum 30-ft wide public utility easement for water and
- 4 sewer facilities in new private cul-de-sac. Easement shall include water meters.
- 5 **The following conditions of approval shall be met prior to building permit issuance.**
- 6 127. Provide existing and proposed fixture count and flow calculations in existing and new
- 7 addition to residence per latest California Plumbing Code to size water meter size and
- 8 service lines on Building Plans. Show water meter locations and sizes on building plans.
- 9 128. City records show an existing 5/8" single-family residential water meter servicing 2535 Ivy
- 10 Road property. If developer plans to keep this existing water meter for one of the lots, then
- 11 a larger water meter may be required. Developer must pay the incremental increase in
- 12 water and sewer buy-in fees from the existing meter prior to building permit issuance.
- 13 Owner must verify if existing water service line is adequately sized for larger meter. If a
- 14 larger service is required, then a new water service and connection to public main will be
- 15 required.
- 16 129. New water and sewer buy-in fees for remaining 4 residential lots and water buy-in fees for
- 17 new irrigation meter must be paid.
- 18 130. Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees are to
- 19 be paid to the City and collected by the Water Utilities Department at the time of Building
- 20 Permit issuance.
- 21 131. All Water Utilities Fees are due at the time of building permit issuance per City Code
- 22 Section 32B.7.

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1 **The following conditions of approval shall be met prior to occupancy.**

2 132. All new development of single-family and multi-family residential units shall include hot
3 water pipe insulation and installation of a hot water recirculation device or design to
4 provide hot water to the tap within 15 seconds in accordance with City of Oceanside
5 Ordinance No. 02-OR126-1.

6 PASSED AND ADOPTED Resolution No. 2015-P11 on April 7, 2015, by the following
7 vote, to wit:

8 AYES: Neal, Balma, Martinek, Troisi, Rosales, Ross and Morrissey

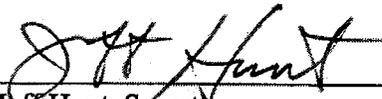
9 NAYS: None

10 ABSENT: None

11 ABSTAIN: None

12 
13 Robert Neal, Chairperson
Oceanside Planning Commission

14 ATTEST:

15 
16 Jeff Hunt, Secretary

17 I, JEFF HUNT, Secretary of the Oceanside Planning Commission, hereby certify that this is a
18 true and correct copy of Resolution No. 2015-P11.

19 Dated: April 7, 2015
20

21 Applicant accepts and agrees with all conditions of approval and acknowledges impact fees may
22 be required as stated herein:
23
24

25 _____
Applicant/Representative

_____ Date

Russ Cunningham

From: Jeff Hunt
Sent: Saturday, April 18, 2015 12:03 PM
To: Russ Cunningham
Cc: Rick Brown; Scott Smith; Marty Eslambolchi; David DiPierro; Vida Murrell; Faletusi Liulamaga; Barbara L. Hamilton; Peter Weiss
Subject: FW: Call for Review - Ivy Ridge Estates

Russ,
Please handle. You will need to work w Marty and Dave P.
Jeff

From: Chuck Lowery
Sent: Friday, April 17, 2015 2:12 PM
To: Esther Sanchez; Zack Beck; Michelle Skaggs-Lawrence; John Mullen; Jeff Hunt
Subject: RE: Call for Review - Ivy Ridge Estates

I am in support of this Call for Review.

Thank you,

Chuck Lowery
Deputy Mayor
City of Oceanside
300 N Coast Hwy
Oceanside CA 92054
760-435-3084
clowery@ci.oceanside.ca.us

From: Esther Sanchez
Sent: Friday, April 17, 2015 1:42 PM
To: Zack Beck; Michelle Skaggs-Lawrence; John Mullen; Jeff Hunt
Cc: Chuck Lowery
Subject: Call for Review - Ivy Ridge Estates

I wish to call for review the following decisions of approval of the Planning Commission, made on April 7, 2015:

A. TENTATIVE TRACT MAP (T14-00004), CONDITIONAL USE PERMIT (CUP14-00013), and DEVELOPMENT PLAN (D14-00007) involving the development of five two-story single-family residences each totaling between 2,000 and 3,000 square feet and having a three-car garage. The project is proposed at a density of 4.45 dwelling units per acre on a 1.16-acre vacant parcel located at the southeast corner of the intersection of Laurel Road and Ivy Road in the Fire Mountain area, at 2535 Ivy Road. The subject property has a Single-Family Detached Residential (SFD-R) land use designation and Single-Family Residential (RS) zoning designation. The project is in compliance with applicable RS residential zoning development standards. A Tentative Subdivision Map is proposed to subdivide the 1.16-acre parcel into five separate single-family residential lots measuring between approximately 7,000

to 8,800 square feet. A Conditional Use Permit is required under section 1050 (B) of the 1992 Zoning Ordinance for single-family residential developments of more than four units which exceed the base density permitted of 3.6 dwelling units per acre. The allowed single-family residential density range is 3.6 to 5.9 dwelling units per acre and the density proposed is 4.45 dwelling units per acre. A Development Plan is required under section 4302 (F)(1) of the 1992 Zoning Ordinance, because the project involves the development of more than three housing units in an R district. – IVY RIDGE ESTATES – Applicant: Main Street Partners Inc. – Buccola Engineering, Inc.

B. The issuance of Categorical Exemption per CEQA Guidelines Article 19, Section 15332 and the adoption of Planning Commission Resolution No. 2015-P11 with findings of approval.

Fire Mountain, previously North Carlsbad, has a very long and special history. In the 1960's, the City of Oceanside entered into negotiations with the Fire Mountain Protection Committee. After much debate, the Fire Mountain community agreed to annexation by the City of Oceanside, on several specific conditions. The most critical of these was that Fire Mountain retains its rural, rustic nature/character, and that in all areas zoned RE, no lots could be subdivided into less than 10,000 square feet. While this site is zoned RS, it is still very much a part of the Fire Mountain Neighborhood Planning Area and therefore must retain its rural, rustic nature/character.

Historically, this 1.163 acre lot was the home of Mr. Nielson, a teacher, who had gardens, avocado trees and maintained a rose roadside stand. It is now surrounded by single family homes, including two cul-de-sacs, both consistent with Fire Mountain's character.

The grounds for the call for review are the following:

1. The proposed entrance to the cul-de-sac on Ivy as designed is on a blind curve, resulting in a dangerous situation and increasing unacceptable traffic impacts. It is not clear why entrance was not designed as a continuance of Laurel Road, resulting in a 4 way stop. The 4 way stop requirement would definitely be a preferred traffic design. There should be at the least a traffic study and specific traffic calming requirements included as conditions for approval, as well as red-striping on Ivy in front of the project.
2. While more than 3 homes can be built with a CUP, the design of the proposed homes is not consistent with the character of Fire Mountain and is not "excellent." (Ref. comments by Commissioner Trotsi: "I understand that you can build more homes if you have excellence in architecture and design; while these homes are nice, they are not excellent... if you look at the other two cul-de-sacs, they are each odd, while this cul-de-sac is very standard ...")

3. It is not clear where the guest parking is and whether there is in fact any guest parking. (Ref. comments by commissioners, especially questions regarding the red-striping of the fire access roads leading up to the driveways, questions that were not answered by staff).

4. It is not clear whether the fire access roads are to be red-striped and/or whether there is to be allowed any parking on the fire access roads.

5. It is not clear why the City of Oceanside is requiring that one of the storm water basins be “owned” by one of the homeowners, while the others are planned as owned by the HOA. If it has to do with enforcement, shouldn't they be consistent?

6. I also incorporate as grounds the comments and concerns of John Taylor, Miriam Polcino, Todd Nash, Raul Gamez and Lori Fisher, attached herein.

John Taylor:

To: Mayor Wood and Oceanside City Councilmembers
Re: Call for Review: Ivy Ridge Estates

The proposed Ivy Ridge Estates project at the intersection of Ivy Road and Laurel Road, was approved by the Planning Commission on April 7th. The commissioners directed staff to have the traffic division explore calming devices to slow westbound traffic to the project, because of the blind curve before the ingress to the proposed development. So although formally approved, the project has been returned to staff for further action.

This morning, April 15, I met with Marty Eslambolchi from Engineering, and David DiPierro the Traffic Engineer at the project site to determine whether my concerns are valid. It was determined by Mr. DiPierro that the project does warrant a speed study, which he would conduct. He also indicated that red curbing should be painted on the future curbs in front of the proposed project, speed limit signs should be posted, and he additionally suggested a driver-feedback sign on the west-bound side of Ivy Road, at the developer's cost if he will agree to it.

My concern is that these points need to be crafted into the Planning Commission's resolution, and the only way to do that at this point will be to call it for review before the Council to guarantee that whether the present developer follows through with the project, or

sells the property to someone else, these concerns will be addressed and the above measures put in place.

Thank you for your consideration, and I hope you will call this project for review. I have lived on Laurel Road for 30 years, and have witnessed many accidents and innumerable close-calls at the proposed site, and this is the reason for my concern.

Sincerely,

John Taylor
760-722-3292

Miriam Polcino:

I am writing to express concerns after hearing a report of the Planning Commission proceedings regarding the proposed 5-lot development at Ivy Road and Laurel Road. It does not sound as if some important points were addressed or resolved. Although the area is technically zoned for this greater density, the proposed plan seems to present both aesthetic and, more importantly, safety issues in the surrounding area.

The intersection of Ivy, Laurel, and nearby Seawind, all at the top of a blind curve, is already a dangerous spot, and although this would frequently provide a nice shortcut for me on my way to and from points on Vista Way, I now avoid it completely and take a longer route, having narrowly avoided one too many head-on collisions with drivers speeding over the hill. This needs to be studied before additional traffic is introduced.

The parking requirements for five new houses do not seem to have been taken into consideration in the Planning Commission's discussion.

And while the zoning for that edge of what is still the Fire Mountain neighborhood is inexplicably zoned differently than the immediately surrounding neighborhood, the Planning Commission should also take into consideration whether, regardless of what the zoning would technically permit, the impact on the surrounding area, and homeowners thought to be enjoying an area with the benefits of RE-B zoning, will find themselves facing the very congestion, traffic, parking, and safety problems they were hoping to avoid by purchasing a home in the area.

I seem to recall that some years ago, the zoning in that same area also allowed a developer to apply to create a parking lot along Ivy Road, to create additional parking spaces for the Fire Mountain Center. At that time, the Planning Commission saw fit to deny this intrusion into a residential neighborhood although the zoning technically permitted it. While the current 5-lot development is a somewhat less extreme case, it does illustrate that just because the zoning allows something on paper, the Planning Commission still has the power to evaluate the effect of the proposed action on the surrounding neighborhood, and deny or modify it based on further study. In other words, simply because the zoning says a developer can do something, does not mean they should, before sufficient study is done to determine the effect it will have on an established neighborhood.

It seems as if that the Planning Commission needs to look further at this proposal before giving their approval.

Thank you so much for your time and your concern.

Miriam Polcino

1720 Yucca Road

Todd Nash:

Honorable City Council Members:

On April 7, 2015, I attended an Oceanside City Planning Commission meeting in which the Commission approved the development of a five-home neighborhood in the Fire Mountain area of South Oceanside near the intersection of Laurel and Ivy roads. I wish to share with you my concerns about this housing development and ask that you take the time to carefully review it.

My concerns include:

Coexistence with the existing neighborhood:

The proposed project is **part of** the Fire Mountain neighborhood. It is certainly a challenge to manage the area where zoning boundaries meet. In this area, the proposed development is on the boundary where RS meets RE-B zoning. These areas where zoning boundaries meet deserve a more thorough evaluation of their projects by the Planning Commission to help with transitions so as to minimize the contrast for the citizens on both sides of the boundary. This project does not merge well with the existing neighborhood. This project is a traditional RS design with homes crammed into a small parcel sitting on the same street as RE-B zoned homes. Although this meets the technical zoning requirements, it does not do an adequate job of integrating dissimilar zoned neighborhoods and creates an abrupt division between areas within a single neighborhood.

Parking:

There doesn't appear to be a technical/zoning requirement for the evaluation of parking in the proposed neighborhood, but this should be part of the Planning Commission's task. This was not adequately addressed at the hearing. The proposed housing does not provide any curbside parking and none is available along Ivy Road. This will likely push the parking problem into adjoining neighborhoods and instigate illegal pedestrian crossings in this already dangerous area.

Safety:

The proposed neighborhood sits on the inside of a blind corner atop a winding road that many drivers like to use as a small racing strip. The proposed neighborhood opens into the middle of this blind curve. Alignment of the entrance with Laurel Road would easily allow for the replacement of the current three-way-stop with a four-way-stop intersection and remove the access to Ivy Road at the blind portion of the curve. This simple change would relieve many of the safety concerns and risks to the community. This should be studied in comparison with the proposed plan - before it gets approved. Once the project is approved, it will be very difficult to get the developer to make a change. This project review is not for just a tentative map - it is for the entire project and is not scheduled for further review by the City.

I believe that the Planning Commission should be looking at issues that are not just part of the zoning requirement. The Commission spent a lot of time discussing color and design and very little time discussing parking, safety, and how to have a superior design that can become a part of the existing neighborhood. I fully expect City staff members to focus on the technical minimums of the zoning ordinance and that the Planning Commission will then go above and beyond these minimums and focus on more than choosing color palettes and architectural style. Not that these issues aren't important, but I believe that many important elements of the proposed housing tract were overlooked. I don't believe that these issues were adequately reviewed during the Planning Commission hearing and ask that you more thoroughly review them.

I am absolutely in favor of property owner rights and cherish the right of landowners to develop their property. However, not as a matter of impropriety, but as a matter of outcome, the discretion and purpose of the Planning Commission appear to have taken a back seat to the profits of a developer in this case.

Todd Nash

Fire Mountain Property Owner

Raul Gamez:

Attention: Oceanside Counsel Members,

I have lived in Fire Mountain for twenty years. I recently reviewed the proposed housing project; a five home development at Ivy, Laurel, and Seawind road. I have concerns for safety and the impending traffic congestion created from this project. The proposed entrance for this development is at a blind corner which is already a safety issue. I have personally experienced several close calls with oncoming traffic at that particular blind corner. Allowing a five home development, with an entrance in this area, will only create a safety hazard for the prospective residents and anyone traveling on that street. Another concern is the parking. Having red curb in this development does not allow for street parking therefore vehicles visiting this development would have to

park on Ivy or Laurel creating more of a safety hazard not only to vehicles traveling through there but for pedestrians as well. I am not opposed to building in Fire Mountain but I am opposed to creating a potential safety issue. I hope the planning commission will reconsider the entrance for this project and take into consideration the impact it will create. Many times decisions are made without investigating the full impact of that decision.

Thank you,

Raul Gamez,
Fire Mountain resident.
760 – 828-5871

Lori Fisher:

Attention: All Oceanside City Council Members,

To whom it may concern,

It has been brought to my attention that the Planning Commission is considering a proposed 5-lot development at Ivy Road and Laurel Road. I would like to voice my concern in this matter. The intersection of Ivy, Laurel, and nearby Seawind is atop a blind curve, which is already a dangerous point. Having lived in Fire Mountain for the past 19 years I frequent that route to avoid the busier Vista Way route. There have been many instances where drivers speed or do not pay attention drifting into oncoming traffic. This is a very narrow road and adding more congestion will worsen matters. Let us look at the problem before a potential tragedy happens.

In addition, has the Planning Commission looked into the parking situation? Five home on that parcel of land would be similar to a “mini tract” of homes which leaves little space. My understanding is that the entire cul-de-sac would be red curbed. Where are these families going to park when now a day most families have a multitude of vehicles, let alone visitors? I am not opposed to having homes built in the Seawind area but maybe fewer homes would be the answer. I understand that this property is on the edge of our Fire Mountain community but the impact would be greatly felt. The Planning Commission should look further at this proposal before giving a stamp of approval.

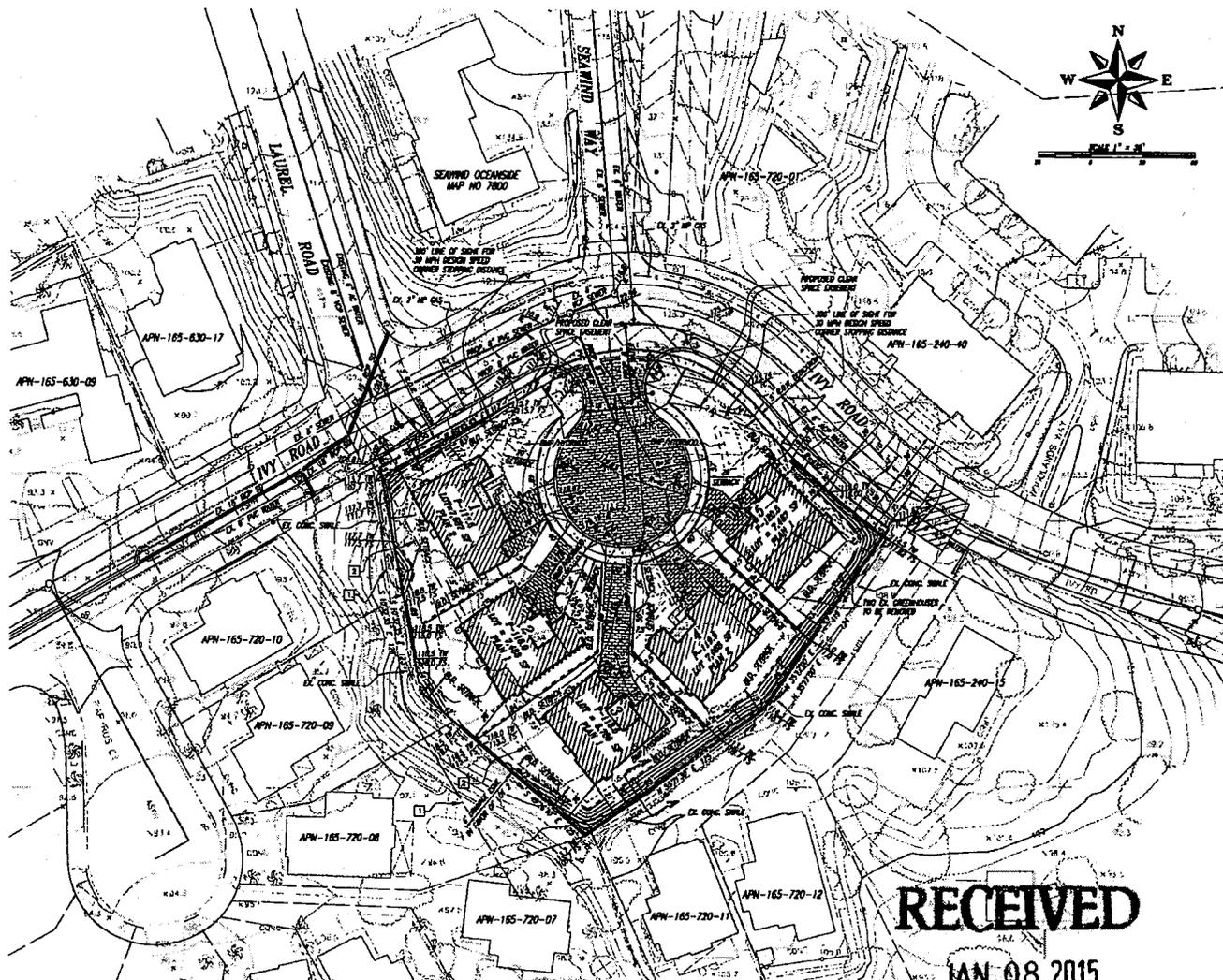
Thank you for your consideration,

Lori Fisher

Fire Mountain resident

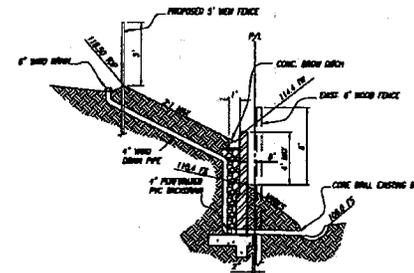
**TENTATIVE TRACT MAP & DEVELOPMENT PLAN FOR
IVY RIDGE ESTATES**

T14-00004
D14-00007
CUP14-0013



LEGEND

	PROPOSED CONCRETE
	PROPOSED DRILLING
	PROPOSED AT PRESENT (CORRECT IMPROVEMENTS)
	PROPOSED PERMANENT PLANTS (CORRECT IMPROVEMENTS)



SECTION A-A
SCALE 1"=4'

EASEMENTS

- 1 AN EASEMENT FOR A LINE OF POLES FOR THE TRANSMISSION AND DISTRIBUTION OF ELECTRICITY AND FOR ALL PURPOSES CONNECTED THEREWITH AND INCIDENTAL PURPOSES, IN FAVOR OF SAN DIEGO GAS AND ELECTRIC COMPANY RECORDED ON JUNE 24, 1945 IN BOOK 1642, PAGE 138 OF OFFICIAL RECORDS, THE TERMS WHEREOF IN THIS INSTRUMENT FOR THE LINE OF POLES IS RECONSTRUCTED HEREIN, THE INSTRUMENT DOES NOT INCLUDE AN EASEMENT THEREIN.
 - 2 AN EASEMENT FOR WATER PIPELINE AND INCIDENTAL PURPOSES, RECORDED JUNE 23, 1955 AS BOOK 3880, PAGE 298 OF OFFICIAL RECORDS, IN FAVOR OF JOHN C. SORWICK, A SINGLE MAN & CLIFFORD C. SORWICK AND GERTRUDE B. SORWICK, MARRIAGE AND WIFE, APPLICANTS, THE LAND.
- THE EFFECT OF A DECLARATION RECORDED JANUARY 14, 1948 AS INSTRUMENT NO. 1829-18279 OF OFFICIAL RECORDS, WHICH PURPORTS TO CONVEY ALL INTEREST IN THIS EASEMENT.

RECEIVED

JAN 08 2015

**CITY OF OCEANSIDE
DEVELOPMENT SERVICES**

PREPARED IN THE OFFICE OF:

BUCCOLA ENGINEERING, inc
1145 Vista Way, Suite 181, Oceanside, CA 92054

SHEET 2 OF 2 SHEETS

1433000174

Landscape Concept Plan for: Ivy Road Project (#T14-00004)

2535 Ivy Road, Oceanside CA

Owner / Developer:
Main Street Partners INC.
10 Pinehurst Lane,
Newport Beach, Ca. 92660
310.871.4146

Site Address:
2535 Ivy Road
Oceanside, Ca. 92054



LANDSCAPE CONCEPT STATEMENT:

The landscape treatments to be installed by the developer/builder shall address parkway landscaping for Ivy road and the Cul-de-sac, along with all slopes and hydro-modification basins. Due to tight line restrictions and limitations for street trees along Ivy road, proposed tree mitigation requirements shall be met with larger trees proposed for the available parkway along with hard yard trees in proximity to the hydro-modification basins. The landscape will also address the slope planting, irrigation and erosion control on site. Individual property owners are responsible for front and backyard landscape areas. A homeowners association will be responsible for maintaining the down slopes and parkways within the cul-de-sac.

GENERAL NOTES:

- 1.) All landscape shall be in accordance with the City of Oceanside's Landscape Design Guidelines.
- 2.) Final landscape plans shall accurately show placement of trees, shrubs, and groundcovers.
- 3.) Landscapes Architect shall verify utility, sewer, storm drain easements, and planting shall meet City of Oceanside's requirements.
- 4.) All parking, the keystone wall, the planting above the keystone wall and the down slopes behind lots 3, 4 and 5 shall be maintained by a homeowners association. Such areas shall have a common and independent irrigation system. All other remaining landscape areas shall be maintained by the individual property owners.

IRRIGATION NOTE:

An automatic irrigation system shall be installed to provide coverage for all planting areas shown on the plan. Low volume equipment shall provide sufficient water for plant growth with a sufficient water flow due to water run-off. Irrigation systems shall use high quality, automatic control valves, controllers, and other necessary irrigation equipment. All components shall be of non-corrosive materials. All drip systems shall be adequately filtered and regulated per the manufacturer's recommended design parameters. All landscaping to be installed by individual lot owners. All irrigation improvements shall follow the City of Oceanside's Guidelines and Water Conservation Ordinance.

PLANTING NOTES:

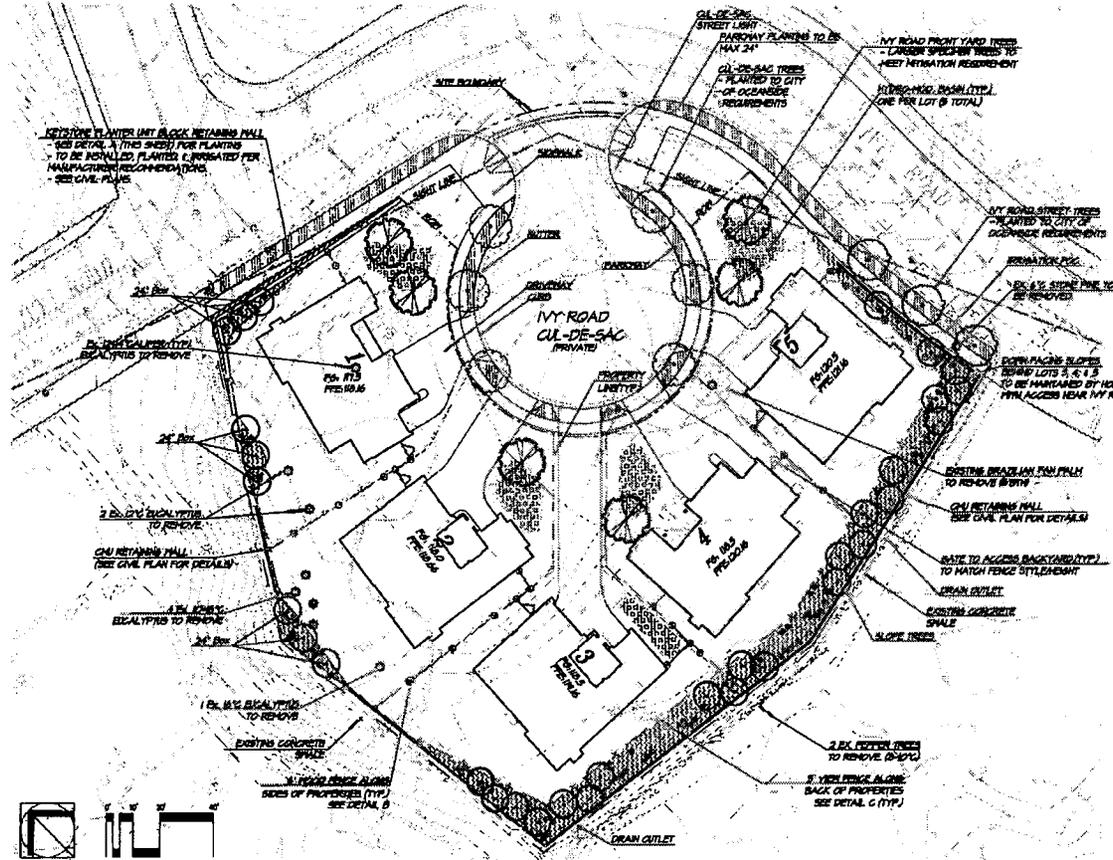
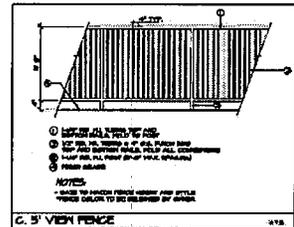
The selection of plant material is based on cultural, aesthetic and maintenance considerations. All planting areas shall be prepared with appropriate soil amendments, fertilizers, and appropriate applications based upon a soil report from an agricultural suitability soil sample taken from the site. Ground covers or lawn shall be installed in between the shrubs to shield the soil from the sun, evapotranspiration and run-off. All lower and shrub beds shall be mulched to a 3" depth to help conserve water, lower soil temperature and reduce weed growth. The shrubs shall be allowed to grow in their natural form. All Landscape improvements shall follow the City of Oceanside's ordinances, codes and guidelines.

Landscape Improvement plan set and installation are required to implement approved Fire Department regulations, codes and standards at the time of project approval.

PROPOSED TREE PLACEMENT NOTES:

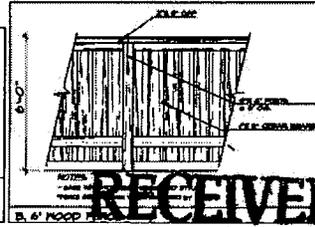
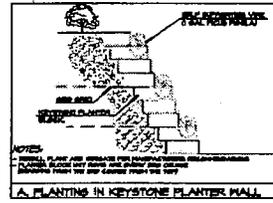
All proposed trees shall be located per the City of Oceanside requirements as follows:

- 8' from freestanding, cable and pull boxes.
- 5' from fire hydrants
- 5' from fire hydrants
- 10' from centerline of all utilities
- 10' from easement boundaries
- 10' from driveway (unless line of sight determined by the Traffic Division to be otherwise).
- 15' from street lights and other utility poles
- Street trees shall be planted 3' outside the right-of-way if the right-of-way does not allow space, subject to the City Engineer's approval.
- Fire of sight at arterial, collector and local streets shall be reviewed determined by Traffic Engineer.
- Minimum 15' straight and stop sign or clearance by determined specifications.



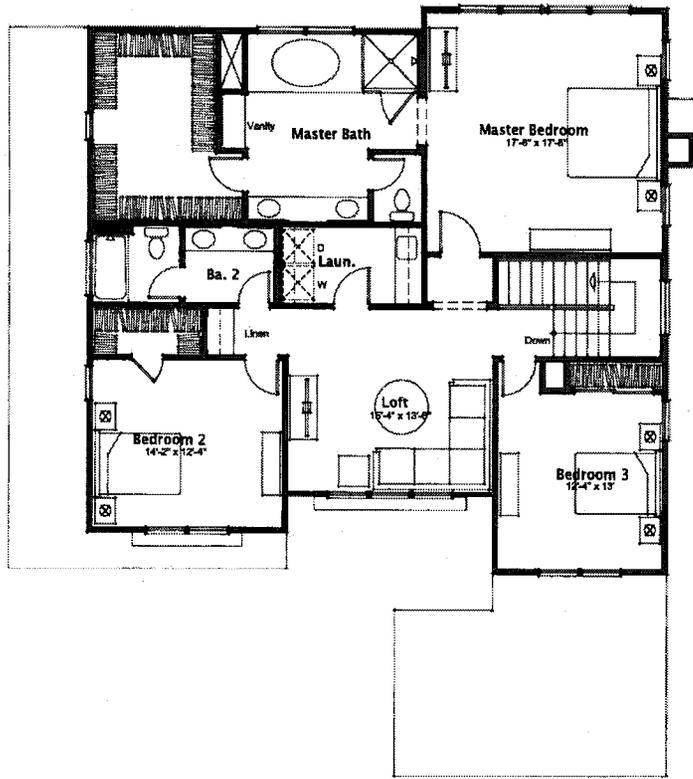
CONCEPTUAL PLANT PALETTE

- Plants such as:
- TREES**
 - 12" Box: *Podocarpus gracilior* (Fern Pine)
 - 18" Box: *Pyrus kawakana* (Evergreen Pear)
 - 24" Box: *Platanus acerifolia* (London Plane)
 - 30% 24" Box, 70% 15 Gal: *Trochodendron* (Brazilian Box), *Arbutus menziesii* (Strawberry Tree), *Clematis menziesii* (Campanula tree)
 - 20% SHRUBS (60% 1 gallon & 40% 5 gallon): *Agave CV 'Silva Flosa'*, *Dianella caerulea* 'Cass Blue', *Leyceum oleraceum* 'Canyon Prince', *Lomandra longifolia* 'Crescent', *Ficus integrifolia* (Lemonade Berry)
 - PARKWAY GROUNDCOVERS (1 Gal & Pots)**
 - Saxifraga app.* (Saxifrage)
 - Trachelycotyles leucostachya* (Star juncos)
 - Mitella* (Mithras)
 - SLOPE GROUNDCOVERS (1 Gal & Pots)**
 - Mycopogon parviflorus* (Myopogon)
 - Roseranaria officinalis* 'Prostrate' (Creeping rosemary)
 - Mitella* (Mithras)
 - BASIN TREATMENT PALETTE (1 Gal)**
 - Rhus integrifolia* (Lemonade Berry)
 - Zauschneria californica* (California Fuchsia)
 - Carex* (Sedge)
 - Lomandra longifolia* (Brooms)
- Existing tree or shrub to be **retained** (Typical)
Existing tree **REMOVE** to be replaced = 100% mitigation planting to replace **REMOVE** = 100%

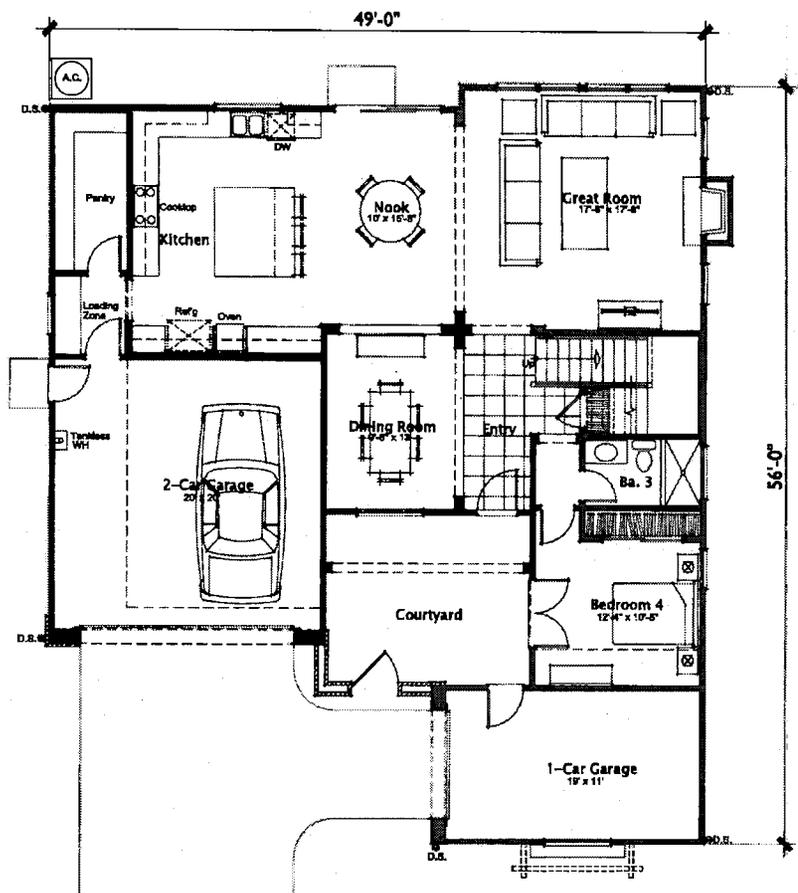


RECEIVED

JAN 08 2015
CITY OF OCEANSIDE
DEVELOPMENT SERVICES

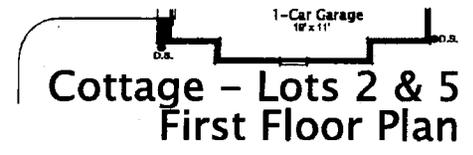


Second Floor Plan
1,549 sq. ft.



total: 2,988 sq. ft.
2-Car Garage: 430 sq. ft.
1-Car Garage: 233 sq. ft.

Craftsman - Lot 3
First Floor Plan
1,439 sq. ft.
Scale: 1/4"=1'-0"



Cottage - Lots 2 & 5
First Floor Plan

Mark Gross & Associates, Inc.
1001 Redwood Ave., Irvine, California 92614
(949) 267-3388 Fax (949) 267-7000
Approved by Mark Gross & Associates, Inc.
Architect of Record

Main Street Partners, Inc.
10 Fireburn Lane, Newport Beach, California 92660
(949) 871-1165
Ivy Ridge Estates - Oceanside

Plan 1
Floor Plans
Lots 2, 3 & 5

Date: 8-20-2014
Project: 1001
Scale: 1/4"=1'-0"
Author:

Sheet No.
1 Of 8

Lot 2 - Cottage Scheme 1:

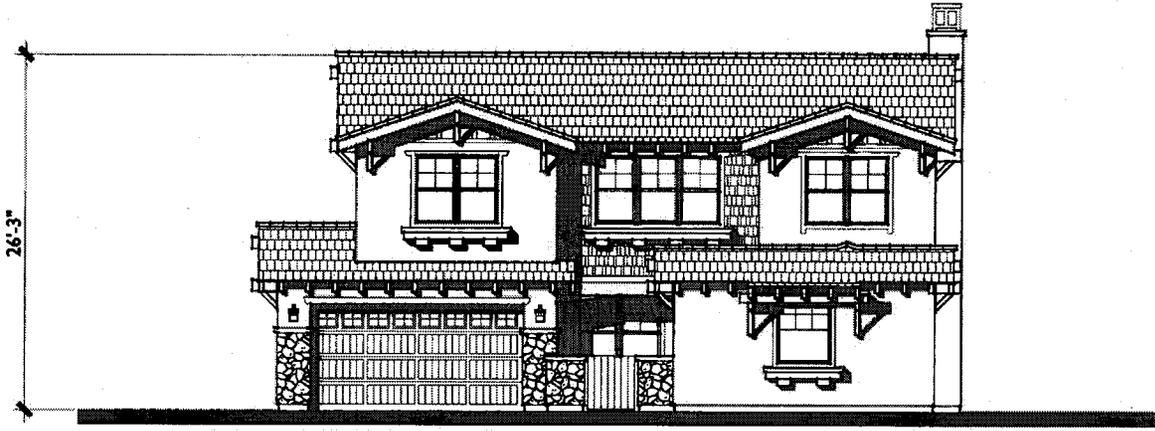
- 1 "Flt" Concrete Roof Tile By "Eagle Roof Tile", 4887 Brown Gray Range.
- 2 Stucco Finish By "Merlex", 15/20 Sand Finish, P-100 Glacier White.
- 3 Facade, Eave, Trim & Wood Post Color By "Dunn Edwards", DEW386 Lighthouse.
- 4 Garage Door Color By "Dunn Edwards", DE9229 Calico Rock.
- 5 Entry Door & Shutter Color By "Dunn Edwards", DE9357 Black Tie.



Cottage Front Elevation - Lots 2 & 5

Lot 3 - Craftsman Scheme 5:

- 1 "Flt" Concrete Roof Tile By "Eagle Roof Tile", 60P8804 Harshay Blend.
- 2 Stucco Finish By "Merlex", 15/20 Sand Finish, P-878 Humboldt.
- 3 Synthetic Stone Veneer By "El Dorado Stone", Field Ledger, Adante.
- 4 Shingle Siding Color By "Dunn Edwards", DE9222 Weather Board.
- 5 Guide Inset & Garage Door Color By "Dunn Edwards", DE9216 Barral Stone.
- 6 Facade, Eave & Trim Color By "Dunn Edwards", DE9204 Tria White.
- 7 Entry Door & Shutter Color By "Dunn Edwards", DE9217 Ancient Earth.



Craftsman Front Elevation - Lot 3

Lot 5 - Cottage Scheme 3:

- 1 "Flt" Concrete Roof Tile By "Eagle Roof Tile", 4888 Brown Range.
- 2 Stucco Finish By "Merlex", 15/20 Sand Finish, P-872 Myrtle Pine.
- 3 Facade, Eave, Trim & Wood Post Color By "Dunn Edwards", DEC772 Navajo White.
- 4 Garage Door Color By "Dunn Edwards", DE8062 Tee Reg.
- 5 Entry Door & Shutter Color By "Dunn Edwards", DE9231 Sheker Gray.

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Main Street Partners, Inc.
 11111 Main Street, Newport Beach, California 92660
 (949) 871-1140

Plan 1
Front
Elevations
Lots 2, 3 & 5

Date: 5-30-2014
 Project Number: 2250
 Scale: 1/4" = 1'-0"
 Revision:

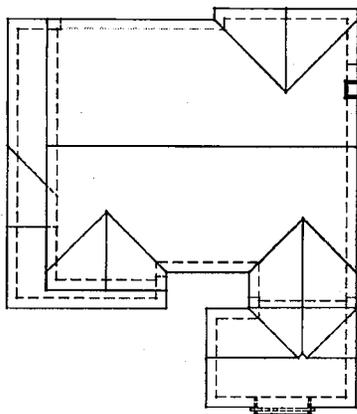
Sheet No.
2 Of 8



Right Elevation

Rear Elevation

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



Roof Plan

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

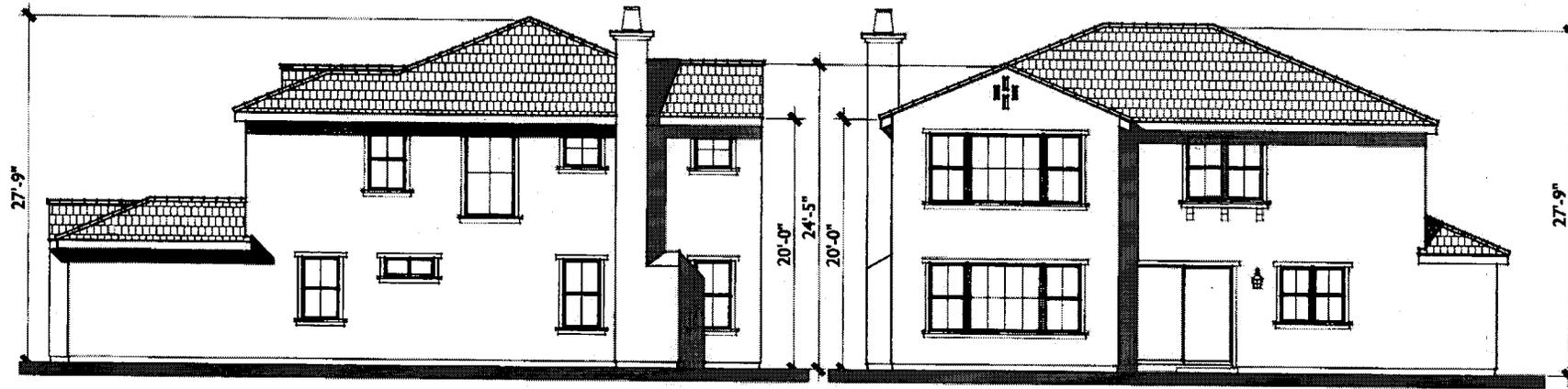


Left Elevation

Mark Gross & Associates, Inc.
 6811 Hancock Blvd., Irvine, California 92618
 (949) 261-5858 Fax (949) 261-7288
 Architects & Interiors & Interiors, Inc.

Main Street Partners, Inc.
 13101 Main Street, Newport Beach, California 92660
 (310) 871-4146
 Ivy Ridge Estates - Oceanside

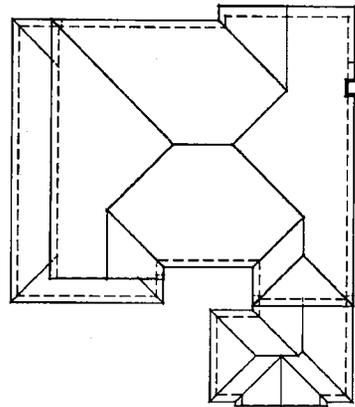
Plan 1
 Craftsman
 Elevations
 Lot 3
 Date: 9-20-2014
 Project Number: 4330
 Scale: 1/4" = 1'-0"
 Revision:
 Sheet No.
 3 Of 8



Right Elevation

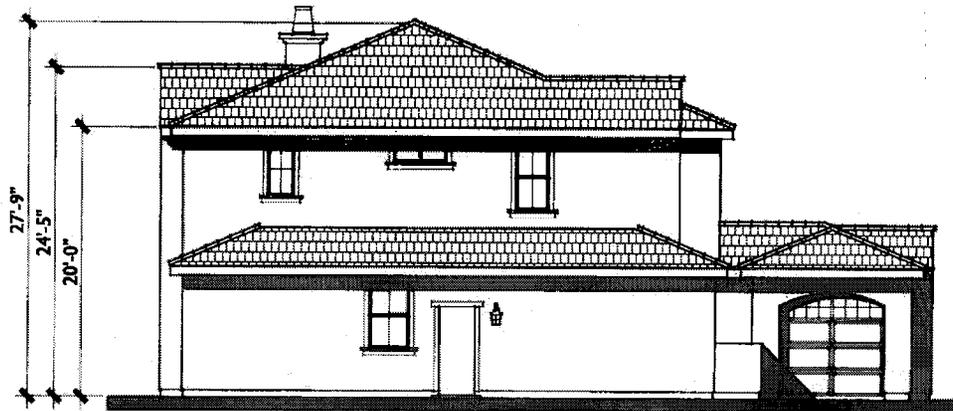
Rear Elevation

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



Roof Plan

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



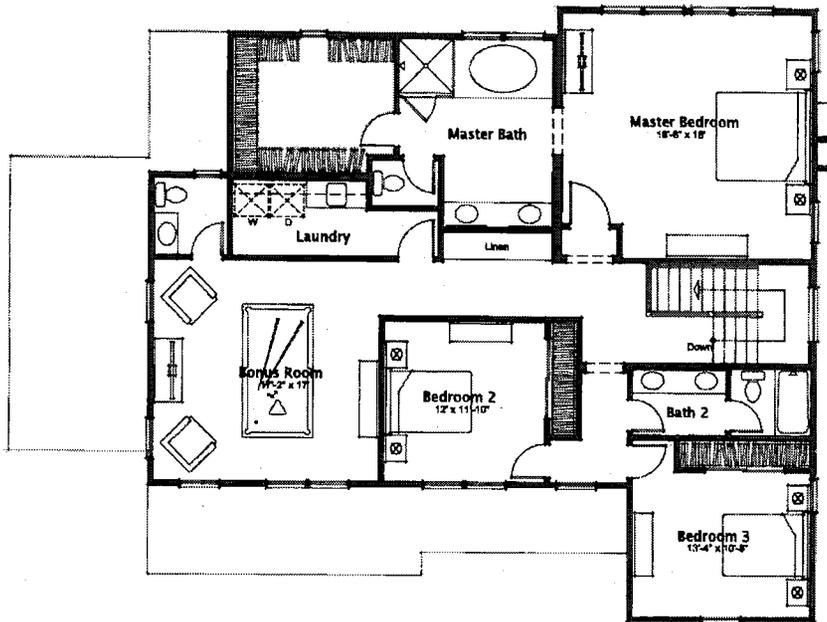
Left Elevation

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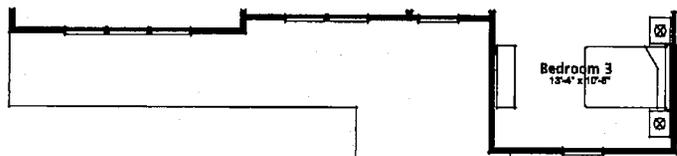
Main Street Partners, Inc.
 1111 Main Street, Newport Beach, California 92660
 (949) 271-4140

The
 Plan 1
 Cottage
 Elevations
 Lots 2 & 5

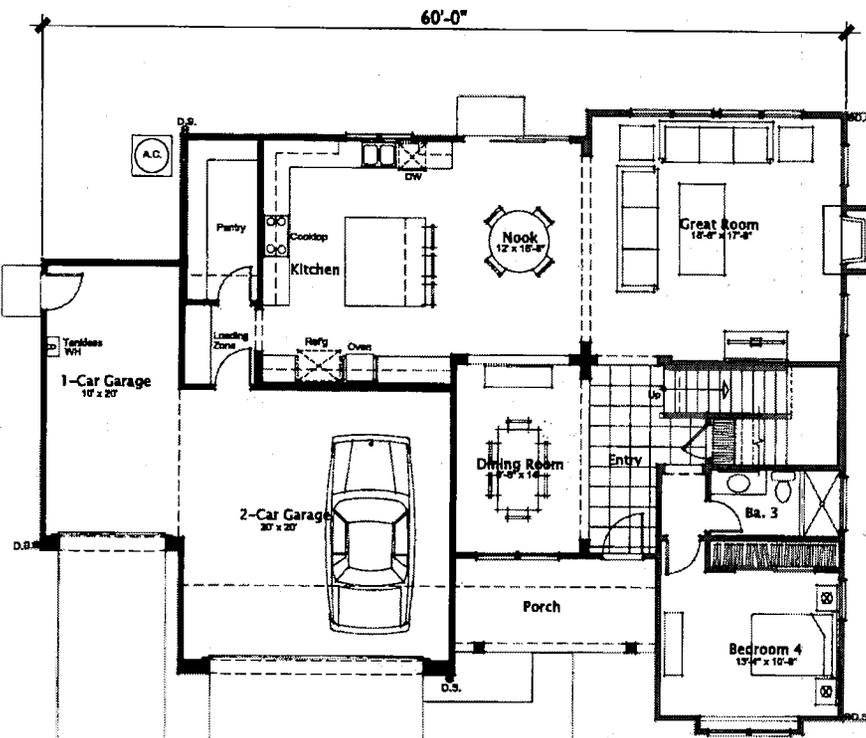
Date: 5-20-2014
 Project Number:
 Scale:
 1/4" = 1'-0"
 Revision:



Second Floor Plan
1,692 sq. ft.



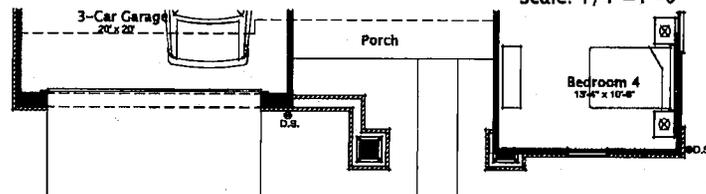
Second Floor Plan



total: 3,188 sq. ft.
2-Car Garage: 420 sq. ft.
1-Car Garage: 215 sq. ft.

Cottage - Lot 4
First Floor Plan

1,496 sq. ft.
Scale: 1/4" = 1'-0"



Craftsman - Lot 1
First Floor Plan

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Architects & Interior Designers, Inc.

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10 Pleasure Lane, Newport Beach, California 92660
(949) 871-1466
Ivy Ridge Estates - Oceanside

Plan 2
Floor Plans
Lots 1 & 4

Date: 5-20-2014
Project Number:
Title:
Scale: 1/4" = 1'-0"
Page:
5 Of 8



Craftsman Front Elevation - Lot 1

Lot 1 - Craftsman Scheme 4:

- 1 Flat Concrete Roof Tile By "Eagle Roof Tile", 0067 Brown Gray Range.
- 2 Stucco Finish By "Merlex", 1520 Sand Finish, P-1658 Mini Chip.
- 3 Dynalene Stone Veneer By "El Dorado Stone", Field Ledger, Paviors.
- 4 Shingle Siding Color By "Dunn Edwards", DE6238 Northgate Green.
- 5 Gable Truss & Garage Door Color By "Dunn Edwards", DE6202 Coconut Shell.
- 6 Fascia, Eave & Trim Color By "Dunn Edwards", DE6202 Essential Brown.
- 7 Entry Door & Shutter Color By "Dunn Edwards", DE6106 Weathered Leather.

Lot 4 - Cottage Scheme 2:

- 1 Flat Concrete Roof Tile By "Eagle Roof Tile", 4071 Village Stone.
- 2 Stucco Finish By "Merlex", 1520 Sand Finish, P-171 Finbridge.
- 3 Fascia, Eave, Trim & Wood Post Color By "Dunn Edwards", DE6598 Louisiana Must.
- 4 Garage Door Color By "Dunn Edwards", DE6768 Bone.
- 5 Entry Door & Shutter Color By "Dunn Edwards", DE6708 Burnt Crimson.

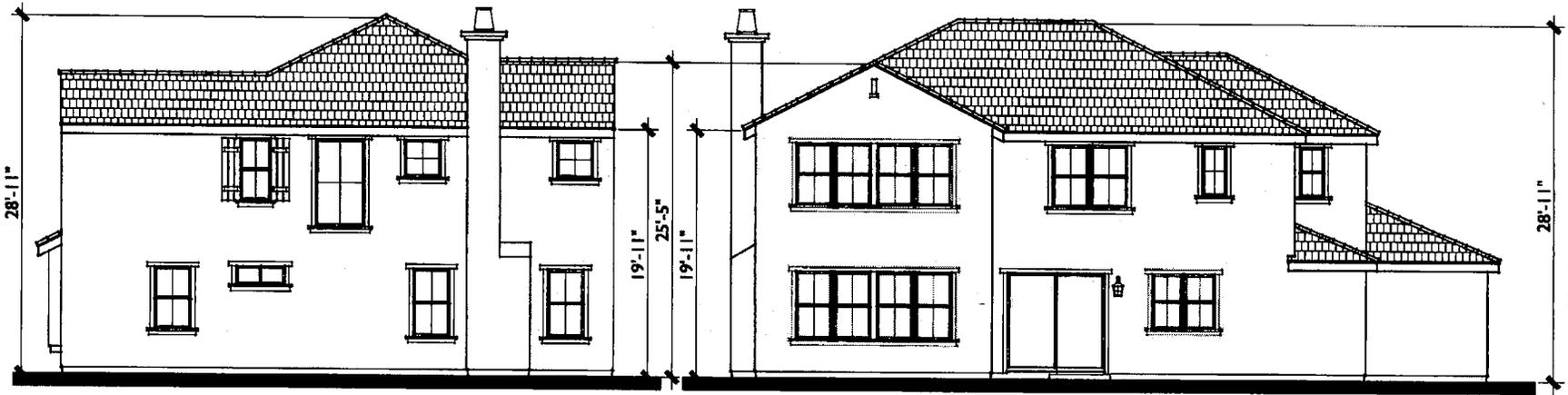


Cottage Front Elevation - Lot 4

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 Computer & Plot Support Available

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 Ivy Ridge Estates - Oceanside

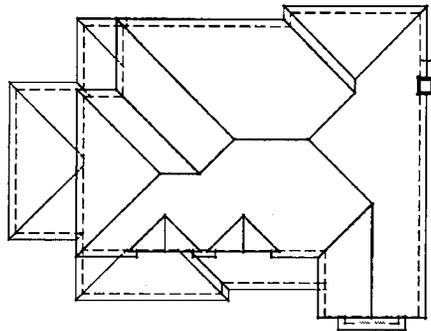
Plan 2
 Front
 Elevations
 Lots 1 & 4



Right Elevation

Rear Elevation

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



Roof Plan

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



Left Elevation

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 10000 Wilshire Blvd., Suite 1000
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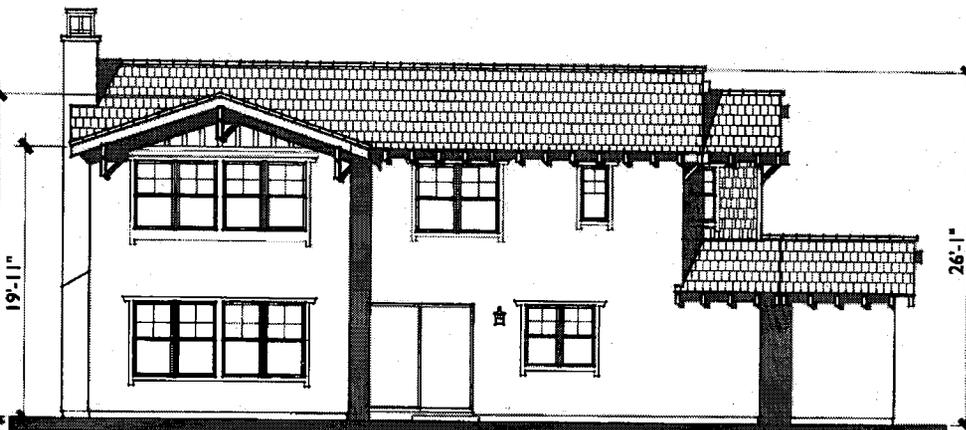
Plan 2
 Cottage
 Elevations
 Lot 4

3-30-2014
 Project Number
 2334
 1/4" = 1'-0"
 Revision

Sheet No.
 7 Of 8

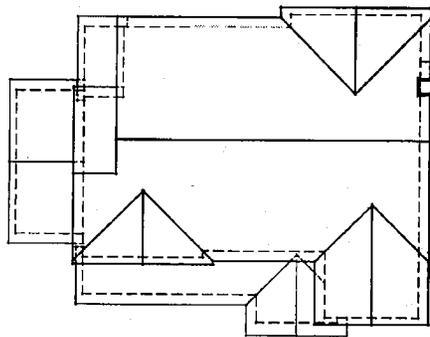


Right Elevation



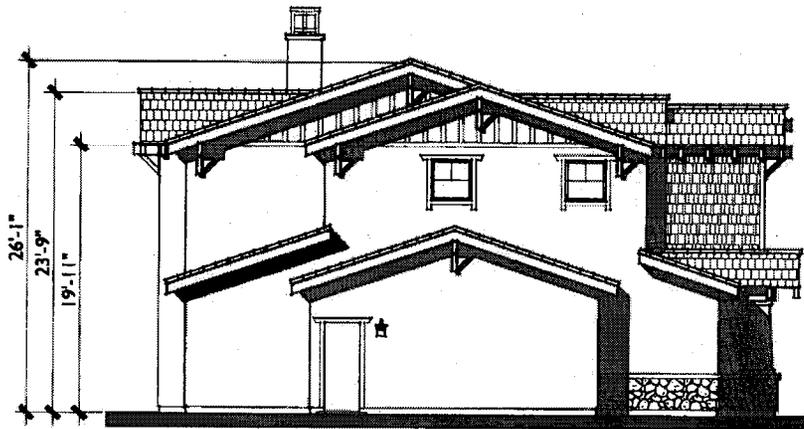
Rear Elevation

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



Roof Plan

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



Left Elevation

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 Beverly Hills, California 90210
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Ivy Ridge Estates - Oceanside

Plan 2
 Craftsman
 Elevations
 Lot 1
 Date: 5-20-2014
 Project Number:
 4-20
 Scale: 1/4" = 1'-0"
 Sheet No.
 8 Of 8

PLANNING COMMISSION



AGENDA NO. 4
CITY OF OCEANSIDE

DATE: April 7, 2015

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A TENTATIVE MAP (T14-00004), DEVELOPMENT PLAN (D14-00007), AND CONDITIONAL USE PERMIT (CUP14-00013) FOR A FIVE-LOT SUBDIVISION AND DEVELOPMENT OF FIVE SINGLE-FAMILY HOMES ON A 1.16-ACRE PARCEL LOCATED AT 2535 IVY ROAD – IVY RIDGE ESTATES – APPLICANT: MAIN STREET PARTNERS, INC.**

RECOMMENDATION

Staff recommends that the Planning Commission by motion;

- (1) Confirm issuance of a Categorical Exemption per CEQA Guidelines Article 19, Section 15332 (In-Fill Development Projects); and
- (2) Approve Tentative Map (T14-00004), Development Plan (D14-00007), Conditional Use Permit (CUP14-00013) by adopting Planning Commission Resolution No. 2015-P11 with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Site Review and Background: The subject property comprises 1.163 acres at the southeast corner of the intersection of Laurel Road and Ivy Road, within the Fire Mountain Neighborhood Planning Area. The site is presently a vacant lot with some remnants of a previous single-family residence. There is an existing paved private driveway off of Ivy Road opposite Seawind Way. The majority of the existing site has sparse vegetation to bare ground coverage with medium dense vegetative ground coverage along the property boundaries. There are two quonset hut shaped green houses at the southeast corner of the property. The site is bounded by Ivy Road along the northerly property boundary and by existing single-family homes along the east, south and westerly property boundaries.

The subject property bears a land use designation of Single Family Detached Residential (SFD) under the Land Use Element of the City's General Plan (3.6 to 5.9 dwelling units per acre). Per the City's 1992 Zoning Ordinance, the property is zoned RS (Single-Family Density Residential) and requires a minimum lot size of 6,000 square feet.

Development on the subject property is subject to the policies and standards of the following:

1. General Plan
2. 1992 Zoning Ordinance
3. Subdivision Ordinance
4. California Environmental Quality Act (CEQA)

Project Description: The proposed project requires three separate entitlements: a Tentative Map, a Development Plan, and a Conditional Use Permit. The Tentative Map would allow for a five-lot subdivision to provide for the development of five detached single-family homes. The Development Plan would allow for a residential project involving more than three housing units. The Conditional Use Permit would allow for this single-family residential development to exceed the base density permitted of 3.6 dwelling units per acre, allowing a net density within the single-family residential density range of 3.6 to 5.9 dwelling units per acre. The project is proposing a density of 4.45 dwelling units per acre.

The proposed project will include five single-family homes. Lots will vary in size from 7,078 to 8,798 square feet. Homes will be two-story, have three-car garages and vary in size from just over 2,000 to just under 3,000 square feet. The property's land use and zoning designations are consistent with one another.

Tentative Subdivision Map T14-00004 represents a request to:

Create a five-lot subdivision for single-family residential purposes. The Tentative Map/Site Development Plan details a variety of off-site improvements to be effected in conjunction with the proposed project:

- A five-foot wide strip along the frontage of the property dedicated to the City of Oceanside for right-of-way purposes.
- Existing public facilities improved as follows to meet with City requirements:
 - Ivy Road widened along the property frontage with new concrete sidewalk, curb, and gutter on the project side to a paved width of 20 feet from centerline, plus 12 feet of pavement on the north side of Ivy Road.
 - Replacement of the existing six-inch public water main within Ivy Road with an eight-inch PVC water main.
 - Installation of two new fire hydrants, one at the end of the cul-de-sac, and the other on the west side of the project on Ivy Road.
- Existing overhead utilities under-grounded along the property frontage.

Staff finds the proposed tentative map to be complete and the proposed off-site improvements to be consistent with the Subdivision Ordinance and other applicable policies and standards.

Development Plan D13-00008 represents a request under 1992 Zoning Code section 4302(F)(1) to construct five single-family residences. The Code requires a Development Plan for review and approval by the Planning Commission for projects in a residential district involving more than three units. The project is in a residential district and involves five housing units.

Architecture

Two architectural plans have been developed for the project, each taking its inspiration from California's traditional architectural styles. The first, Craftsman style, includes typical architectural elements of this style, including shallow pitched roof lines, overhanging eaves, exposed rafters or decorative brackets under eaves, multi-paned windows, and a mix of stone, shingles, wood, and stucco. The second, California cottage, takes its influence from traditional Spanish/Mediterranean design but updates it with a 21st century aesthetic which includes a roofline with a higher pitch and volume, utilizing a balanced mix of hip and gable roof elements. Exterior detailing includes smoother finish stucco, concrete roof tiles and casing, shutters, and/or trim around the windows on all four sides. Both of these styles are consistent with styles seen throughout Fire Mountain, the area in which the site is located.

The architectural plans reflect five two-story homes, each with an attached three-car garage.

- Plan 1, located on Lots 2, 3 and 5 consists of a four-bedroom, three-bath home with 2,296 square feet.
- Plan 2, located on Lots 1 and 4, consists of a four-bedroom, three-bath home with 2,214 square feet.

The Craftsman architectural style will be incorporated into the homes on Lot 1 (Plan 1) and Lot 3 (Plan 2). The cottage architectural style will be incorporated into the homes on Lot 2 (Plan 1), Lot 4 (Plan 2) and Lot 5 (Plan 1).

The color palette chosen for each of the homes will allow them to complement each other in the overall street scene and to blend in with and enhance the landscaping of the Fire Mountain community. The roofs will be predominantly a mix of browns and grays, with a palette of soft white, natural greens, tans and muted accents. A color board submitted by the project applicant and on file in the Planning Division reflects these colors.

Landscaping

The landscape plan will incorporate slope treatments and erosion control plants which include California native and non-invasive trees, shrubs, and groundcovers. Slope treatment plants will be drought tolerant and fire resistant. Trees will be clustered along slopes to help preserve views out of the site. Trees and shrubs along Ivy Road will help to screen headlights and buffer street noise.

Six-foot fencing shall enclose the back half of each lot. Fencing materials include:

- Six-foot high wooden privacy fence;
- Six-foot high masonry block wall;
- Six-foot high combination of masonry block wall with tubular steel view fence; and
- Six-foot high tubular steel view fence.

Fencing height and/or material may vary depending on view opportunities.

It is staff's position that the site design and architecture of the proposed project meet all of the required findings for Development Plan approval.

Conditional Use Permit (CUP14-00013) represents a request to:

Exceed the base density permitted of 3.6 units per acre and allow a base density of 4.45 dwelling units per acre. According to 1992 Zoning Code Section 1050(B), a conditional use permit is required for single-family residential developments of more than four units which exceed the base density permitted. The development proposed is a five-unit residential development zoned RS. According to the Zoning Code, RS developments are subject to a density range of 3.6 to 5.9 dwelling units per acre and must conform to the provisions of Section 2.3 of the Land Use Element of the General Plan. Section 2.3 indicates, among other things, that residential projects that possess an excellence of design features shall be granted the ability to achieve densities above the base density. Section 2.32 of the Land Use Element of the General Plan lists project characteristics that exceed standards established by City policy. Among the characteristics listed are such items as:

- Lot standards which exceed the minimum standards established by City policy. In the case of this development, the minimum lot size is 6,000 square feet. The project proposes lot sizes between 7,088 and 8,786 square feet.
- Superior architectural design and materials. In the case of this development, the architectural styles and unit configurations provide distinct design features. Two architectural styles have been developed even though this is a small subdivision consisting of only five homes. One style is Craftsman style, the other is Spanish Mediterranean. Having two architectural styles within a small division lends toward greater individual distinction, a desired quality for single-family homes. The finish materials in both styles are of a high quality. In the case of the

craftsman style homes there is a mix of stone, shingles, wood and stucco. In the case of the Spanish Mediterranean homes there is smooth stucco typical of the Spanish Mediterranean architectural style vernacular. There are also casing, shutters, and/or trim around the windows on all four elevations, as opposed to just the front elevation. Both architectural styles are representative of Oceanside, and will not detract from the neighborhood.

- Superior private and/or semi-private open space areas. In the case of this development, the homes have been designed to capture the benefit of the site's elevated location atop a knoll/hill, allowing three of the lots (Lots 1 through 3) to have highly desirable west facing, blue water ocean views and the other two lots (Lots 4 and 5) to have south facing views of north Carlsbad.

It is staff's position that the project meets the threshold required to exceed the base density of 3.6 dwelling units and allow a base density of 4.45 dwelling units per acre, as proposed. For these reasons, staff recommends approval of the Conditional Use Permit.

KEY PLANNING ISSUES

1. General Plan Land Use Element Conformance

Policy 1.13 (A) requires single family residential development between Ivy Road and Vista Way to front and take access on Ivy Road. The project conforms to this policy in that the subdivision has been designed to take access off of Ivy Road. A cul-de-sac created off of Ivy Road provides access to five lots allowing for five detached single family homes.

Policy 2.32 of the Land Use Element of the General Plan allows for the base density of a residential zoning district to be exceeded provided the project possesses an excellence of design features. As discussed above, staff finds the proposed project conforms to the policies and objectives of the City's General Plan Land Use Element.

2. Zoning Ordinance Conformance

Section 1010 of the 1992 Zoning Ordinance describes the purpose of residential districts and lists 8 items to be achieved as well as specific goals for the RS zoning district which is the district in which this project is located. Among the 8 items considered by this development, are A, B, and F, as described below:

- A. To provide appropriately located areas for residential development that are consistent with the General Plan and with standards of public health and safety established by the City Code.

The area proposed for development is zoned residential, consistent with the General Plan. The homes proposed for development are subject to the Uniform Building

Code thereby ensuring public health and safety standards established by the City Code are met.

- B. Ensure adequate light, air, privacy, and open space for each dwelling, and protect residents from the harmful effects of excessive noise, population density, traffic congestion, and other adverse environmental effects.

The design of the subdivision has been designed to meet and/or exceed required zoning setback standards as well as density standards permitted by the General Plan. Together these standards, when utilized, ensure this policy is met.

- F. Achieve design compatibility with surrounding neighborhoods.

Surrounding neighborhoods display similar architectural style vernaculars as the styles proposed by this development, including Craftsman style and Spanish/Mediterranean, although each with its particular and distinct quality.

The goals of the RS Single-Family Residential District are to provide opportunities for single-family residential land use in neighborhoods, subject to appropriate standards. This section indicates that in the RS District, the base density is 3.6 dwelling units per gross acre and the maximum potential density is 5.9 dwelling units per gross acre. The project has been designed within the range of density parameters. The subject subdivision has been designed at a gross density of 4.45 dwelling units per acre, which is within the density range permitted within the RS parameters. Designing the subdivision at this density will provide for the creation of five lots each capable of supporting a detached single family home.

Per the 1992 Zoning Ordinance ('92 ZO), development zoned single-family residential (RS) must meet minimum development standards. It is staff's position that the project meets the parameters established by City policy for approving a Development Plan and Conditional Use Permit. Table 1 below outlines the proposed project's conformance to applicable development standards.

**Table 1
R-S Development Standards**

Standard	Requirement	Proposal
Minimum Lot Area	6,000 sq. ft.	7,088 to 8,786 sq. ft.
Minimum Front Yard	20 feet	20 feet
Minimum Street Side Yard	7.5 feet	7.5 feet
Minimum Rear Yard	15 feet	15 to 28 feet
Maximum Height	36 feet	28 feet
Maximum Lot Coverage	45%	Does not exceed 31.2%
Minimum Off-Street Parking	3 enclosed spaces for single family units in excess of 2,500 square feet.	3 enclosed spaces per unit, although units are between 2,200 and 2,300 square feet.

3. Subdivision Ordinance Compliance

The proposed project is subject to the Subdivision Map Act and the Oceanside Subdivision Ordinance (Article IV Tentative Subdivision Maps - Five or More Parcels). Pursuant to Section 401 of the Subdivision Ordinance, this proposed Tentative Subdivision Map has been prepared in a manner acceptable to the Engineering Division. The property is a legally subdivided lot with the minimum lot area and dimensions to accommodate five single-family homes. The proposed subdivision generally holds an interest in common areas and facilities and will establish CC&Rs in conformance with state law.

4. Drainage Basin Design

In keeping with State-mandated Storm Water Management Plan (SWMP) requirements, the applicant proposes to place a drainage basin in the front yards of each single-family home. Planning staff has expressed concern over the aesthetic, safety, and land use impacts the proposed drainage basins may have on each lot. As an alternative, staff has presented design alternatives to the applicant but agrees that SWMP requirements can be met with the drainage basins located and designed as proposed. To ensure they are maintained in perpetuity, staff has added conditions of approval requiring that areas devoted to drainage basins be deed restricted to preclude any structures from being placed over and/or within the parameters of the drainage basins so as to render them non-compliant with the SWMP.

Alternative 1

The first alternative recommended by staff is to place an underground drainage basin adjacent to the curb and within the cul-de-sac. This alternative would not impact each individual property or property owner. Rather, it would allow for the drainage basins to be owned and maintained in perpetuity by a Homeowners Association. This in turn would allow for a more secure and long-term maintenance plan without creating a direct impact on each individual homeowner. This alternative would support the applicant's request to exceed the base density permitted of 3.6 units per acre and allow 4.45 dwelling units per acre as proposed. Placing the drainage basins underground would support the policy to exceed the base density permitted. The policy to exceed the base density is offered to residential projects that possess an excellence of design features. Although this project does possess some excellent architectural design features, requiring the undergrounding of the drainage basins is a land development design feature that would further assure the thresh-hold for excellence is met.

Undergrounding the drainage basins would not impact the front yard of each individual owner as currently proposed; on the contrary, undergrounding the drainage basins would give homeowners full right to their front yards. Staff recommends the Planning Commission implement this alternative and requires the drainage basins be undergrounded as recommended by Planning staff. Staff recommends a condition be added requiring the drainage basins be undergrounded and maintained in perpetuity by a Homeowners Association. This condition shall require revision to the tract map subject

to review and approval by the City Engineering and Director of Community Development. This revision shall also be expressed in a document referred to as CC&R's which shall be subject to review and approval by the City Attorney and shall be recorded with the approved subdivision tract map.

Alternative 2

Alternative 2 would be to place the drainage basins in the rear yard of each lot since this would minimize aesthetic view impacts to the streetscape. As with the proposal by the applicant, this alternative would require the drainage areas be deed restricted to preclude any structures from being placed over and/or within the parameters of the drainage basins so as to render them non-compliant with the SWMP.

ENVIRONMENTAL DETERMINATION

In accordance with Section 15332 of the Guidelines for Implementation of the California Environmental Quality Act (CEQA), the proposed project qualifies for a Class 32 categorical exemption, being an in-fill development project that:

- conforms to applicable land use and zoning standards;
- occurs on a property of less than five acres surrounded by urban uses;
- occurs on a property having no value as habitat for endangered, rare, or threatened species;
- does not result in any significant effects relating to traffic, noise, air quality, or water quality; and
- is adequately served by all required utilities and public services.

Thus, staff finds that the proposed project qualifies for the Class 32 categorical exemption.

PUBLIC NOTIFICATION

In accordance with the 1992 Zoning Code Section 4104, legal notice was published in the newspaper and notices were mailed to property owners of record within a 300-foot radius of the project site. Notices were also mailed to individuals/organizations requesting notification, as well as to the applicant.

SUMMARY

Staff finds that the proposed project is consistent with the applicable objectives and policies of the City's General Plan as well as the applicable standards of the City's Zoning Ordinance and Subdivision Ordinance. Staff thus recommends that the Planning Commission approve the proposal. The Commission's action should be to:

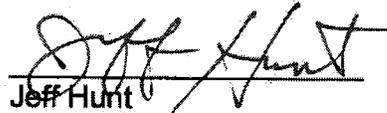
- (1) Confirm issuance of Categorical Exemption per CEQA Guidelines Article 19, Section 15332, (In-Fill Development Projects); and
- (2) Approve Tentative Map (T14-00004), Development Plan (D14-00007), and Conditional Use Permit (CUP 14-00013) by adopting Planning Commission Resolution No. 2015-P11 with findings and conditions of approval attached herein.

PREPARED BY:



Marie Luna
Consultant Senior Planner

SUBMITTED BY:



Jeff Hunt
Interim City Planner

JH/RC/ML/fil

Attachments:

1. Tentative Map, Development Plans, Conceptual Landscape Plan
2. Photos
3. Planning Commission Resolution No. 2015-P11
4. Other Attachments (Application Page, Description and Justification, Legal Description, Notice of Exemption)